

The Alcohol Control Regulations, 2016

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[Chapter A-18.011 Reg 7](#) (effective October 9, 2016).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-18.011 REG 7
The Alcohol and Gaming Regulation Act, 1997

PART 1
Preliminary Matters

Title

1 These regulations may be cited as *The Alcohol Control Regulations, 2016*.

Definitions

2 In these regulations:

“**Act**” means *The Alcohol and Gaming Regulation Act, 1997*; (« *Loi* »)

“**cooler**” means any beverage alcohol that the authority has classified as a cooler; (« *panaché* »)

“**craft alcohol**” means beverage alcohol that is manufactured in accordance with the policies established by the authority for craft alcohol; (« *boisson alcoolisée artisanale* »)

“**craft alcohol producer**” means a person who holds a permit to manufacture craft alcohol; (« *producteur de boissons alcoolisées artisanales* »)

“**Form**” means a Form set out in Part 2 of the Appendix; (« *formule* »)

“**off-sale endorsement**” means an off-sale endorsement granted pursuant to section 44; (« *mention vente à exporter* »)

“**spirits**” means a beverage manufactured by a process of distillation and having more than 10% alcohol by volume; (« *spiritueux* »)

“**Table**” means a Table set out in Part 1 of the Appendix. (« *table* »)

23 Sep 2016 cA-18.011 Reg 7 s2.

Permits

3 The following classes of permits are established:

- (a) retail store permits;
- (b) restaurant permits;
- (c) tavern permits;
- (d) special use permits;
- (e) u-brew or u-vin operation permits;
- (f) manufacturer permits;
- (g) special occasion permits;
- (h) direct to consumer delivery permits.

23 Sep 2016 cA-18.011 Reg 7 s3.

Sale of beverage alcohol

4(1) Subject to the Act, these regulations, and any terms imposed on the permittee by the authority:

- (a) a permittee may sell beverage alcohol on the premises or area for which a permit is issued;
- (b) a permittee who has been granted an endorsement respecting the sale of beverage alcohol may sell beverage alcohol in accordance with the endorsement; and
- (c) a permittee who holds a special occasion permit may serve beverage alcohol without charge at the special occasion if authorized to do so under the permit.

(2) No permittee who is required to hold a licence pursuant to *The Liquor Consumption Tax Act* shall sell beverage alcohol without holding that licence.

23 Sep 2016 cA-18.011 Reg 7 s4.

Capacity

5 Every permittee shall ensure that the number of persons who are present at any one time on the premises or area for which a permit is issued does not exceed the maximum capacity of the premises or area, as determined in accordance with *The Fire Safety Act*, *The Fire Safety Regulations* and the relevant National Fire Code of Canada.

23 Sep 2016 cA-18.011 Reg 7 s5.

Compliance

6 Every permittee shall at all times comply with the Act, these regulations, the terms of the permit, any endorsement to the permit, and all other laws regulating the permittee.

23 Sep 2016 cA-18.011 Reg 7 s6.

Mandatory server training

7(1) Every person employed in the sale or service of beverage alcohol in a retail store or on a permitted premises must successfully complete, within a period determined by the authority, a server training program approved by the authority.

(2) No permittee shall employ a person in the sale or service of beverage alcohol in a retail store or on a permitted premises unless the person has successfully completed, within a period determined by the authority, a server training program approved by the authority.

23 Sep 2016 cA-18.011 Reg 7 s7.

PART 2 Retail Store Permits

Retail store permits

8(1) In this section and in section 9, “**former franchise**” and “**former off-sale endorsement**” have the same meaning as in section 37 of *The Liquor Retail Modernization Act*.

- (2) The authority may issue a retail store permit respecting any premises on which beverage alcohol is to be sold in closed containers for consumption off the premises.
- (3) A retail store permittee shall operate the retail store in accordance with the terms and conditions established by the authority.
- (4) Subject to section 9, no retail store shall be integrated within another business unless the business is located in a community with a population of fewer than 5,000 people.
- (5) If a retail store permittee wishes to relocate a retail store, the retail store permittee must apply to the authority, in accordance with the policies established by the authority, and be granted authorization to do so.
- (6) No retail store permittee may apply to the authority before October 9, 2018 to relocate a retail store unless:
- (a) in the case of a former franchise, the retail store permittee is proposing to relocate the retail store to a new location with the business with which the former franchise was associated;
 - (b) in the case of a restaurant, tavern or brew pub tavern with which a former off-sale endorsement was associated, the retail store permittee is proposing to relocate the retail store to a new location with the restaurant or tavern; or
 - (c) in the case of an integrated retail store located in a city or in a community with a population of 5,000 or more people, the retail store permittee is proposing to relocate the retail store to a new location with the restaurant or tavern and to operate the retail store as a stand-alone retail store at the new location.
- (7) Nothing in the Act or these regulations compels the authority to issue a permit for the establishment of a retail store in any place other than a place determined by the authority pursuant to subsection 14(2) of the Act.

23 Sep 2016 cA-18.011 Reg 7 s8.

Operation of certain integrated retail stores

9(1) A former franchise or premises subject to a former off-sale endorsement that, as at the day before section 1 of *The Liquor Retail Modernization Act* came into force, was integrated within another business may continue to be operated as a retail store integrated within the other business, notwithstanding that the business is located in a city or in a community with a population of 5,000 or more people, until one of the following events occurs:

- (a) the retail store permit is cancelled;
 - (b) the retail store is relocated;
 - (c) the business within which the retail store is integrated is relocated, closed or sold.
- (2) If the permittee of an integrated retail store mentioned in subsection (1) applies to the authority in accordance with subsection 8(5) to relocate the entire business and is granted authorization to do so, the permittee, on relocation of the entire business, must separate the retail store from the other business.

23 Sep 2016 cA-18.011 Reg 7 s9.

Limitation on number of retail stores in the Northern Saskatchewan Administration District

10(1) Subject to subsection (2), the authority shall only issue a retail store permit pursuant to section 8 in the Northern Saskatchewan Administration District if the premises that are the subject of the retail store permit are situated at least 40 kilometres by road from the nearest retail store.

(2) Subsection (1) does not apply to a renewal of a retail store permit that is deemed to be a retail store permit pursuant to section 37 of *The Liquor Retail Modernization Act*.

23 Sep 2016 cA-18.011 Reg 7 s10.

Sale of retail store permits

11(1) The holder of a retail store permit may sell his or her interest in the retail store permit.

(2) Notwithstanding subsection (1):

(a) in accordance with section 43 of the Act, the retail store permit remains the property of the authority; and

(b) the purchaser of the interest in the retail store permit must apply to the authority in accordance with the Act and these regulations for the issuance of a retail store permit.

(3) Notwithstanding subsection (1), before October 9, 2018, no person shall sell an interest in a retail store permit without selling all or substantially all of the assets of the retail store.

23 Sep 2016 cA-18.011 Reg 7 s11.

PART 3

Restaurant Permits

Restaurant permits

12 The authority may issue a restaurant permit respecting any premises where the primary business and source of revenue generated on the premises is the preparation and sale of food for consumption on the premises.

23 Sep 2016 cA-18.011 Reg 7 s12.

Restaurant permit requirements

13(1) Subject to subsection (2), the holder of a restaurant permit shall ensure that the food to beverage alcohol sales value ratio on the permitted premises is at least one dollar of food sales for every one dollar of beverage alcohol sales.

(2) Subsection (1) does not apply to:

(a) a lounge or banquet room for which the permit is endorsed pursuant to section 15;

(b) a patio for which the permit is endorsed pursuant to section 43;

- (c) beverage alcohol sold to hotel or motel guests in accordance with Part 11; or
 - (d) beverage alcohol sold pursuant to an off-sale endorsement mentioned in subsection 82(3).
- (3) In accordance with sections 75 and 116.2 of the Act, the holder of a restaurant permit shall, on the request of a customer, recork:
- (a) beer purchased by the customer at the permitted premises for consumption on the permitted premises if the type of beer and size of container are both approved by the authority for recorking; or
 - (b) a bottle of wine:
 - (i) purchased by the customer at the permitted premises for consumption on the permitted premises; or
 - (ii) brought onto the permitted premises by the customer for consumption on the permitted premises in accordance with section 14.

