The Alcohol Control Regulations, 2013

being

Chapter A-18.011 Reg 6 (effective August 6, 2013) as amended by Saskatchewan Regulations 101/2013, 34/2015, 35/2015, 56/2015 and 62/2015.

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 6

The Alcohol and Gaming Regulation Act, 1997

PART I
Introductory Matters

Title

1 These regulations may be cited as *The Alcohol Control Regulations, 2013*.

Interpretation

2 In these regulations:

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

"brew pub" means premises:

(a) for which the authority has issued a manufacturer permit and a brew pub tavern permit; and

(b) on which the primary businesses conducted are:

(i) the manufacturing of beer for sale and consumption on the premises; and

(ii) the sale of beverage alcohol for consumption on the premises; (« *bistrot-brasserie* »)

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

"off-sale endorsement" means an off-sale endorsement granted pursuant to section 40; (« *mention vente à emporter* »)

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

"tavern permit" includes a brew pub tavern permit, unless a contrary intention is expressed in these regulations. (« *permis de taverne* »)

9 Aug 2013 cA-18.011 Reg 6 s2.

Permits

3 The following classes of permits are established:

(a) restaurant permits;

(b) tavern permits;

(c) special use permits;

(d) u-brew or u-vin operation permits;

(e) manufacturer permits;

(f) special occasion permits;

(g) direct to consumer delivery permits.

9 Aug 2013 cA-18.011 Reg 6 s3; 3 Jly 2015 SR 62/2015 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.

9 Aug 2013 cA-18.011 Reg 6 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 Prevention Act, 1992*, *The Saskatchewan Fire Code Regulations* and the relevant National Fire Code of Canada.

9 Aug 2013 cA-18.011 Reg 6 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.

9 Aug 2013 cA-18.011 Reg 6 s6.

Mandatory server training

6.1(1) Every person employed in the sale and service of beverage alcohol 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 and service of beverage alcohol 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.

19 Jne 2015 SR 56/2015 s3.

PART II
Restaurant Permits

Restaurant permits

7 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.

9 Aug 2013 cA-18.011 Reg 6 s7.

Restaurant permit requirements

8(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 10;

(b) a patio for which the permit is endorsed pursuant to section 39;

(c) beverage alcohol sold to hotel or motel guests in accordance with Part X; or

(d) beverage alcohol sold pursuant to an off-sale endorsement granted pursuant to clause 40(2)(a), (g) or (h).

(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 9.

9 Aug 2013 cA-18.011 Reg 6 s8.

Customers may bring their own wine

9(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) in Saskatchewan from a store or franchise or from a permittee who holds an off-sale endorsement granted pursuant to clause 40(2)(a), (d) or (g);

(b) in Canada outside of Saskatchewan and transported into Saskatchewan in accordance with clause 107(2)(e) of the Act and section 68 of these regulations; or

(c) 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.

9 Aug 2013 cA-18.011 Reg 6 s9.

Endorsement permitting sale from lounge or banquet room

10(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 45 are not to be considered as part of any lounge.

9 Aug 2013 cA-18.011 Reg 6 s10.

Tavern endorsement

11(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 8(1), subclause 8(3)(b)(ii) and section 9 do not apply to the permittee.

(4) A tavern endorsement does not authorize the permittee to operate the permitted premises as a brew pub.

9 Aug 2013 cA-18.011 Reg 6 s11.

PART III
Tavern Permits

Tavern permits

12(1) The authority may issue a tavern permit, other than a brew pub tavern permit, for any premises where the primary business to be conducted on the premises is the sale of beverage alcohol for consumption on the premises.

(2) The authority may issue a brew pub tavern permit for any premises where the primary businesses to be conducted on the premises are:

(a) the manufacturing of beer pursuant to a manufacturer permit for sale and consumption on the premises; and

(b) the sale of beverage alcohol for consumption on the premises.

9 Aug 2013 cA-18.011 Reg 6 s12.

Tavern permit requirements

13 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.

9 Aug 2013 cA-18.011 Reg 6 s13.

PART IV
Special Use Permits

Special use permits

14 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.

9 Aug 2013 cA-18.011 Reg 6 s14.

Special use permit requirements

15(1) The holder of a special use permit may purchase beverage alcohol from:

(a) the authority;

(b) a franchise, if the franchise is authorized by the authority to sell beverage alcohol to special use permittees; and

(c) a permittee who holds an off-sale endorsement granted pursuant to clause 40(2)(a), (b), (c), (d) or (e).

