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Working with NWT Licence & Permit Holders

"The Liquor Licensing Board office in Hay River has been exceedingly busy over the last three months processing special occasion permits. It became clear that some applicants do not fully understand the legislative and administrative requirements for the various permits. As a result, the Board wants to highlight a few pitfalls.

Timing is key - the deadline to submit an application is set out in section 88 of the *Liquor Regulations* and is reproduced on page 3 of this newsletter. The deadline is for a completed application, so you should really give yourself a self-imposed deadline of 1-2 weeks in advance – particularly if a larger event – to build in flexibility in the event your application is missing something. Many applicants submit their application on the last day, and then become frustrated and upset when they learn that their application is not complete and there is not time to complete it. As there are a number of things that need to occur once the application is complete, a late filing may result in your permit being denied.

Your group may have been planning this event for months, or longer, so it is just common sense to put your special occasion permit application in early to allow for the dreaded "contingencies".

Some items consistently missed are the occupancy load certificate from the Fire Marshall's office, and proof that the event will be controlled and supervised by an adequate number of supervisors. Supervisors may need to have completed Alcohol Server training through Liquor Enforcement, and be able to prove that they took the training (provide a copy of their certificate). The onus is on the applicant to submit this proof, so it is important to keep track of your certificate.

There are 3 classes of special occasion permits: Class 1 - Ordinary (providing liquor for free), Class 2 - Resale (selling liquor at a maximum of \$3.00 per drink) and Class 3 - Fundraising (intended to make a profit). We have had specific problems with the Class 3 applications.

The legislation is very specific as to who is eligible to receive a Class 3 permit (please see the reproduced legislation on page 3 of this newsletter). Your application and supporting documentation must clearly place you within one of these 4 categories.

All of this information and links to the various requirements can be found on the Department of Finance website at <https://www.fin.gov.nt.ca/en/services/apply-nwt-liquor-permit/special-occasion-permits>

To avoid frustration and possible disappointment, brief yourself on the requirements and contact the LLB office in Hay River early, but the most important takeaway is to apply early to allow yourself time to submit anything you missed – or misunderstood.

And to hammer the point home, if you need to obtain a special occasion permit – do not wait for "last call".

Sandra Aitken
Chairperson
Liquor Licensing Board

Inside this issue:

Board Updates - update on Board activities
Server Training - free server training available through Liquor Enforcement
Did you know? – information about advertising
Special Occasion Permits – application deadlines and eligibility
Upcoming Events – info and reminders for licence and permit holders
Inside next issue – info about the LLB News December 2018 Issue



Board Updates

LLB Database

Board Decisions, copies of NWT Liquor Licences, Board policies and processes are now available to the public on the Board's website.

To search the LLB online database, please visit the Board website at the following link:

<https://www.fin.gov.nt.ca/en/services/nwt-liquor-licensing-board>

Compliance Hearing

The Board conducted a Compliance Hearing on August 1st in Yellowknife to hear allegations of non-compliance brought forth by Liquor Enforcement.

Board Decision: NOT GUILTY

Reasons for Decision can be viewed on the Board's online Database.

Next Board Meeting:

The Board meets via teleconference as required but the next "in person" Administrative Board Meeting is set for November 7th & 8th, in Yellowknife. The Board will conduct other business on November 6th, such as attend refresher training opportunities in administrative law.



Licence and Permit Server Training

FREE LIQUOR SERVER TRAINING IS AVAILABLE!

Arrange for your workers to be trained for FREE by contacting

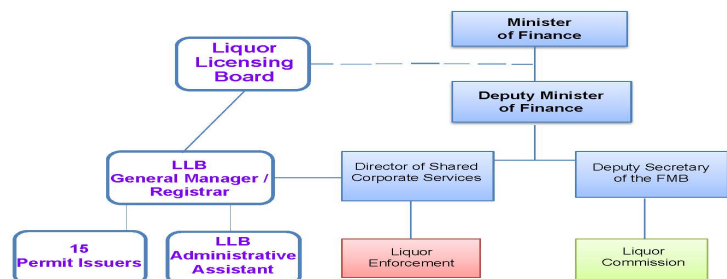
Liquor Enforcement:
liquorenforcement@gov.nt.ca

- Create a safe atmosphere while reducing liability
- Understand liquor legislation
- Promote safe and responsible service
- Identify signs of intoxication
- Teamwork to manage safe service

Public safety is always the first priority in providing safe and responsible liquor services. The Liquor Licensing Board encourages all Licence and Permit Holders to attend this free training opportunity, as you may be liable if you fail to comply with legislation. Refresher courses are also recommended!