23 Sep 2016 cA-18.011 Reg 7 s13.

Customers may bring their own wine

- 14(1) The holder of a restaurant permit may allow customers to bring and consume their own wine at the restaurant in accordance with section 116.2 of the Act.
- (2) A person may bring and consume his or her own wine at a restaurant mentioned in subsection (1) if the person's own wine has been lawfully purchased:
- (a) from a retail store in Saskatchewan;
 - (b) from a craft alcohol producer who holds an off-sale endorsement granted pursuant to clause 44(1)(a);
 - (c) from the holder of a restaurant permit who holds an off-sale endorsement mentioned in subsection 82(3);
 - (d) pursuant to a direct to consumer importation authorization pursuant to section 58;
 - (e) in Canada outside of Saskatchewan and transported into Saskatchewan in accordance with clause 107(2)(e) of the Act and section 71 of these regulations; or
 - (f) outside of Canada and lawfully transported into Saskatchewan.
- (3) If, in accordance with a restaurant permit, a permittee allows persons to bring and consume their own wine at the restaurant, the permittee may charge a corkage fee.

23 Sep 2016 cA-18.011 Reg 7 s14.

Endorsement permitting sale from lounge or banquet room

15(1) In this section, “**restaurant area**” means the permitted area of the restaurant that does not include a lounge, banquet room or patio.

(2) Subject to subsection (3), the authority may endorse a restaurant permit to authorize the permittee to sell beverage alcohol for consumption in a lounge or banquet room that is suitably connected to the restaurant area.

(3) The authority shall not endorse a restaurant permit pursuant to subsection (2) respecting a lounge unless:

(a) in the authority’s opinion, the lounge is suitable for the purpose for which the endorsement is sought; and

(b) the floor area of the lounge does not exceed the floor area of the restaurant area.

(4) The holder of a restaurant permit endorsed pursuant to subsection (2) shall ensure that food service is available in the lounge or banquet room, as the case may be.

(5) For the purposes of subsection (2), guest rooms in a hotel or motel to which beverage alcohol may be delivered in accordance with section 47 are not to be considered as part of any lounge.

23 Sep 2016 cA-18.011 Reg 7 s15.

Tavern endorsement

16(1) The authority may endorse a restaurant permit with a tavern endorsement authorizing the permittee to operate the permitted premises as a tavern.

(2) If the authority endorses a restaurant permit with a tavern endorsement, the authority shall establish the days and times that the permitted premises may be operated as a tavern.

(3) During the days and times that a tavern endorsement granted pursuant to this section authorizes the permitted premises to be operated as a tavern:

(a) subject to the Act, these regulations and the terms imposed by the authority, the permittee shall operate the permitted premises as a tavern;

(b) the provisions of the Act and these regulations that affect or apply to permittees operating taverns apply, with any necessary modification, to the permittee and the permitted premises; and

(c) subsection 13(1), subclause 13(3)(b)(ii) and section 14 do not apply to the permittee.

(4) For the purposes of the definition of “**reviewable endorsement**” in section 2 of the Act, a tavern endorsement granted pursuant to this section is prescribed as a reviewable endorsement.

23 Sep 2016 cA-18.011 Reg 7 s16.

PART 4
Tavern Permits

Tavern permits

17 The authority may issue a tavern permit for any premises on which the primary business to be conducted is the sale of beverage alcohol for consumption on the premises.

23 Sep 2016 cA-18.011 Reg 7 s17.

Tavern permit requirements

18 In accordance with section 75 of the Act, the holder of a tavern permit shall, on the request of a customer, recork:

- (a) beer purchased by the customer at the permitted premises for consumption on the permitted premises if the type of beer and size of container are both approved by the authority for recorking; or
- (b) a bottle of wine purchased by the customer at the permitted premises for consumption on the permitted premises.

23 Sep 2016 cA-18.011 Reg 7 s18.

PART 5
Special Use Permits

Special use permits

19(1) The authority may issue a special use permit respecting any of the following:

- (a) any club premises if:
 - (i) the club is a non-profit corporation or a service club;
 - (ii) the club premises are owned or leased by the club;
 - (iii) the club operates the premises; and
 - (iv) the club limits admission to the premises to its members and guests of its members;
- (b) any premises in a facility where the primary purpose of the premises is to provide sport activities and where the owner or operator of the facility limits admission to persons:
 - (i) who have paid a membership fee or service charge for the privilege of engaging in a sport; or
 - (ii) who are spectators of a sport;
- (c) any railway car, limousine, airplane, bus or vessel that is used in the business of providing public transportation;
- (d) any theatre or concert premises or any convention centre premises;
- (e) any premises in an airport;

- (f) any premises in a university or post-secondary educational institution;
 - (g) any military mess;
 - (h) any sports stadium if the council of the municipality in which the stadium is situated authorizes the sale of beverage alcohol in the stadium;
 - (i) any camp in the Northern Saskatchewan Administration District at which dining and lodging is provided;
 - (j) any premises on which exhibitions or fairs are presented;
 - (k) any special-care facilities;
 - (l) any casino;
 - (m) any bingo hall where the primary purpose of the premises is to conduct bingo;
 - (n) any premises from which a permittee may offer home delivery of beverage alcohol;
 - (o) any food catering business that operates without a permitted premises;
 - (p) any spa or salon;
 - (q) any premises where:
 - (i) the primary purpose of the premises is to offer cooking classes; and
 - (ii) participants of the cooking classes consume, on the premises, the meals they prepare during the cooking classes.
- (2) In accordance with section 75 of the Act, the holder of a special use permit shall, on the request of a customer, recork:
- (a) beer purchased by the customer at the permitted premises for consumption on the permitted premises if the type of beer and size of container are both approved by the authority for recorking; or
 - (b) a bottle of wine purchased by the customer at the permitted premises for consumption on the permitted premises.

23 Sep 2016 cA-18.011 Reg 7 s19.

Trade show events

20 The authority may authorize the holder of a special use permit issued pursuant to clause 19(1)(d), (f) or (j) to sell samples of beverage alcohol for consumption at trade show events that are held on the permitted premises in accordance with the Act, these regulations and any terms imposed by the authority.

23 Sep 2016 cA-18.011 Reg 7 s20.

Home delivery special use permit

21(1) The authority may issue a home delivery special use permit pursuant to clause 19(1)(n) to:

- (a) the holder of a retail store permit;
- (b) a craft alcohol producer who holds an off-sale endorsement granted pursuant to clause 44(1)(a); or

- (c) any other person who, in the authority's opinion, qualifies for a home delivery special use permit in accordance with the Act and these regulations.
- (2) No person mentioned in clause (1)(c) who has been granted a home delivery special use permit shall store beverage alcohol for the purpose of sale.
- (3) Subject to clause (5)(d), the holder of a home delivery special use permit may:
 - (a) take orders from any person who wishes to purchase beverage alcohol; and
 - (b) deliver and sell the beverage alcohol to the person who ordered it at a private place where it is lawful to store and consume the beverage alcohol.
- (4) The holder of a home delivery special use permit shall deliver and sell the beverage alcohol ordered pursuant to subsection (3) during the hours that beverage alcohol may be lawfully sold pursuant to subsection 49(2) and the tolerance period mentioned in section 50.
- (5) The holder of a home delivery special use permit shall ensure that:
 - (a) the charge for home delivery of beverage alcohol is the same price paid by retail customers for the purchase of beverage alcohol plus a separate delivery charge;
 - (b) customers are informed of the purchase price and the delivery charge at the time of placing the order;
 - (c) the person delivering the beverage alcohol is carrying a copy of the home delivery special use permit;
 - (d) no home delivery of beverage alcohol is made to a minor nor to any person who appears to be intoxicated at the time of delivery; and
 - (e) in the case of a person described in clause (1)(c), any beverage alcohol purchased to fill an order but not delivered and sold is:
 - (i) if accepted by the seller, returned:
 - (A) to the retail store from which the beverage alcohol was purchased; or
 - (B) to the craft alcohol producer who holds an off-sale endorsement granted pursuant to clause 44(1)(a) and from whom the beverage alcohol was purchased; or
 - (ii) otherwise disposed of in a manner satisfactory to the authority.
- (6) The holder of a home delivery special use permit shall, on delivery of the beverage alcohol to the purchaser, require the purchaser:
 - (a) to show proper identification proving the purchaser's age; and
 - (b) to sign a receipt for the sale and delivery of beverage alcohol.

