

**The
Alcohol Control
Regulations, 2016**

being

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

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.

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

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- (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 permit.
- (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

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.

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(3) The authority may refuse to issue a special occasion permit to any applicant that the authority considers inappropriate.

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.

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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

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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.

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.

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.

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- (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.

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.