(2) The following provisions do not apply with respect to special use permits mentioned in clauses 14(d), (h) and (j):

(a) subclause 57.1(1)(b)(v) of these regulations;

(b) subclause 61(1)(a)(ii) of the Act;

(c) clause 61(1)(b) of the Act.

(3) 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.

9 Aug 2013 cA-18.011 Reg 6 s15; 19 Jne 2015 SR 56/2015 s4.

Trade show events

16 The authority may authorize the holder of a special use permit issued pursuant to clause 14(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.

9 Aug 2013 cA-18.011 Reg 6 s16.

Home delivery special use permit

17(1) The authority may issue a home delivery special use permit pursuant to clause 14(n) to:

(a) the holder of a franchise;

(b) a permittee who holds an off-sale endorsement granted pursuant to clause 40(2)(a), (b), (c), (d) or (e); 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 section 47 and the tolerance period mentioned in section 48.

(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 returned to the authority or a franchise or to a permittee who holds an off-sale endorsement granted pursuant to clause 40(2)(a), (b), (c), (d) or (e) from whom the beverage alcohol was purchased.

(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.

9 Aug 2013 cA-18.011 Reg 6 s17.

PART V
U-brew and U-vin Operation Permits

U-brew and u-vin operation permits

18 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.

9 Aug 2013 cA-18.011 Reg 6 s18.

U-brew and u-vin operation permit requirements

19(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.

9 Aug 2013 cA-18.011 Reg 6 s19.

Responsibilities concerning customers

20(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 19(1)(a).

9 Aug 2013 cA-18.011 Reg 6 s20; 19 Jne 2015 SR 56/2015 s5.

Record-keeping and reporting requirements

21(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.

9 Aug 2013 cA-18.011 Reg 6 s21.

Unclaimed product

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

9 Aug 2013 cA-18.011 Reg 6 s22.

Permittee may manufacture for personal use

23 Subject to fulfilling the requirements set out in sections 19 to 22, 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.

9 Aug 2013 cA-18.011 Reg 6 s23.

PART VI
Manufacturer Permits

Manufacturer permits

24(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 brew pub, 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, sell on behalf of the authority and deliver to a permittee beer manufactured by the brewer; 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.

9 Aug 2013 cA-18.011 Reg 6 s24.

Brew pubs

25(1) Notwithstanding subsection 24(1), the authority shall not issue a manufacturer permit with respect to a brew pub unless, in the authority's opinion:

(a) the location and construction of the premises and the equipment on the premises are suitable for the purpose of manufacturing beer; and

(b) proper metering devices are attached to the brewing equipment to monitor and record the total amount of beer manufactured for sale on the premises.

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

(a) the beer 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;

(b) the amount of beer manufactured on the premises for sale in a year does not exceed 5 000 hectolitres; and

(c) the holder is at all times in compliance with the conditions mentioned in clauses (1)(a) and (b).

(3) The holder of a manufacturer permit respecting a brew pub shall:

(a) sell the beer manufactured in the brew pub to the authority; and

(b) as the holder of a brew pub tavern permit, purchase that beer from the authority at a price established by the authority.

(4) The holder of a manufacturer permit respecting a brew pub shall maintain records satisfactory to the authority and submit monthly reports to the authority showing:

(a) the total amount of beer manufactured for sale in the brew pub; and

(b) any other particulars that may be required by the authority.

9 Aug 2013 cA-18.011 Reg 6 s25.

Importation of beer

26 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.

9 Aug 2013 cA-18.011 Reg 6 s26.

Hospitality suite

27(1) The holder of a manufacturer permit who operates a hospitality suite on or adjacent to the manufacturing premises:

(a) may, without charge, offer beverage alcohol 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 section 47 and the tolerance period mentioned in section 48; and

(c) shall not allow more than 125 persons as guests at any one time in the hospitality suite.

(2) No holder of a manufacturer permit respecting a brew pub shall operate a hospitality suite in conjunction with the brew pub.

9 Aug 2013 cA-18.011 Reg 6 s27.

PART VII
Special Occasion Permits

Special occasion permits

28(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 32, 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.

9 Aug 2013 cA-18.011 Reg 6 s28; 19 Jne 2015 SR 56/2015 s6.

Days and hours of operation

29(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 30, 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.

9 Aug 2013 cA-18.011 Reg 6 s29.

Regular meetings and functions

30(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.

19 Jne 2015 SR 56/2015 s7.

Special occasion permit requirements

31(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) the authority;

(b) a franchise; or

(c) subject to section 43, a permittee who holds an off-sale endorsement granted pursuant to clause 40(2)(a), (b), (c), (d) or (e).