PART 6
U-brew and U-vin Operation Permits

U-brew and u-vin operation permits

22 The authority may issue a permit respecting a u-brew or u-vin operation to be carried on:

- (a) on premises that, in the opinion of the authority, are suitable for a u-brew or u-vin operation; and
- (b) in accordance with the Act, these regulations and any terms imposed by the authority.

23 Sep 2016 cA-18.011 Reg 7 s22.

U-brew and u-vin operation permit requirements

23(1) No holder of a u-brew or u-vin operation permit shall:

- (a) keep or store beverage alcohol other than beverage alcohol that is kept in a container used for the manufacture of beverage alcohol;
 - (b) sell, offer for sale or produce for sale any beverage alcohol;
 - (c) subject to subsection (2), allow the consumption of beverage alcohol on the premises for which the permit has been issued;
 - (d) allow minors to participate in the manufacture or handling of beverage alcohol; or
 - (e) perform any activity related to the manufacture of beverage alcohol except those activities allowed by the authority.
- (2) In accordance with the policies established by the authority, the holder of a u-brew or u-vin operation permit may allow a customer to sample the customer's own product during the manufacturing process.

23 Sep 2016 cA-18.011 Reg 7 s23.

Responsibilities concerning customers

24(1) No holder of a u-brew or u-vin operation permit shall allow a customer to manufacture beverage alcohol on the premises or remove beverage alcohol manufactured on the premises unless the customer makes at least two visits to the u-brew or u-vin operation to carry out the following tasks:

- (a) during the initial visit, the customer shall:
 - (i) pay for the product and service;
 - (ii) sign a declaration that the product will be used for personal consumption in a private place or for consumption by others in a private place at no charge; and
 - (iii) mix all ingredients necessary to start the fermentation process to manufacture the beverage alcohol; and
- (b) during the second visit, the customer shall bottle and seal the beverage alcohol.

- (2) The holder of a u-brew or u-vin operation permit may allow a customer to be accompanied by one or more persons to assist the customer in performing the tasks mentioned in subsection (1) as long as those persons are not associated with the u-brew or u-vin operation.
- (3) The holder of a u-brew or u-vin operation permit or his or her employees may assist the customer in performing the tasks mentioned in subsection (1) but each of those tasks must be primarily performed by the customer unless the customer is physically incapable of performing the task alone.
- (4) If the customer is physically incapable of performing the task alone, the permittee may assist the customer only if the customer is present.
- (5) After completion of the tasks mentioned in subsection (1):
 - (a) the customer may remove the beverage alcohol from the premises; or
 - (b) at the request of the customer and within a reasonable period, the holder of the u-brew or u-vin operation permit may deliver the beverage alcohol to the customer's place of residence.
- (6) Nothing in subsection (5) authorizes the holder of a u-brew or u-vin operation permit to keep or store beverage alcohol in contravention of clause 23(1)(a).

23 Sep 2016 cA-18.011 Reg 7 s24.

Record-keeping and reporting requirements

- 25(1)** The holder of a u-brew or u-vin operation permit shall retain for two years and make available for inspection by the authority any records that may be required by the authority respecting the manufacture of beverage alcohol on the premises.
- (2) The holder of a u-brew or u-vin operation permit shall ensure that during the manufacturing process an identification tag is attached to each container used for the manufacturing of the customer's beverage alcohol.
- (3) The holder of a u-brew or u-vin operation permit shall prepare and submit a report to the authority by April 30 of each year, in a form acceptable to the authority, that includes the following information with respect to the u-brew or u-vin operation for the period commencing on April 1 of the previous year and ending on March 31 of that year:
 - (a) the type of beverage alcohol manufactured and the volume of each type of beverage alcohol manufactured;
 - (b) the number of customers manufacturing each type of beverage alcohol;
 - (c) any other information that the authority may require.

23 Sep 2016 cA-18.011 Reg 7 s25.

Unclaimed product

- 26** The holder of a u-brew or u-vin operation permit shall destroy any unclaimed product after making reasonable attempts to contact the customer.

23 Sep 2016 cA-18.011 Reg 7 s26.

Permittee may manufacture for personal use

27 Subject to fulfilling the requirements set out in sections 23 to 26, the holder of a u-brew or u-vin operation permit or his or her employees may manufacture, at the u-brew or u-vin operation premises, beverage alcohol for personal consumption in a private place or for consumption by others in a private place at no charge.

23 Sep 2016 cA-18.011 Reg 7 s27.

PART 7
Manufacturer Permits

Manufacturer permits

28(1) The authority may issue a manufacturer permit for any premises where the primary business to be conducted on the premises is that of a brewery, distillery or winery.

(2) Subject to the Act, these regulations and any other law, the holder of a manufacturer permit may:

- (a) manufacture beverage alcohol:
 - (i) of a kind specified in the permit; and
 - (ii) on the premises specified in the permit as manufacturing premises;
- (b) sell and deliver to the authority beverage alcohol manufactured by the permittee;
- (c) in the case of a brewer or a craft alcohol producer, sell on behalf of the authority and deliver to a permittee beverage alcohol manufactured by the brewer or craft alcohol producer; and
- (d) export beverage alcohol of a kind specified by the authority.

(3) Subject to clauses 107(2)(c) and (c.1) of the Act, no person shall manufacture beverage alcohol in Saskatchewan unless he or she holds a manufacturer permit issued by the authority.

23 Sep 2016 cA-18.011 Reg 7 s28.

Manufacturer permit requirements

29(1) Notwithstanding subsection 28(1), the authority shall not issue a manufacturer permit unless, in the authority's opinion, the location and construction of the premises and the equipment on the premises are suitable for the purpose of manufacturing beverage alcohol.

(2) The holder of a manufacturer permit shall ensure that:

- (a) the beverage alcohol manufactured pursuant to the permit:
 - (i) is manufactured on the premises specified in the permit;
 - (ii) is manufactured in accordance with the standards established pursuant to the *Food and Drug Act* (Canada), the regulations made pursuant to that Act, and any other law; and
 - (iii) meets any standards with respect to quality that the authority may establish; and

- (b) the holder is at all times in compliance with the conditions mentioned in subsection (1).
- (3) The holder of a manufacturer permit shall remit to the authority all applicable markup and production levies required by the authority.
- (4) The holder of a manufacturer permit shall:
 - (a) maintain records respecting the manufacture of beverage alcohol on the premises; and
 - (b) submit those records to the authority, in a form satisfactory to the authority and within the period set by the authority.

23 Sep 2016 cA-18.011 Reg 7 s29.

Importation of beer

30 The authority may authorize a brewer who is the holder of a manufacturer permit to import beer into Saskatchewan if:

- (a) the beer is manufactured by the manufacturer; and
- (b) the requirements of section 3 of the *Importation of Intoxicating Liquors Act* (Canada) are complied with.

23 Sep 2016 cA-18.011 Reg 7 s30.

Hospitality suite

31(1) The holder of a manufacturer permit who operates a hospitality suite on or adjacent to the manufacturing premises:

- (a) may, without charge, serve beverage alcohol that is manufactured on the premises to guests in the hospitality suite;
- (b) may operate the hospitality suite during the hours that beverage alcohol may be lawfully sold pursuant to subsection 49(2) and the tolerance period mentioned in section 50; and
- (c) shall not allow more than 125 persons as guests at any one time in the hospitality suite.

(2) A craft alcohol producer who operates a hospitality suite in accordance with subsection (1) may serve or sell to guests in the hospitality suite:

- (a) beverage alcohol that is manufactured on the premises; and
- (b) beverage alcohol that is manufactured by another craft alcohol producer.

23 Sep 2016 cA-18.011 Reg 7 s31.

PART 8 Special Occasion Permits

Special occasion permits

32(1) The authority may issue a special occasion permit respecting any premises or area where a special occasion is to be held authorizing the permittee:

- (a) to serve beverage alcohol without charge;

- (b) to sell beverage alcohol at prices sufficient to recover the cost of beverage alcohol service, as specified by the authority; or
 - (c) subject to section 36, to sell beverage alcohol at prices set by the permittee for the special occasion.
- (2) In the case of an outdoor event for which a special occasion permit has been issued, the holder of the special occasion permit shall ensure that the number of persons in the outdoor area with respect to which the permit has been issued does not exceed the capacity of the area endorsed on the permit.
- (3) The authority may refuse to issue a special occasion permit to any applicant that the authority considers inappropriate.

