



PROSECUTORIAL COMPLIANCE HEARING PROCESS – C.01

(When a charge of non-compliance is laid by
Liquor Enforcement against a licence holder)

For Information Purposes Only

1. The Board Registrar will record the hearing and act as tribunal clerk.
2. The Board Chairperson will make introductory comments, identify the purpose of the hearing, and request introductions from the parties.
3. Unless the Board orders otherwise, witnesses other than the licence holder will be excluded from the hearing room until called in to testify.
4. Counsel for Liquor Enforcement will make their opening comments.
5. The licence holder or representative will make their opening comments.
6. The parties will present any agreed statements they may have.
7. Counsel for Liquor Enforcement will present their evidence, including calling any witnesses.
 - (a) If any witnesses are called, they will be called one at a time, and they will subscribe to an oath or affirmation. Questions will then be asked of them in the following order:
 - By counsel for Liquor Enforcement in direct examination;
 - By the licence holder or representative in cross-examination;
 - By counsel for Liquor Enforcement in redirect; and
 - By the Board.
 - (b) Any exhibits will be received and logged.
8. The licence holder or representative will present their evidence, including calling any witnesses.
 - (a) If any witnesses are called, they will be called one at a time, and they will subscribe to an oath or affirmation. Questions will then be asked of them in the following order:
 - By the licence holder or representative in direct examination;

- By counsel for Liquor Enforcement in cross-examination;
 - By the licence holder or representative in redirect; and
 - By the Board.
- (b) Any exhibits will be received and logged.
9. Counsel for Liquor Enforcement will make their arguments or statements in support of their position.
 10. The licence holder or representative will make their arguments or statements in support of their position.
 11. The Board may ask questions.
 12. The Board will adjourn to deliberate, after which it will return with a decision.
 13. If the Board's decision is to find the licence holder guilty of the charge, then:
 - (a) Counsel for Liquor Enforcement will make submissions on an appropriate disposition;
 - (b) The licence holder or representative will make submissions on an appropriate disposition;
 - (c) Counsel for Liquor Enforcement may reply to the licence holder or representative's submissions;
 - (d) The Board may have questions.
 14. The Board will adjourn to deliberate, after which it will return with a decision on an appropriate disposition.
 15. The tribunal will be closed.
 16. The Board Registrar will forward the written orders and/or reasons for decision to the parties.

Effective the 22nd day of May 2018.

Approved by:



Sandra Aitken, Chairperson

On behalf of and with the concurrence of the Board Members