(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.

9 Aug 2013 cA-18.011 Reg 6 s31.

Restrictions on issuing special occasion permits

32(1) Subject to subsections (2) and (3), the authority shall not issue a special occasion permit pursuant to clause 28(1)(c) to an individual.

(2) The authority may issue a special occasion permit to an individual pursuant to clause 28(1)(c) if the beverage alcohol for the special occasion will be supplied by a holder of an endorsement issued pursuant to section 38.

(3) Notwithstanding subsection (2), the authority may issue to an individual one special occasion permit per year pursuant to clause 28(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 38.

19 Jne 2015 SR 56/2015 s8.

Minors re special occasion permits

33 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 28(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.

9 Aug 2013 cA-18.011 Reg 6 s33.

Special occasion permits re outdoor premises

34 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.

9 Aug 2013 cA-18.011 Reg 6 s34; 19 Jne 2015 SR 56/2015 s9.

Restriction re special occasion permit

35 Every person who is issued a special occasion permit shall ensure that only the beverage alcohol that has been purchased lawfully from the authority, a franchise or a permittee and that has been properly recorded on the permit is served or sold to persons attending the special occasion.

9 Aug 2013 cA-18.011 Reg 6 s35.

PART VIII
Interim and Provisional Permits

Permits on an interim basis

36(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.

9 Aug 2013 cA-18.011 Reg 6 s36.

Permits on a provisional basis

37(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.

9 Aug 2013 cA-18.011 Reg 6 s37.

PART IX
Endorsements

Endorsement permitting sale at special occasions

38 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.

19 Jne 2015 SR 56/2015 s10.

Endorsement re sale from patio

39 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.

9 Aug 2013 cA-18.011 Reg 6 s39.

Off-sale endorsements

40(1) In this section:

"cottage winery" means premises on which wine is manufactured in accordance with the policies established by the authority for cottage wineries; (« *petite fabrique de vin* »)

"micro brewery" means premises on which beer is manufactured in accordance with the policies established by the authority for micro breweries; (« *microbrasserie* »)

"micro distillery" means premises on which spirits are manufactured in accordance with the policies established by the authority for micro distilleries. (« *microdistillerie* »)

(2) The authority, in its sole discretion, may grant an off-sale endorsement authorizing the sale, in closed containers of the type and quantity specified in the endorsement for consumption off the permitted premises, of one or more of the following:

(a) beverage alcohol by the holder of a restaurant permit or a tavern permit;

(b) beverage alcohol manufactured by the holder of a manufacturer permit respecting a brew pub;

(c) beverage alcohol manufactured by the holder of a manufacturer permit respecting a micro brewery;

(d) beverage alcohol manufactured by the holder of a manufacturer permit respecting a cottage winery;

(e) beverage alcohol manufactured by the holder of a manufacturer permit respecting a micro distillery;

(f) beverage alcohol by the holder of a special use permit granted pursuant to clause 14(i);

(g) wine by the holder of a restaurant permit, but only to a customer who has just consumed a meal on the permitted premises;

(h) beer by the holder of a restaurant permit, but only to a customer who has just consumed a meal on the permitted premises, if the authority has approved the type of beer for sale for the purpose of this clause.

(3) 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.

(4) An off-sale endorsement granted pursuant to clause (2)(c), (d) or (e) authorizes the permittee to sell at a farmers' market, in accordance with the terms of the endorsement, the beverage alcohol manufactured by the permittee.

9 Aug 2013 cA-18.011 Reg 6 s40.

Limitation on number of restaurant permits or tavern permits with off-sale endorsements

41(1) Subject to subsections (2) to (4), the maximum number of off-sale endorsements that the authority may grant pursuant to clause 40(2)(a) in any municipality is set out in Table 1 of the Appendix and is based on the population of the municipality.

(2) If a decrease in population of a municipality results in a decrease in the maximum number of off-sale endorsements that the authority may grant in the municipality in accordance with Table 1 of the Appendix, the authority may, in its sole discretion, grant the number of off-sale endorsements in the municipality as though the population of the municipality had not decreased.

(3) With respect to rural municipalities, the authority, in its sole discretion, may grant an off-sale endorsement pursuant to clause 40(2)(a) that exceeds the maximum number of off-sale endorsements that the authority may grant in the rural municipality in accordance with Table 1 of the Appendix if the applicant:

(a) held a permit in the rural municipality with an off-sale endorsement on July 19, 2000; or

(b) has acquired permitted premises in the rural municipality with an off-sale endorsement mentioned in clause (a).