23 Sep 2016 cA-18.011 Reg 7 s32.

Days and hours of operation

- 33(1)** No holder of a special occasion permit shall sell, serve or permit the sale or serving of beverage alcohol except on the day or days and during the hours determined by the authority for the sale or service of beverage alcohol pursuant to the permit.
- (2) No special occasion permit shall be issued to be in effect before 9:30 a.m. unless the permit contains an endorsement of the authority allowing the permittee to sell or serve beverage alcohol before that time.
- (3) Every special occasion permit expires:
- (a) subject to clause (b), not later than 2:30 a.m. on the day following the day with respect to which the permit was issued, unless the permit contains an endorsement of the authority allowing the permittee to sell or serve beverage alcohol after 2:30 a.m.; and
 - (b) not later than 3:00 a.m. on January 1, in the case of a permit issued for December 31.
- (4) The holder of a special occasion permit shall stop serving or selling beverage alcohol at least one-half hour before the expiration of the permit, or any period specified in the permit, in order to permit persons who have been served beverage alcohol to finish their beverages.
- (5) Subject to subsection (6) and section 34, no special occasion permit is to be in effect for more than 12 hours during any 24-hour period.
- (6) The authority may endorse a special occasion permit to be in effect for a period not exceeding 19 hours in any 24-hour period.

23 Sep 2016 cA-18.011 Reg 7 s33.

Regular meetings and functions

- 34(1)** The authority may issue a special occasion permit for a period not exceeding one year respecting regularly scheduled meetings or regularly scheduled social functions of an association or other organization with respect to which the applicant would be entitled to apply for and receive separate special occasion permits.

- (2) The holder of a special occasion permit issued pursuant to subsection (1) shall make arrangements to secure any beverage alcohol:
- (a) that is not consumed at a regularly scheduled meeting or social function of the association or other organization; and
 - (b) that is intended to be served at the next regularly scheduled meeting or social function of the association or other organization.

23 Sep 2016 cA-18.011 Reg 7 s34.

Special occasion permit requirements

- 35(1)** An application for a special occasion permit must be made at least 10 days before the date of the special occasion, or within any shorter period that the authority may allow.
- (2) The applicant for a special occasion permit must make arrangements satisfactory to the authority for compliance with *The Liquor Consumption Tax Act*.
- (3) The holder of a special occasion permit may purchase beverage alcohol from:
- (a) a retail store; or
 - (b) a craft alcohol producer who holds an off-sale endorsement granted pursuant to clause 44(1)(a).
- (4) The holder of a special occasion permit may store beverage alcohol on the premises or area with respect to which the permit was issued.

23 Sep 2016 cA-18.011 Reg 7 s35.

Restrictions on issuing special occasion permits

- 36(1)** Subject to subsections (2) and (3), the authority shall not issue a special occasion permit pursuant to clause 32(1)(c) to an individual.
- (2) The authority may issue a special occasion permit to an individual pursuant to clause 32(1)(c) if the beverage alcohol for the special occasion will be supplied by a holder of an endorsement issued pursuant to section 42.
- (3) Notwithstanding subsection (2), the authority may issue to an individual one special occasion permit per year pursuant to clause 32(1)(c) that does not require the beverage alcohol for the special occasion to be supplied by a holder of an endorsement issued pursuant to section 42.

23 Sep 2016 cA-18.011 Reg 7 s36.

Minors re special occasion permits

- 37** No holder of a special occasion permit shall allow minors on the premises or area with respect to which the special occasion permit is issued:
- (a) unless the permit is issued pursuant to clause 32(1)(a) or (b); or
 - (b) unless:
 - (i) the applicant has requested that minors be allowed on the premises;
 - (ii) the authority has authorized minors to be allowed on the premises and that authorization is endorsed on the permit; and

(iii) if the permit is issued to an organization or to a person other than an individual, the minor is accompanied by his or her parent, legal guardian or spouse, if that spouse is not a minor, unless the authority has waived that requirement and the waiver is endorsed on the permit.

23 Sep 2016 cA-18.011 Reg 7 s37.

Special occasion permits re outdoor premises

38 No special occasion permit shall be issued respecting any premises or area that is, in whole or in part, located outside of a building unless:

- (a) the location of the premises or area is clearly defined and it is capable of being isolated to prevent access by the public;
- (b) if required by the authority, the municipality in which the premises or area is situated has approved the application for the permit; and
- (c) if required by the authority, the application is submitted to the head office of the authority.

23 Sep 2016 cA-18.011 Reg 7 s38.

Restriction re special occasion permit

39 Every person who is issued a special occasion permit shall ensure that only the beverage alcohol that has been purchased lawfully in accordance with subsection 35(3) and that has been properly recorded on the permit is served or sold to persons attending the special occasion.

23 Sep 2016 cA-18.011 Reg 7 s39.

PART 9

Interim and Provisional Permits

Permits on an interim basis

40(1) The authority may issue a permit on an interim basis pending:

- (a) the completion of alterations to any premises if those alterations are required by the authority;
- (b) the applicant's compliance with the provisions of these regulations relating to the type of permit applied for; or
- (c) the disposition of the application for the permit applied for.

(2) No permit shall be issued on an interim basis for a period of more than six months.

23 Sep 2016 cA-18.011 Reg 7 s40.

Permits on a provisional basis

41(1) On receipt of an application for a permit, if the authority is of the opinion that the application complies with the Act and these regulations, the authority may issue a permit on a provisional basis pending the issuance of a permit on a non-provisional basis.

(2) If, in the authority's opinion, the premises for which a permit is sought do not comply with the application filed pursuant to subsection (1), the authority, subject to the Act, may suspend or cancel the permit.

(3) A permit issued pursuant to subsection (1) does not authorize the permittee to sell beverage alcohol of any type until the authority gives:

- (a) final approval of the construction or reconstruction of the permitted premises; and
- (b) written authorization to the permittee to sell beverage alcohol.

(4) On receipt of an application for a tavern permit and before issuing the permit on a provisional basis, the authority shall consider, in addition to any relevant considerations submitted by the applicant, the suitability of the location, the operation and management of the premises, and the type of business that the permit will authorize.

23 Sep 2016 cA-18.011 Reg 7 s41.

PART 10 Endorsements

Endorsement permitting sale at special occasions

42 The authority may endorse a restaurant permit, a tavern permit or a special use permit to authorize the permittee to deliver and sell beverage alcohol for consumption at locations for which a special occasion permit has been issued.

23 Sep 2016 cA-18.011 Reg 7 s42.

Endorsement re sale from patio

43 The authority may endorse a permit to authorize the permittee to sell beverage alcohol for consumption on a patio that, in the authority's opinion, is suitably connected to the permitted premises.

23 Sep 2016 cA-18.011 Reg 7 s43.

Off-sale endorsements

44(1) The authority, in its sole discretion, may grant an off-sale endorsement to any of the following classes of persons authorizing the sale of beverage alcohol, in closed containers of the type and quantity specified in the endorsement for consumption off the premises:

- (a) craft alcohol producers;
- (b) holders of a special use permit granted pursuant to clause 19(1)(i).

(2) If the authority receives an application for an off-sale endorsement pursuant to this section, the authority, in addition to any relevant considerations submitted by the applicant, may consider the suitability of the location, the operation and management of the permitted premises and the type of business that the endorsement will authorize.

(3) An off-sale endorsement granted pursuant to clause (1)(a) authorizes the craft alcohol producer:

- (a) to sell the producer's craft alcohol at a farmers' market in accordance with the terms established by the farmers' market;

(b) to sell the producer's craft alcohol at up to two off-sale locations, one of which must be on or adjacent to the manufacturing premises; and

(c) to sell at any location mentioned in clauses (a) and (b) beverage alcohol that is manufactured by another craft alcohol producer.

23 Sep 2016 cA-18.011 Reg 7 s44.

When craft alcohol producers may sell beverage alcohol to other permittees

45(1) Notwithstanding any other provision of these regulations, a craft alcohol producer who holds an off-sale endorsement granted pursuant to clause 44(1)(a) may sell beverage alcohol to any permittee.

(2) A craft alcohol producer who sells beverage alcohol in accordance with subsection (1) shall only sell those types of beverage alcohol that the producer is authorized to sell pursuant to the producer's endorsement.