Contact Liquor Enforcement at (867) 874-8719 for more information

NWT Liquor Structure



The above **Organizational Structure** is to provide further understanding of the structure of the 3 different liquor entities:

Liquor Licensing Board

Liquor Commission

Liquor Enforcement

ADVERTISING: Did you know?

- No Licence Holder shall distribute coupons redeemable for a discount on purchases of liquor.

- The holder of a Class 3 (fundraising) permit may, after the permit has been issued, advertise the event as licensed or authorized for the sale or service of liquor.

- No permit holder shall advertise liquor contrary to the provisions applicable to advertising by the holders of a premises licence.

- No holder of a premises licence shall, outside the licensed premises, advertise the price of liquor or the sale or service of free or discounted liquor.

(Sections 72, 73, 106, and 107 of Liquor Regulations)

- No Licence Holder shall advertise liquor contrary to the *Code For Broadcast Advertising of Alcoholic Beverages*, issued from time to time by the Canadian Radio-television and Telecommunications Commission.

- Ad Standards Clearance Services reviews alcoholic beverage advertising to ensure compliance with the Canadian Radio-television and Telecommunications Commission *Code for Broadcast Advertising of Alcoholic Beverages (CRTC Code)*:

<http://www.adstandards.com/en/Clearance/AlcoholicBeverages/alcoholicBeveragesReferenceLibrary.aspx>



Deadlines To Submit An Application for a Special Occasion Permit:

An application for a Special Occasion Permit must be made to the Liquor Licensing Board before the event. The application time is based upon the number of people expected to attend the event.

# of people expected to attend	# of days the application must be made
Less than 200	5 days
200 to 500	14 days
More than 500	45 days

Please be advised the Board must receive a **completed** application, including any application required documents, within the regulatory filing times. It is highly encouraged to submit your applications early and in advance if you are aware of any future events for which you will require liquor services. The Board especially encourages organizers of annual large events (over 500 persons) to start planning **now** for your next event to ensure all application requirements are met by the deadlines.



Special Occasion Permits

Eligibility

(Section 86 Liquor Regulations)

Any person, other than a minor, is eligible for a Class 1 (ordinary) permit or Class 2 (resale) permit.

The following are eligible for a Class 3 (fundraising) permit:

- (a) an unincorporated group of persons that
 - has been in existence for a period not less than six months before the date of application,
 - has an executive elected by its members, and
 - conducts a community, recreational or cultural activity and does not carry on a trade or business for the pecuniary gain of its members;
- (b) a society incorporated under the *Societies Act*;
- (c) a body incorporated under *Part II* of the *Canada Corporations Act*;
- (d) a service club that holds a premises licence.

Please be prepared to provide proof of eligibility should you wish to apply for a Class 3 Permit. You may wish to contact Corporate Registries to ensure your Society is still active and not dissolved.



Upcoming Events: Info and Reminders for Licence and Permit Holders

Municipal Elections

No holder of a premises licence shall sell, serve or allow the consumption of liquor in the licensed premises while the polls are open on the day fixed for an election for a member of a municipal council, if the licensed premises are located within the electoral district where the election is being held.



Halloween Events

Are you planning a Halloween Event? Do you require a Special Occasion Permit? Banquet Room Notification? Liquor Free Event? Contact our office at LLBinfo@gov.nt.ca or visit the Board's website for more information to ensure any regulatory filing times are met. We look forward to hearing from you!

Remembrance Day

A branch of the Royal Canadian Legion that holds a Class D licence may, between 12 noon on any Remembrance Day that falls on a Sunday and 2 a.m. of the next day, sell and serve liquor in its licensed premises and allow the consumption of liquor in its licensed premises by authorized patrons.



Grey Cup

The holder of a Class A (liquor-primary) licence or a service club that holds a Class D (liquor-incidental) licence shall file written notice to the Board at least 14 days in advance before operating on one of the Sundays allowed. Please note this notice is not required for Class A licensed premises in Yellowknife.

Christmas Events

The soon arrival of the holiday season brings an influx, in October and November, of applications for staff and office Christmas parties. Do you require a Special Occasion Permit? Minors approval? Banquet Room Notifications? Contact our office at LLBinfo@gov.nt.ca or visit the Board's website for more information to ensure any regulatory filing times are met. We look forward to hearing from you!



LLB Office will be closed for holidays from Dec.21 to Jan. 1st, inclusive

Inside the next issue of LLB News:

- Reminders for upcoming 2019 licence renewals
- Board updates on past, present and future activities
- Christmas office closure dates
- Legislation for holiday operations