(4) An off-sale endorsement granted pursuant to clause 40(2)(b), (c), (d), (e), (f), (g) or (h) does not affect the maximum number of off-sale endorsements that may be granted in a municipality pursuant to clause 40(2)(a).

9 Aug 2013 cA-18.011 Reg 6 s41.

Limitation on number of off-sale endorsements in the Northern Saskatchewan Administration District

42(1) Notwithstanding section 41 but subject to subsection (2), the authority shall only grant an off-sale endorsement pursuant to clause 40(2)(a) in the Northern Saskatchewan Administration District if the permitted premises is situated at least 40 kilometres by road from:

(a) the nearest permitted premises with an off-sale endorsement granted pursuant to clause 40(2)(a);

(b) the nearest store; or

(c) the nearest franchise.

(2) Subsection (1) does not apply to a renewal of an off-sale endorsement granted pursuant to clause 40(1)(a) in the Northern Saskatchewan Administration District if the off-sale endorsement was granted before April 1, 2009.

9 Aug 2013 cA-18.011 Reg 6 s42.

Permittees with off-sale endorsement may sell beverage alcohol to certain other permittees

43(1) Notwithstanding any other provision of these regulations, a permittee who holds an off-sale endorsement granted pursuant to clause 40(2)(a), (b), (c), (d) or (e) may sell beverage alcohol to the holder of a special occasion permit or a special use permit.

(2) Notwithstanding any other provision of these regulations, the holder of a manufacturer permit respecting a brew pub with an off-sale endorsement granted pursuant to clause 40(2)(b) or a permittee who holds an off-sale endorsement granted pursuant to clause 40(2)(c), (d) or (e) may sell beverage alcohol to the holder of a restaurant permit or a tavern permit, in accordance with any terms imposed by the authority.

(3) A permittee who sells beverage alcohol in accordance with subsection (1) or (2) shall only sell those types of beverage alcohol that the permittee's endorsement.

9 Aug 2013 cA-18.011 Reg 6 s43.

Minors on permitted premises

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

9 Aug 2013 cA-18.011 Reg 6 s44.

PART X
Sale to Hotel and Motel Guests

Sale of beverage alcohol to hotel and motel guests

45(1) The authority may include a term in a restaurant permit or 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).

9 Aug 2013 cA-18.011 Reg 6 s45.

Additional requirements

46(1) The holder of a restaurant permit or a tavern permit shall only sell and deliver beverage alcohol in accordance with clause 45(1)(a) during the hours that beverage alcohol may be lawfully sold pursuant to section 47 and the tolerance period mentioned in section 48.

(2) The holder of a restaurant permit or a tavern permit who sells beverage alcohol in accordance with clause 45(1)(b) must ensure that non-alcoholic beverages and foodstuffs are stored in the compartments with the beverage alcohol.

9 Aug 2013 cA-18.011 Reg 6 s46.

PART XI
Hours of Operation, etc.

General hours of operation

47 Subject to the other provisions of these regulations, every permittee may open the permitted premises and sell beverage alcohol on the permitted 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.

9 Aug 2013 cA-18.011 Reg 6 s47.

Tolerance period

48 Every permittee other than the holder of a special occasion permit shall ensure that the permitted 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 of beverage alcohol has ceased to allow persons who have been served beverage alcohol to finish their beverages.

9 Aug 2013 cA-18.011 Reg 6 s48.

Off-sale endorsements

49(1) The holder of an off-sale endorsement granted pursuant to clause 40(2)(a) shall open the permitted premises for at least six hours each day for at least five days in each calendar week during the hours that beverage alcohol may be lawfully sold pursuant to section 47.

(2) The holder of any off-sale endorsement may sell beverage alcohol for consumption off the permitted premises:

(a) during any hours that the permittee may lawfully sell beverage alcohol on the permitted premises; and

(b) during the tolerance period mentioned in section 48.

9 Aug 2013 cA-18.011 Reg 6 s49.

Presence of persons on permitted premises

50(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.

9 Aug 2013 cA-18.011 Reg 6 s50.

Opening of permitted premises

51(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 permit endorsed pursuant to section 11, 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 endorsed pursuant to section 11 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.

9 Aug 2013 cA-18.011 Reg 6 s51.

PART XII
Medical and Other Uses

Medical use – physicians, dentists, veterinarians

52 For the purposes of subsection 77(1) of the Act, a physician, dentist or veterinarian who purchases beverage alcohol from the authority 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”.