23 Sep 2016 cA-18.011 Reg 7 s45.

Minors on premises

46 The authority may endorse any permit or class of permits to allow minors to be present on the premises.

23 Sep 2016 cA-18.011 Reg 7 s46.

PART 11

Sale to Hotel and Motel Guests

Sale of beverage alcohol to hotel and motel guests

47(1) The authority may include a term in a restaurant permit or a tavern permit authorizing the permittee to do either or both of the following:

(a) sell and deliver beverage alcohol to guests in the guest rooms of a hotel or motel;

(b) sell beverage alcohol from compartments contained within the guests rooms of a hotel or motel.

(2) If the permittee or permit applicant, as the case may be, and the hotel or motel owner are not the same person, the permittee or permit applicant must obtain the prior written permission of the hotel or motel owner to sell beverage alcohol in the hotel or motel in accordance with clause (1)(a) or (b).

23 Sep 2016 cA-18.011 Reg 7 s47.

Additional requirements

48(1) The holder of a restaurant permit or a tavern permit shall only sell and deliver beverage alcohol in accordance with clause 47(1)(a) during the hours that beverage alcohol may be lawfully sold pursuant to subsection 49(2) and the tolerance period mentioned in section 50.

(2) The holder of a restaurant permit or a tavern permit who sells beverage alcohol in accordance with clause 47(1)(b) must ensure that non-alcoholic beverages and foodstuffs are stored in the compartments with the beverage alcohol.

23 Sep 2016 cA-18.011 Reg 7 s48.

PART 12
Hours of Operation, etc.

General hours of operation

49(1) Every retail store permittee may open the retail store and sell beverage alcohol in the retail store:

- (a) between 8:00 a.m. on any day and 3:00 a.m. of the following day; and
 - (b) notwithstanding clause (a), between 8:00 a.m. on December 31 and 3:30 a.m. on January 1.
- (2) Every permittee, other than a retail store permittee, may open the premises and sell beverage alcohol on the premises:

- (a) between 9:30 a.m. on any day and 2:00 a.m. of the following day; and
- (b) notwithstanding clause (a), between 9:30 a.m. on December 31 and 2:30 a.m. on January 1.

23 Sep 2016 cA-18.011 Reg 7 s49.

Tolerance period

50 Every permittee, other than a retail store permittee or the holder of a special occasion permit, shall ensure that the premises remain open for a period of at least one-half hour, but not longer than one hour, after the time at which the lawful sale or service of beverage alcohol has ceased, to allow persons who have been served beverage alcohol to finish their beverages.

23 Sep 2016 cA-18.011 Reg 7 s50.

Off-sale endorsements

51(1) A craft alcohol producer who has been granted an off-sale endorsement pursuant to clause 44(1)(a) may sell craft alcohol for consumption off the premises during any hours that beverage alcohol may lawfully be sold pursuant to subsection 49(1).

(2) The holder of a special use permit who has been granted an off-sale endorsement pursuant to clause 44(1)(b), or the holder of a restaurant permit with an off-sale endorsement mentioned in subsection 82(3), may sell beverage alcohol for consumption off the premises:

- (a) during any hours that beverage alcohol may lawfully be sold pursuant to subsection 49(2); and
- (b) during the tolerance period mentioned in section 50.

23 Sep 2016 cA-18.011 Reg 7 s51.

Persons on premises after hours

52(1) Subject to subsection (2), persons may be present on any permitted premises between the hours of:

- (a) 3:00 a.m. and 9:30 a.m. of the same day; or
- (b) 3:30 a.m. and 9:30 a.m. on January 1.

(2) Persons may be present on any permitted tavern premises on any day between the hours of:

- (a) 5:00 a.m. and 9:30 a.m.; or
- (b) 3:00 a.m. and 9:30 a.m. if the permittee has received prior written approval from the authority.

(3) Persons may be present on any premises for which a retail store permit has been issued on any day between the hours of 3:00 am and 8:00 a.m.

23 Sep 2016 cA-18.011 Reg 7 s52.

Opening of permitted premises

53(1) The holder of a tavern permit may open the permitted premises between the hours of 5:00 a.m. and 9:30 a.m. on any day.

(2) The holder of a restaurant permit, other than a restaurant permit with a tavern endorsement granted pursuant to section 16, may open the permitted premises between the hours of 3:00 a.m. and 9:30 a.m. on any day.

(3) If the holder of a restaurant permit with a tavern endorsement granted pursuant to section 16 receives prior written approval from the authority, the holder may open the permitted premises between the hours of 3:00 a.m. and 9:30 a.m. on any day.

(4) Nothing in this section authorizes a permittee to sell, serve or permit the consumption of beverage alcohol on or from the permitted premises during the hours mentioned in this section.

23 Sep 2016 cA-18.011 Reg 7 s53.

PART 13
Medical and Other Uses

Medical use

54(1) For the purposes of section 77 of the Act, a physician, dentist or veterinarian who purchases beverage alcohol from a retail store for use in the practice of his or her profession:

- (a) shall not have more than 1.5 litres of beverage alcohol on the premises that are used in the practice of his or her profession; and
- (b) shall ensure that any container used to hold the beverage alcohol is clearly labelled "for medical purposes only".

(2) For the purposes of sections 77 and 80 of the Act, a pharmacist who purchases beverage alcohol from a retail store for use in the practice of his or her profession:

- (a) shall not have more than 40 litres of beverage alcohol on the premises that are used in the practice of his or her profession; and
- (b) shall ensure that any container used to hold the beverage alcohol is clearly labelled "for medical purposes only".

(3) Every physician, pharmacist, dentist or veterinarian who purchases beverage alcohol from a retail store for use in the practice of his or her profession shall retain for three years and make available for inspection by the authority any records that may be required by the authority respecting the purchase and keeping of beverage alcohol for use in the practice of his or her profession.

23 Sep 2016 cA-18.011 Reg 7 s54.

Non-consumptive use

55 Every person who uses beverage alcohol for any of the purposes mentioned in section 83 of the Act, or who uses any liquid or compound that is or is capable of being used as beverage alcohol for any of the purposes mentioned in section 83 of the Act, shall ensure that any container used to hold the beverage alcohol, liquid or compound in his or her possession is clearly labelled “not for human consumption - for industrial purposes only”.

23 Sep 2016 cA-18.011 Reg 7 s55.

Educational use

56 Every governing authority of an educational institution that purchases beverage alcohol from a retail store pursuant to subsection 84(1) of the Act shall:

- (a) ensure that any container used to hold the beverage alcohol while it is in the institution’s possession is clearly labelled “not for human consumption – for educational purposes only”; and
- (b) retain for three years and make available for inspection by the authority any records that may be required by the authority respecting the purchase and keeping of beverage alcohol for educational purposes.

23 Sep 2016 cA-18.011 Reg 7 s56.

Sacramental use

57(1) No permittee who has been issued a permit pursuant to section 86 of the Act shall sell, ship or deliver wine except pursuant to a written order from a person lawfully entitled to purchase that wine.

(2) Every permittee who has been issued a permit pursuant to section 86 of the Act and who sells or delivers wine to any person shall maintain a record of:

- (a) the quantities of wine sold and delivered; and
- (b) the persons to whom the wine was sold and delivered.

23 Sep 2016 cA-18.011 Reg 7 s57.

PART 14

Direct to Consumer Importation and Delivery

Direct to consumer importation authorizations

58(1) In this section, “**craft spirits**” means any spirits specified by the authority as craft spirits for the purposes of this section.

(2) For the purposes of clause 107(2)(e) of the Act, on receipt of an application in the form required by the authority, the authority may issue to the applicant individual a direct to consumer importation authorization for a period not exceeding one year.

- (3) Subject to subsection (4), the holder of a direct to consumer importation authorization may cause to be imported into Saskatchewan from British Columbia, for personal consumption, craft spirits or wine that the individual purchased or acquired directly from the craft distillery or winery that manufactured it.
- (4) The maximum quantity of beverage alcohol that may be imported into Saskatchewan in a single shipment pursuant to a direct to consumer importation authorization is:
- (a) in the case of craft spirits, three litres; and
 - (b) in the case of wine, nine litres.
- (5) The holder of a direct to consumer importation authorization shall:
- (a) accept delivery of the imported beverage alcohol from the holder of a direct to consumer delivery permit;
 - (b) within 30 days after receiving delivery of the imported beverage alcohol:
 - (i) advise the authority, in a form satisfactory to the authority, of the kind and quantity of beverage alcohol imported; and
 - (ii) remit to the authority the levy established by the authority with respect to the imported beverage alcohol; and
 - (c) use the imported beverage alcohol only for personal consumption.

23 Sep 2016 cA-18.011 Reg 7 s58.

Direct to consumer delivery permits

- 59(1)** In this section, “**delivery person**” means the individual responsible for delivering beverage alcohol on behalf of a holder of a direct to consumer delivery permit.
- (2) The authority may issue a direct to consumer delivery permit for a period not exceeding three years to any person who:
- (a) applies to the authority in the form required by the authority;
 - (b) is involved in the business of shipping products and packages for consumer purposes;
 - (c) intends to offer direct to consumer delivery of beverage alcohol that is purchased or acquired by an individual in accordance with clause 107(2)(e) of the Act and section 58 of these regulations; and
 - (d) in the authority’s opinion, qualifies for a direct to consumer delivery permit in accordance with the Act and these regulations.
- (3) No person who has been granted a direct to consumer delivery permit shall store beverage alcohol for the purpose of sale.
- (4) Subject to subsection (5), the holder of a direct to consumer delivery permit may:
- (a) transport into Saskatchewan the beverage alcohol purchased or acquired by an individual in accordance with clause 107(2)(e) of the Act and section 58 of these regulations; and
 - (b) deliver the beverage alcohol to that individual.

- (5) The holder of a direct to consumer delivery permit shall ensure that:
- (a) the delivery person is not a minor;
 - (b) no direct to consumer delivery of beverage alcohol is made to a minor nor to any person who appears to be intoxicated at the time of delivery; and
 - (c) it retains and makes available for inspection by the authority any records that the authority may require respecting direct to consumer delivery of beverage alcohol.
- (6) Before delivering the beverage alcohol to the purchaser, the delivery person shall require the purchaser, or the individual accepting delivery of the beverage alcohol on behalf of the purchaser, to show proper identification proving that he or she is not a minor.
- (7) If the purchaser, or the individual accepting delivery of the beverage alcohol on behalf of the purchaser, fails to show the proper identification required pursuant to subsection (6):
- (a) the delivery person shall refuse to deliver the beverage alcohol to that individual; and
 - (b) the holder of the direct to consumer delivery permit shall keep or dispose of the undelivered beverage alcohol in accordance with the policies established by the authority.

23 Sep 2016 cA-18.011 Reg 7 s59.

PART 15 General Provisions

Notice of permit application

- 60(1)** On an application for a retail store permit, restaurant permit, tavern permit or special use permit, the authority may require the applicant to post a notice of the application on the premises to which the application relates if the premises have not been the subject of a permit for at least 60 consecutive days as at the date of application.
- (2) The notice required pursuant to subsection (1) shall:
- (a) be posted for two consecutive weeks in a conspicuous place on the premises to which the application relates;
 - (b) be in a form acceptable to the authority;
 - (c) identify the type of permit applied for;
 - (d) specify the date on which the notice was first posted; and
 - (e) specify that any objection to the granting of the permit must be submitted, in writing, to the authority not more than two weeks after the date specified pursuant to clause (d).

23 Sep 2016 cA-18.011 Reg 7 s60.

Restrictions re business relationships

61(1) Subject to subsection (3), no permittee shall enter into a business relationship with a manufacturer, or with an agent or representative of a manufacturer, that, in the authority's opinion:

- (a) will cause the permittee to unduly discourage the sale or consumption of another manufacturer's beverage alcohol; or
 - (b) otherwise contravenes the standards established by the authority pursuant to section 135.1 of the Act for business relationships between a permittee and a manufacturer.
- (2) No person shall induce a permittee to enter into a business relationship contrary to subsection (1).
- (3) Subsection (1) does not apply to:
- (a) a holder of a special use permit mentioned in clause 19(1)(d), (h) or (j); or
 - (b) a craft alcohol producer.

23 Sep 2016 cA-18.011 Reg 7 s61.

Application for endorsements

62 Nothing in these regulations prevents a person from applying for a permit and an endorsement at the same time.

23 Sep 2016 cA-18.011 Reg 7 s62.

Fees

63(1) For permits mentioned in section 3, other than special occasion permits, applicants shall pay to the authority:

- (a) an application fee in the amount set out in Table 1; and
 - (b) an annual fee in the amount set out in Table 2, for each year that the permit is in force.
- (2) Notwithstanding clause (1)(a), for permits mentioned in section 3, other than special occasion permits, applicants shall pay to the authority:
- (a) \$100 for the issuance of a permit on an interim basis pursuant to section 40; or
 - (b) \$100 for the issuance of a permit on a provisional basis pursuant to section 41.
- (3) For special occasion permits, applicants shall pay to the authority an application fee in the amount set out in Table 3.
- (4) For permits issued pursuant to section 86 or 87 of the Act, applicants shall pay to the authority the applicable fees set out in Table 4.
- (5) Every applicant for an endorsement shall pay to the authority an annual fee in the amount set out in Table 5, for each year that the endorsement is added to the permit.

(6) Every applicant for a transfer of a permit pursuant to section 69.1 of the Act shall pay an application fee of \$50 to the authority.

(7) If the authority cancels a permit or endorsement issued pursuant to these regulations, the authority may, in its discretion, refund any prorated amount it considers appropriate.

23 Sep 2016 cA-18.011 Reg 7 s63.

Duration of permits

64(1) Subject to subsection (2), every permit expires on the expiration date indicated on the permit.

(2) If the applicable fee mentioned in section 63 is not paid on or before the day it is due, the permit expires the following day.

23 Sep 2016 cA-18.011 Reg 7 s64.

Transfer of permit – when allowed

65 The authority may authorize the transfer of a permit in accordance with section 69.1 of the Act in any of the following circumstances:

- (a) if a partner withdraws from a partnership that was a permittee and the remaining partners apply for a transfer of the permit;
- (b) if the permittee is a sole proprietor who:
 - (i) establishes a corporation in which he or she is the sole officer, director and shareholder; and
 - (ii) applies to the authority for a transfer of the permit to the corporation;
- (c) if the permittee is composed of persons in a partnership who:
 - (i) establish a corporation in which they are the sole officers, directors and shareholders; and
 - (ii) apply to the authority for a transfer of the permit to the corporation;
- (d) if the permittee is a corporation, the officers, directors and shareholders of which:
 - (i) establish a new corporation in which they are the sole officers, directors and shareholders; and
 - (ii) apply to the authority for a transfer of the permit to the new corporation;
- (e) if the permittee is a corporation, the sole officer, director and shareholder of which:
 - (i) becomes a sole proprietor; and
 - (ii) applies to the authority for a transfer of the permit from the corporation;

- (f) if the permittee is a corporation, the officers, directors and shareholders of which:
 - (i) form a partnership; and
 - (ii) apply to the authority for a transfer of the permit to the partnership;
- (g) if a trustee in bankruptcy or a court-appointed receiver:
 - (i) acquires the business of a permittee as trustee in bankruptcy or as court-appointed receiver; and
 - (ii) in that capacity, applies to the authority for a transfer of the permit from the permittee;
- (h) if a mortgagee, franchisor or lessor:
 - (i) takes lawful possession of the permitted premises; and
 - (ii) applies to the authority for a transfer of the permit from the mortgagor, franchisee or lessee, as the case may be.

23 Sep 2016 cA-18.011 Reg 7 s65.

Sale of beer manufactured outside Saskatchewan

66 If the authority purchases beer that is manufactured in Canada but outside Saskatchewan by a brewer who is a permittee, the authority may authorize the brewer to sell and deliver the beer on behalf of the authority to any permittee specified by the authority, subject to the terms imposed by the authority.

23 Sep 2016 cA-18.011 Reg 7 s66.

Samples of beverage alcohol

67(1) Subject to subsection (2), the authority may authorize a person to provide samples of beverage alcohol to persons other than minors if:

- (a) each individual sample does not exceed:
 - (i) in the case of spirits, one-half ounce or 14.25 millilitres;
 - (ii) in the case of wine, two ounces or 57 millilitres; and
 - (iii) in the case of beer or coolers, four ounces or 114 millilitres; and
- (b) tasting of samples takes place in:
 - (i) a retail store;
 - (ii) special use permitted premises with a trade show endorsement;
 - (iii) premises approved by the authority for the sale and consumption of beverage alcohol under a special occasion permit; or
 - (iv) any other permitted premises approved by the authority.

(2) Subsection (1) does not apply to sampling of beverage alcohol at a u-brew or u-vin operation conducted pursuant to section 23.