19 Jne 2015 SR 56/2015 s12.

Medical use – pharmacists

53 For the purposes of subsection 77(1) and section 80 of the Act, a pharmacist who purchases beverage alcohol from the authority 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”.

19 Jne 2015 SR 56/2015 s12.

Non-consumptive use

54 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”.

19 Jne 2015 SR 56/2015 s12.

Beverage alcohol re educational purposes

55 Every governing authority of an educational institution that purchases beverage alcohol from the authority pursuant to subsection 84(1) of the Act shall 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".

9 Aug 2013 cA-18.011 Reg 6 s55; 19 Jne 2015 SR 56/2015 s13.

Beverage alcohol re sacramental purposes

56(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.

9 Aug 2013 cA-18.011 Reg 6 s56.

PART XII.1
Direct to Consumer Importation and Delivery

Direct to consumer importation authorizations

56.1(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.

3 Jly 2015 SR 62/2015 s4.

Direct to consumer delivery permits

56.2(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 56.l 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 56.l 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.

3 Jly 2015 SR 62/2015 s4.

PART XIII
General Provisions

Application for permit

57(1) Every application for a permit, other than a special occasion permit or a direct to consumer delivery permit, must be:

(a) in the form determined by the authority; and

(b) submitted to the authority with the supporting materials required by sections 57.1 and 57.2.

(2) When an application is made for renewal of a permit, this section does not apply unless the authority, in its discretion, otherwise directs.

19 Jne 2015 SR 56/2015 s14; 3 Jly 2015 SR 62/2015 s5.

Signed statement

57.1(1) Every applicant for a permit, other than a special occasion permit or a direct to consumer delivery permit, shall submit a statement with the application that:

(a) certifies that the contents of the application are complete and accurate;

(b) states:

(i) that the applicant is lawfully authorized to conduct the business to be carried on on the premises to which the application relates;

(ii) that the applicant:

(A) is or will be the owner or lessee of the premises to which the application relates; or

(B) is or will be lawfully entitled to possession of the premises to which the application relates;

(iii) that the applicant is not disqualified pursuant to the Act from applying for or holding a permit;

(iv) that the applicant has complied with the requirements of the Act and these regulations;

(v) that the applicant is not bound by an agreement to sell any particular kind, class or brand of beverage alcohol;

(vi) that the premises to which the application relates are or will be constructed and equipped in accordance with the Act and these regulations and are otherwise suitable for carrying on the business in a reputable way;

(vii) that the applicant is of good character;

(viii) whether the applicant has been convicted in the three years preceding the application of:

(A) a contravention of the Act, any previous *Alcohol and Gaming Regulation Act*, *Liquor Act* or *Liquor Licensing Act* or any Act of any other province of Canada relating to the control of beverage alcohol; or

(B) an offence pursuant to any Act of the Parliament of Canada that involves, directly or indirectly, beverage alcohol or a drug; and

(ix) whether:

(A) the applicant has accepted any money or consideration from a manufacturer or an agent of a manufacturer, and if so, giving full details; or

(B) any manufacturer or any officer, director, shareholder, employee or agent of a manufacturer has an interest in the ownership or management of the premises to which the application relates, and if so, whether that person has assisted the applicant financially in any way, and if so, giving full details; and

(c) is signed:

(i) by the applicant, if the applicant is an individual;

(ii) by an officer of the corporation, if the applicant is a corporation;

(iii) by a member of the council, if the applicant is an Indian band; or

(iv) if the applicant is a partnership:

(A) by a partner designated by the partners to sign on behalf of the partnership; and

(B) by an officer of the corporation, if a partner of the partnership is a corporation.

(2) Subclause (1)(b)(v) does not apply to an application:

(a) for a special use permit respecting premises mentioned in clause 14(d), (h) or (j); or

(b) for a manufacturer permit respecting a cottage winery, micro brewery or micro distillery as defined in section 40.

(3) Subclause (1)(b)(viii) does not apply to an application concerning a train.

19 Jne 2015 SR 56/2015 s14; 3 Jly 2015 SR 62/2015 s6.

Other supporting material

57.2 Every applicant for a permit, other than a special occasion permit or a direct to consumer delivery permit, shall:

(a) provide evidence that is satisfactory to the authority of the applicant's right to possession of the premises to which the application relates; and

(b) if required by the authority, include the following particulars with the application:

(i) plans of the premises to which the application relates that clearly show the floor plan and physical dimensions of the premises;

(ii) in the case of an applicant other than an individual and if required by the authority, the names of all:

(A) partners of a partnership;

(B) shareholders of a corporation; or

(C) members of a co-operative or non-profit corporation.

19 Jne 2015 SR 56/2015 s14; 3 Jly 2015 SR 62/2015 s7.

Notice of application

57.3(1) On an application for a 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).

19 Jne 2015 SR 56/2015 s14.

Application for endorsements

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

9 Aug 2013 cA-18.011 Reg 6 s58.

Application and annual fees

59(1) Every applicant for a permit mentioned in section 3, other than a special occasion permit or a direct to consumer delivery permit, shall pay an application fee of $200.

(2) Every holder of a permit mentioned in section 3, other than the holder of a special occasion permit or a direct to consumer delivery permit, shall pay annually the applicable fee for the permit set out in Table 2 of the Appendix for each year the permit is in force.

(3) Every applicant for a special occasion permit shall pay the applicable fee for the permit set out in Table 3 of the Appendix.

(4) Every applicant for a permit pursuant to section 86 or 87 of the Act shall pay the applicable fee for the permit set out in Table 4 of the Appendix.

(5) Every applicant for an endorsement shall pay annually the applicable fee for the endorsement set out in Table 5 of the Appendix, for each year the endorsement is added to the permit.

(6) Every applicant for a direct to consumer delivery permit shall pay an application fee of $500, and every holder of a direct to consumer delivery permit shall pay an annual fee of $500 for each year the permit is in force.

(7) Every applicant for an off-sale endorsement mentioned in clause 40(2)(a), except in the Northern Saskatchewan Administration District, shall submit to the authority all additional fees that are required under the sealed bid process established by the authority pursuant to section 60.

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

(9) 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.

3 Jly 2015 SR 62/2015 s8.

Sealed bid process

60(1) The authority may establish a sealed bid process in accordance with this section to allocate an off-sale endorsement mentioned in clause 40(2)(a).

(2) The successful applicant under the sealed bid process shall pay to the authority:

(a) within 30 days after the conclusion of the sealed bid process, 25% of the total bid amount;

(b) within 6 months after the conclusion of the sealed bid process, 50% of the total bid amount; and

(c) within 18 months after the conclusion of the sealed bid process, the remaining 25% of the total bid amount.

(3) All amounts paid pursuant to subsection (2) are non-refundable.

(4) After the successful applicant has paid the total bid amount and if the authority is satisfied that the applicant is in compliance with the Act, these regulations and the policies established by the authority, the authority shall grant the off-sale endorsement mentioned in clause 40(2)(a) to the applicant.

(5) The successful applicant's claim to the off-sale endorsement is vacated if the successful applicant:

(a) fails to make a payment in accordance with the payment schedule mentioned in subsection (2); or

(b) fails to establish operations to sell beverage alcohol pursuant to the off-sale endorsement within the period established by the authority.

(6) If the successful applicant's claim to the off-sale endorsement is vacated for either of the reasons mentioned in subsection (5), that applicant is not eligible to bid on the subsequent offering of the same off-sale endorsement.

9 Aug 2013 cA-18.011 Reg 6 s60.

Duration of permits

61(1) Subject to subsection (2), every permit expires on the expiration date indicated on the permit.

(2) If the applicable fee mentioned in section 59 is not paid on or before the day it is due, the permit expires the following day.

9 Aug 2013 cA-18.011 Reg 6 s61.

Transfer of permit – when allowed

62 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.

9 Aug 2013 cA-18.011 Reg 6 s62.

Sale of beer manufactured outside Saskatchewan

63 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:

(a) specified by the authority; and

(b) subject to the terms imposed by the authority.

9 Aug 2013 cA-18.011 Reg 6 s63.

Samples of beverage alcohol

64(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 store;

(ii) a franchise;

(iii) special use permitted premises with a trade show endorsement;

(iv) premises approved by the authority for the sale and consumption of beverage alcohol under a special occasion permit; or

(v) 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 19.

(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 19, the permittee only permits sampling in accordance with the policies established by the authority.

9 Aug 2013 cA-18.011 Reg 6 s64.

Non-alcoholic beverages or food to be made available

65(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 14(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) Although the holder of a brew pub tavern permit is also the holder of a manufacturer permit, he or she is not exempt from the requirements of subsections (1) and (2).

9 Aug 2013 cA-18.011 Reg 6 s65; 19 Jne 2015 SR 56/2015 s16.

How beverage alcohol is to be served

66(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) Spirits shall not be served in their original bottle or container.