(3) Every person who is authorized by the authority to provide samples of beverage alcohol shall ensure that:

- (a) subject to clause (b), each sample sold or served does not exceed the amount of beverage alcohol specified in subsection (1); or
- (b) in the case of a u-brew or u-vin operation, in accordance with section 23, the permittee only permits sampling in accordance with the policies established by the authority.

23 Sep 2016 cA-18.011 Reg 7 s67.

Non-alcoholic beverages and food to be made available

68(1) Every permittee, other than the holder of a manufacturer permit or a home delivery special use permit, shall maintain at the location of the special occasion or on the permitted premises, and in any lounge, patio or banquet room of the permitted premises with respect to which an endorsement has been made, a supply of non-alcoholic beverages for sale or provision to customers for consumption on the premises.

(2) Every permittee, other than the holder of a manufacturer permit or a special use permit issued pursuant to clause 19(1)(c), (d), (n) or (p), shall maintain at the location of the special occasion or on the permitted premises, and in any lounge, patio or banquet room of the permitted premises with respect to which an endorsement has been made, a supply of food for sale or provision to customers for consumption on the premises.

(3) Every holder of a manufacturer permit who operates a hospitality suite shall maintain a supply of non-alcohol beverages and food in accordance with this section for sale or provision to guests in the hospitality suite.

23 Sep 2016 cA-18.011 Reg 7 s68.

How beverage alcohol is to be served

69(1) Subject to the Act, the other provisions of these regulations and any terms imposed by the authority, the permittee may determine, with respect to each drink served by the permittee:

- (a) the amount of beverage alcohol contained in the drink; and
- (b) the methods of measuring and dispensing beverage alcohol.

(2) All spirits contained in a drink served by the permittee must be measured by means of:

- (a) a glass clearly marked with a line at the level at which the amount of spirits to be contained in the drink will be measured; or
- (b) a mechanical or electronic measuring device.

(3) No permittee shall adulterate or dilute beverage alcohol, or offer for sale adulterated or diluted beverage alcohol, except where the beverage alcohol has been mixed:

- (a) with other beverage alcohol purchased pursuant to section 129 of the Act; or
- (b) with water or mix identified by the permittee for the customer.

- (4) Spirits shall not be served in their original bottle or container.
- (5) Coolers may be sold by full bottles or cans.
- (6) Every permittee must ensure that information regarding the amount of beverage alcohol contained in each drink served by the permittee is available to the customer.

23 Sep 2016 cA-18.011 Reg 7 s69.

Limitations

70 The authority, in its sole discretion, may limit or prohibit any type or types of beverage alcohol or limit the quantities of beverage alcohol that any permittee or class of permittees may sell, deliver or provide pursuant to a permit, class of permits, endorsement or class of endorsements.

23 Sep 2016 cA-18.011 Reg 7 s70.

Importation limits

71 For the purposes of clause 107(2)(e) of the Act, the maximum quantity of beverage alcohol purchased or acquired in any part of Canada other than Saskatchewan that an individual may personally bring into Saskatchewan is:

- (a) in the case of spirits, three litres;
- (b) in the case of wine, nine litres; and
- (c) in the case of beer, coolers or any combination of beer and coolers, 24.6 litres.

23 Sep 2016 cA-18.011 Reg 7 s71.

Authority may act as agent

72 For the purposes of subsection 135(1) of the Act, the authority may do either or both of the following:

- (a) canvass for, reserve, take or solicit orders for the sale or purchase of beverage alcohol;
- (b) act or hold itself out as agent or intermediary for the sale or purchase of beverage alcohol.

23 Sep 2016 cA-18.011 Reg 7 s72.

Restocking fee

73 Pursuant to subsection 65(2) of the Act, for any product returned to the authority, the authority may charge a restocking fee equal to 10% of the current listing price of that product.

23 Sep 2016 cA-18.011 Reg 7 s73.

Certain activities and entertainment prohibited

74(1) In this section, “**specified permittee**” means a permittee who has been issued:

- (a) a permit pursuant to clause 19(1)(d), (j) or (l); or
- (b) a special occasion permit.

- (2) Subject to subsection (3), no permittee shall permit or allow on the permitted premises or premises for which a special occasion permit has been issued:
- (a) any nude activity or entertainment; or
 - (b) any activity or entertainment that consists of a striptease performance.
- (3) Subject to subsection (4), a specified permittee may allow a striptease performance if:
- (a) no female nipples are exposed;
 - (b) no female or male genitalia are exposed; and
 - (c) the performance is organized as part of a fundraising event to support a charitable or community purpose.
- (4) No specified permittee shall permit or allow more than one performance per year to be held pursuant to subsection (3) on the permitted premises or premises for which a special occasion permit has been issued.
- (5) Notwithstanding any other provision of these regulations, the authority may only issue a special occasion permit for an event mentioned in subsection (3) if:
- (a) the premises that would be subject to the special occasion permit are located in a municipality that does not have permitted premises for which a permit has been issued pursuant to clause 19(1)(d), (j) or (l); and
 - (b) the person applying for the special occasion permit satisfies the authority that the premises are appropriate for striptease performances.
- (6) Unless authorized by the authority:
- (a) no specified permittee shall allow minors to be present on the permitted premises, or the premises for which a special occasion permit has been issued, on any day on which a performance mentioned in subsection (3) is held; and
 - (b) no minor shall be present on the permitted premises, or the premises for which a special occasion permit has been issued, on any day on which a performance mentioned in subsection (3) is held.

23 Sep 2016 cA-18.011 Reg 7 s74.

Forms

- 75(1)** The application for review set out in Form A is prescribed for the purposes of sections 30 and 31 of the Act.
- (2) The application for an oral hearing set out in Form B is prescribed for the purposes of section 33 or 39.1 of the Act.

23 Sep 2016 cA-18.011 Reg 7 s75.

Duty free shops

- 76** If the authority establishes and operates, or authorizes any person to establish and operate, a duty free shop pursuant to section 102 of the Act, the duty free shop may remain open at any time to permit persons who are leaving Canada from the point where the duty free shop is located to purchase duty free beverage alcohol.

23 Sep 2016 cA-18.011 Reg 7 s76.

Grounds for objection not requiring commission hearing

77 For the purposes of subsection 26(3) of the Act, the commission shall not hold an oral hearing if a person has filed an objection pursuant to subsection 63(1) of the Act and the grounds for the objection are based on competition issues within the beverage alcohol industry.

23 Sep 2016 cA-18.011 Reg 7 s77.

Grounds for objection not requiring person to be heard

78 For the purposes of subsection 29(3) of the Act, a person who has filed an objection pursuant to subsection 63(1) of the Act shall not be given an opportunity to be heard or make written representations at an oral hearing if the grounds for the objection are based on competition issues within the beverage alcohol industry.

23 Sep 2016 cA-18.011 Reg 7 s78.

Grounds for objection not requiring person to receive notice of hearing

79 For the purposes of subsection 63(6) of the Act, a person who has filed an objection pursuant to subsection 63(1) of the Act shall not be provided with written notice respecting a hearing if the grounds for the objection are based on competition issues within the beverage alcohol industry.

23 Sep 2016 cA-18.011 Reg 7 s79.

Administrative penalties

80(1) For the purposes of section 39.1 of the Act, any penalty assessed by the authority or the commission against a permittee must be within the limits set out in Table 6.

(2) If a penalty is to be assessed by the authority or the commission against a permittee for which no limits are set out in Table 6, the penalty must be not less than \$500 and not more than \$10,000.

23 Sep 2016 cA-18.011 Reg 7 s80.

PART 16

Repeal, Transitional and Coming Into Force**R.R.S. c.A-18.011 Reg 6 repealed**

81 *The Alcohol Control Regulations, 2013* are repealed.

23 Sep 2016 cA-18.011 Reg 7 s81.

Transitional

82(1) Subject to subsections (2) and (3) and to *The Liquor Retail Modernization Act*, every permit, endorsement, approval or authorization that was issued pursuant to *The Alcohol Control Regulations, 2013* and that was in force on the day before the coming into force of these regulations is continued pursuant to these regulations and may be dealt with as if it were issued pursuant to these regulations.

(2) Every manufacturer permit respecting a brew pub that was issued pursuant to *The Alcohol Control Regulations, 2013* and that was in force on the day before the coming into force of these regulations is continued pursuant to these regulations as a manufacturer permit for craft alcohol.