(4) Coolers may be sold by full bottles.

(5) 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.

9 Aug 2013 cA-18.011 Reg 6 s66.

Limitations

67 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.

9 Aug 2013 cA-18.011 Reg 6 s67.

Importation limits

68 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.

9 Aug 2013 cA-18.011 Reg 6 s68.

Authority may act as agent

69 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.

9 Aug 2013 cA-18.011 Reg 6 s69.

Restocking fee

70 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.

9 Aug 2013 cA-18.011 Reg 6 s70.

Certain activities and entertainment prohibited

71(1) In this section, **"specified permittee"** means a permittee who has been issued:

(a) a permit pursuant to clause 14(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 14(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.

24 Apr 2015 SR 35/2015 s2.

Forms

72(1) The application for review set out in Form A of the Appendix 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 of the Appendix is prescribed for the purposes of section 33 or 39.1 of the Act.

9 Aug 2013 cA-18.011 Reg 6 s72.

Duty-free liquor stores

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

9 Aug 2013 cA-18.011 Reg 6 s73.

Grounds for objection not requiring commission hearing

74 For the purposes of subsection 26(1.1) 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.

9 Aug 2013 cA-18.011 Reg 6 s74.

Grounds for objection not requiring person to be heard

75 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.

9 Aug 2013 cA-18.011 Reg 6 s75.

Grounds for objection not requiring person to receive notice of hearing

76 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.

9 Aug 2013 cA-18.011 Reg 6 s76.

Reviewable endorsements

77 For the purposes of the definition of **"reviewable endorsement"** in section 2 of the Act, an endorsement granted pursuant to subsection 11(1) or clause 40(2)(a) is prescribed as a reviewable endorsement.

9 Aug 2013 cA-18.011 Reg 6 s77.

Administrative penalties

78(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 of the Appendix.

(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 of the Appendix, the penalty must be not less than $500 and not more than $10,000.

9 Aug 2013 cA-18.011 Reg 6 s78.

PART XIV
Repeal, Transitional and Coming Into Force

R.R.S. c.A-18.011 Reg 1 repealed

79 *The Alcohol Control Regulations, 2002* are repealed.

9 Aug 2013 cA-18.011 Reg 6 s79.

Transitional

80(1) Subject to subsections (2) to (4), any permit, endorsement, approval or authorization that was issued pursuant *The Alcohol Control Regulations, 2002* 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) The holder of a permit issued pursuant to clause 12(1)(a), (c), (d), (e) or (f) of *The Alcohol Control Regulations, 2002* and that was in force on the day before the coming into force of these regulations is deemed to be the holder of a tavern permit issued pursuant to subsection 12(1) of these regulations.

(3) The holder of a permit issued pursuant to clause 12(1)(b) of *The Alcohol Control Regulations, 2002* and that is in force on the day before the coming into force of these regulations is deemed to be the holder of a brew pub tavern permit issued pursuant to subsection 12(2) of these regulations, and the permitted premises are deemed to be a brew pub within the meaning of these regulations.

(4) The holder of a restaurant permit with a nightclub endorsement issued pursuant to section 11 of *The Alcohol Control Regulations, 2002* and that is in force on the day before the coming into force of these regulations is deemed to be the holder of a restaurant permit with a tavern endorsement issued pursuant to section 11 of these regulations.

9 Aug 2013 cA-18.011 Reg 6 s80.

Coming into force

81(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Alcohol and Gaming Regulation Amendment Act, 2013* comes into force.

(2) If section 1 of *The Alcohol and Gaming Regulation Amendment Act, 2013* 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.

9 Aug 2013 cA-18.011 Reg 6 s81.

Appendix

PART I

TABLE 1
[*Subsection 41(1)*]

Population of Municipality	*Maximum Number of Endorsements*
up to 2 500	1
2 501 - 5 000	2
5 001 - 10 000	3
10 001 - 15 000	4
15 001 - 20 000	5
20 001 - 30 000	6
Every 10 000 thereafter	1 additional endorsement

TABLE 2
[*Subsection 59(2)*]

Annual Permit Fees

Item	*Type of Permit*	*City*	*Town*	*Village*	*Hamlet*
1	Restaurant	$250	$175	$125	$75
2	Tavern	200	150	100	50
3	Special Use	200	150	100	50
4	Manufacturer	500	500	500	500
5	Interim/Provisional	100	100	100	100
6	U-brew or u-vin operation	200	150	100	50

3 Jly 2015 SR 62/2015 s9.

TABLE 3
[*Subsection 59(3)*]

Special Occasion Permit Fees

Item	*Type of Permit*	*Fee*
1	Special occasion – sale of beverage alcohol – sale for cost recovery only	 $ 25 15
2	Special occasion – non-sale	 15
3	Special occasion – for an extended period pursuant to subsection 29(6)	 15
4	Special occasion – for an extended period respecting meetings pursuant to subsection 30(1) or social functions pursuant to subsection 30(2) – sale – non-sale	 100 50

TABLE 4
[*Subsection 59(4)*]

Miscellaneous Permit Fees

Item	*Type of Permit*	*Fee*
1	Permit to a person engaged in the business of selling church supplies	$10
2	Competition permit – homemade wine or beer	10

19 Jne 2015 SR 56/2015 s17.

TABLE 5
[*Subsection 59(5)*]

Endorsement Fees

Item	*Type of Endorsement*	*City*	*Town*	*Village*	*Hamlet*
1	Sale of beverage alcohol in an adjacent area	$350	$250	$175	$100
2	Endorsement pursuant to subsection 38(1) for the delivery and sale of beverage alcohol for consumption at location for which a special occasion permit has been granted	250	100	100	100
3	Sale of beverage alcohol for consumption off permitted premises	100	75	50	25
4	Tavern endorsement to restaurant permit	100	75	50	25
5	Sale of wine or beer for consumption off restaurant premises	50	25	10	10

TABLE 6
[*Subsection 78(1)*]

Penalty Limits

The provisions set out in Column 3 are the provisions of the Act and these regulations that impose the prohibitions or requirements described in Column 2 on the permittee. For the purposes of section 39.1 of the Act, the limits of a penalty that may be assessed by the authority or commission for failure to comply with those provisions are set out in Column 4.

Column 1	*Column 2*	*Column 3*	*Column 4*
Item Number	**Contravention of term**	**Provision**	**Penalty Limits in Dollars**
Minors (under 19 years of age)			
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 apparently a minor	129(1)(e) - Act	1,000 - 10,000
3	Failing to demand proof of age of a person in the premises where a minor:	111(1) - Act	500 - 10,000
	(a) is not entitled to be; or		
	(b) may be entitled to be but the person is attempting to purchase beverage alcohol		

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
Over serving			
7	Selling or supplying beverage alcohol to a person who appears intoxicated	125 - Act	1,000 - 10,000
7.1	Allowing a person who appears intoxicated to possess or consume beverage alcohol on the premises	126(2)(a) - Act	1,000 - 10,000
Overcrowding			
8	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
Sale or consumption during prescribed hours or days			
9	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
10	Selling or supplying beverage alcohol during prohibited hours	129(1)(f) - Act	500 - 10,000

11	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	48 - Regulations	500 - 10,000
12	Failing to open the premises for the sale of beverage alcohol during prescribed hours or the minimum prescribed hours or days	49 - 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
Illegal purchase, possession or sale of beverage alcohol			
14	Purchasing beverage alcohol from sources other than the authority, franchise, or in the case of prescribed permittees, from permittees prescribed in the regulations	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 *The Liquor Consumption Tax Act*	4(2) - Regulations	500 - 10,000
Entertainment			
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

Customer service			
19	Failing to ensure that the food to beverage alcohol sales value ratio in the premises is one dollar of food sales for each dollar of beverage alcohol sales	8(1) - Regulations	500 - 10,000
20	Failing to maintain a supply of non-alcoholic beverages or food for customers in the permitted premises and in any lounge, patio or banquet room of the permitted premises, or at the location of the special occasion	65 - Regulations	500 - 10,000
21	Adulterating or diluting beverage alcohol or offering adulterated or diluted beverage alcohol for sale	129(1)(d) - Act	500 - 10,000
22	Failing to ensure that each sample of beverage alcohol is equal to or less than the prescribed amount	64(1) - Regulations	500 - 10,000
23	Failing to adhere to policies established by the authority for the purposes of subsection 19(2) respecting sampling at a u-brew or u-vin operation	19(2) - Regulations	500 - 10,000
24	Allowing patrons to take and consume beverage alcohol off the premises	75(3) - Act	500 - 10,000
Obstruction			
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

9 Aug 2013 cA-18.011 Reg 6; 19 Jne 2015 SR 56/2015 s17.

PART II
Forms

FORM A
[*Sections 30 and 31 of the Act*]

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*]

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: _____

9 Aug 2013 cA-18.011 Reg 6.

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