(3) The holder of a restaurant permit with an off-sale endorsement granted pursuant to clause 40(2)(g) or (h) of *The Alcohol Control Regulations, 2013*, as those regulations existed on the day before the coming into force of these regulations, may continue to operate the off-sale business until one of the following events occurs:

- (a) the restaurant permit or the off-sale endorsement is cancelled;
- (b) the restaurant is closed or sold.

23 Sep 2016 cA-18.011 Reg 7 s82.

Coming into force

83(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Liquor Retail Modernization Act* comes into force.

(2) If section 1 of *The Liquor Retail Modernization Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

23 Sep 2016 cA-18.011 Reg 7 s83.

Appendix
PART 1

Tables

TABLE 1 [Clause 63(1)(a)] Permits - Application Fees		
<i>Item</i>	<i>Type of Permit</i>	<i>Application Fee</i>
1	Retail Store	\$500
2	Restaurant	200
3	Tavern	200
4	Special Use	200
5	U-brew or U-vin Operation	200
6	Manufacturer	200
7	Direct to consumer delivery	500

TABLE 2 [Clause 63(1)(b)] Permits - Annual Fees					
<i>Item</i>	<i>Type of Permit</i>	<i>City</i>	<i>Town</i>	<i>Village</i>	<i>Hamlet</i>
1	Retail Store	\$500	\$250	\$150	\$150
2	Restaurant	250	175	125	75
3	Tavern	200	150	100	50
4	Special Use	200	150	100	50
5	U-brew or U-vin Operation	200	150	100	50
6	Manufacturer	500	500	500	500
7	Direct to consumer delivery	500	500	500	500

TABLE 3 [Subsection 63(3)] Special Occasion Permits		
<i>Item</i>	<i>Type of Special Occasion Permit</i>	<i>Application Fee</i>
1	Sale	\$ 25
2	Cost recovery	15
3	Non-sale	15
4	Pursuant to section 34 of the regulations, for an extended period respecting regularly scheduled meetings or social functions - sale - non-sale	100 50

TABLE 4 [Subsection 63(4)] Miscellaneous Permits		
<i>Item</i>	<i>Type of Permit</i>	<i>Fee</i>
1	Permit to a person engaged in the business of selling church supplies	\$10
2	Competition permit - homemade wine or beer	10

TABLE 5 [Subsection 63(5)] Endorsements					
<i>Item</i>	<i>Type of Endorsement</i>	<i>City</i>	<i>Town</i>	<i>Village</i>	<i>Hamlet</i>
1	Sale of beverage alcohol in an adjacent area	\$350	\$250	\$175	\$100
2	Endorsement granted pursuant to section 42 of the regulations for the delivery and sale of beverage alcohol for consumption at location for which a special occasion permit has been issued	250	100	100	100
3	Tavern endorsement to restaurant permit	100	75	50	25
4	Sale of wine or beer for consumption off restaurant premises	50	25	10	10

TABLE 6 [Subsection 80(1)] Penalty Limits			
Column 3 lists the provisions of the Act and these regulations that impose the prohibitions described in Column 2. For the purposes of section 39.1 of the Act, Column 4 sets out the monetary limits of the penalty that may be assessed by the authority or the commission against a permittee for contravening a prohibition.			
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
Item	Prohibition	Provision	Penalty Limits
<i>Minors (under 19 years of age)</i>			
1	Selling or giving beverage alcohol to a minor	110(1) - Act	\$1,000 - 10,000
2	Selling or providing beverage alcohol to a person who is a minor	129(1)(d) - Act	1,000 - 10,000

3	Failing to demand proof of age when a minor: (a) is attempting to purchase beverage alcohol; or (b) is not entitled to be on the premises	111(4) - Act	500 - 10,000
4	Allowing minors in premises where the presence of minors is not authorized by the Act, regulations or terms of the permit	111(6) - Act	500 - 10,000
5	Allowing a minor to act in any way in the sale, handling or serving of beverage alcohol in the premises	113(1)(b) - Act	500 - 10,000
6	Allowing a minor to consume beverage alcohol in premises where the presence of minors is allowed	113(1)(c) - Act	1,000 - 10,000
<i>Over serving</i>			
7	Selling or supplying beverage alcohol to a person who appears intoxicated	125 - Act	1,000 - 10,000
8	Allowing a person who appears intoxicated to possess or consume beverage alcohol on the premises	126(2)(a) - Act	1,000 - 10,000

<i>Overcrowding</i>			
9	Allowing the entry of persons into a premises to exceed the maximum number of persons allowed to be present in the premises	120 - Act	500 - 10,000
<i>Sale or consumption during prescribed hours or days</i>			
10	Selling beverage alcohol or allowing its consumption on the premises except during the hours that beverage alcohol may be lawfully served and consumed	71(1) - Act	500 - 10,000
11	Selling or supplying beverage alcohol during prohibited hours	129(1)(e) - Act	500 - 10,000
12	Failing to ensure that the premises remain open for at least one half-hour but not longer than one hour after the lawful sale of beverage alcohol has ceased	50 - Regulations	500 - 10,000

13	Allowing persons to enter or remain in the premises when sale or consumption of beverage alcohol is prohibited	116 - Act	500 - 10,000
<i>Illegal purchase, possession or sale of beverage alcohol</i>			
14	Purchasing beverage alcohol from sources other than from the authority or a retail store	129(1)(a) - Act	500 - 10,000
15	Selling beverage alcohol not supplied by the authority	129(1)(c) - Act	500 - 10,000
16	Having on the premises beverage alcohol not supplied by the authority	129(1)(b) - Act	500 - 10,000
17	Selling beverage alcohol without holding a licence required pursuant to <i>The Liquor Consumption Tax Act</i>	4(2) - Regulations	500 - 10,000
<i>Entertainment</i>			
18	Permitting or allowing any activity that is unlawful, may be detrimental to the orderly operation of the premises, has been prohibited by the municipality in which the premises is located, or is prescribed in the regulations	128(1) and (2) - Act	500 - 10,000
<i>Customer service</i>			
19	Failing to ensure that the food to beverage alcohol sales value ratio in the premises is at least one dollar of food sales for each dollar of beverage alcohol sales	13(1) - Regulations	500 - 10,000
20	Failing to maintain a supply of non-alcoholic beverages or food for customers	68 - Regulations	500 - 10,000
21	Adulterating or diluting beverage alcohol or offering adulterated or diluted beverage alcohol for sale	69(3) - Regulations	500 - 10,000
22	Failing to ensure that each sample of beverage alcohol is equal to or less than the prescribed amount	67(1) - Regulations	500 - 10,000
23	Failing to adhere to policies established by the authority respecting sampling at a u-brew or u-vin operation	23(2) - Regulations	500 - 10,000

24	Allowing patrons to take and consume beverage alcohol off the premises	75(3) - Act	500 - 10,000
<i>Obstruction</i>			
25	Refusing to allow an officer access to the permittee's premises, books, records or other documents for the purpose of making an inspection	45(1) - Act	500 - 10,000
26	Allowing a person who appears to be intoxicated to remain in the premises in a manner that is not in accordance with standards set by the authority	126(2) - Act	500 - 10,000

PART 2

Forms

FORM A

[Sections 30 and 31 of the Act]

[Subsection 75(1) of the Regulations]

Application for Review

To: Saskatchewan Liquor and Gaming Licensing Commission

(name of organization or individual)

requests a review of the Saskatchewan Liquor and Gaming Authority's decision for the following reason(s):

The applicant wishes to have an oral hearing before the commission.

OR

The applicant does not wish to have an oral hearing before the commission but will provide written submissions.

Contact Person: Address: _____ _____ _____ Telephone No.: [Res.] _____ [Bus.] _____

Signature

Date

FOR OFFICE USE ONLY

Date: _____

Forwarded: _____

Denied: _____

FORM B
[Section 33 or 39.1 of the Act]
[Subsection 75(2) of the Regulations]
Application for an Oral Hearing

To: Saskatchewan Liquor and Gaming Licensing Commission

(name of organization or individual)
 requests an oral hearing for the following reason(s):

Contact Person: Address: _____ _____ _____ Telephone No.: [Res.] _____ [Bus.] _____

Signature

Date

FOR OFFICE USE ONLY	
Date: _____	
Forwarded: _____	
Denied: _____	

23 Sep 2016 cA-18.011 Reg 7.