

The Alcohol Control Regulations, 2002

being

[Chapter A-18.011 Reg 1](#) (effective February 1, 2003) as amended by Saskatchewan Regulations [98/2003](#); [44/2006](#) and [20/2009](#).

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 1

The Alcohol and Gaming Regulation Act, 1997

PART I

Introductory Matters

Title

- 1 These regulations may be cited as *The Alcohol Control Regulations, 2002*.

Interpretation

- 2 In these regulations:

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

“**brew pub premises**” means premises where:

- (a) beer is manufactured pursuant to a manufacturer permit issued by the authority;
- (b) the amount of beer manufactured for sale in a year is:
 - (i) in the case of premises located in the City of Saskatoon, Regina, Prince Albert or Moose Jaw, not less than 100 hectolitres and not more than 2 000 hectolitres; and
 - (ii) in the case of premises located elsewhere, not less than 30 hectolitres and not more than 2 000 hectolitres; and
- (c) the beer is manufactured for sale and consumption on the premises pursuant to a permit issued pursuant to clause 12(1)(b); (« *microbrasserie* »)

“**capacity**” means the maximum number of persons who are allowed to be present at any one time in a premises or area that is the subject of a permit:

- (a) subject to clause (c), as that number is determined by the fire commissioner or a fire inspector as defined in *The Fire Prevention Act, 1992* using the criteria set out in the relevant National Fire Code of Canada that is in force pursuant to *The Saskatchewan Fire Code Regulations*;
- (b) in the absence of a determination by the fire commissioner or a fire inspector pursuant to clause (a) but subject to clause (c), as that number is determined by the authority using the criteria set out in the relevant National Fire Code of Canada that is in force pursuant to *The Saskatchewan Fire Code Regulations*; or
- (c) as that number is determined in accordance with these regulations, where that number is less than the number determined pursuant to clause (a) or (b); (« *nombre de places* »)

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

Permits

3 The following classes of permits are established:

- (a) restaurant permits;
- (b) tavern permits;
- (c) special use permits;
- (d) manufacturer permits;
- (e) special occasion permits;
- (f) u-brew or u-vin operation permits.

10 Jan 2003 cA-18.011 Reg 1 s3; 27 Mar 2009
SR 20/2009 s4.

Capacity of premises

3.1 Every permittee shall ensure that the capacity of the premises or area that is the subject of the permit issued to that permittee is not exceeded.

27 Mar 2009 SR 20/2009 s5.

Sale of beverage alcohol

4(1) Subject to the Act, these regulations and any terms imposed on the permittee by the authority, a permittee may sell beverage alcohol in the premises or area with respect to which the permit is issued.

(2) Subject to the Act, these regulations and any terms imposed on the permittee by the authority, a permittee who holds a permit that has been endorsed by the authority respecting the sale of beverage alcohol may sell beverage alcohol in accordance with the endorsement.

(3) Subject to the Act, these regulations and any terms imposed on the permittee by the authority, a permittee who holds a special occasion permit, if authorized by the permit, may serve beverage alcohol without charge at the special occasion.

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

10 Jan 2003 cA-18.011 Reg 1 s4.

PART II

Restaurant Permits

Restaurant permits

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

27 Mar 2009 SR 20/2009 s6.

Restaurant permit endorsement

6 The authority may endorse a restaurant permit to authorize the permittee to deliver beverage alcohol to guests in the guest rooms of a hotel or motel if:

- (a) the permittee provides food service to the guest rooms during the hours in which beverage alcohol is served in the restaurant of the permittee;
- (b) the permitted premises are located in or adjacent to the hotel or motel;
- (c) the permittee sells and delivers to guests in the hotel or motel only those types of beverage alcohol that the permittee is authorized to sell in the permitted premises; and
- (d) the operator of the hotel or motel is a person other than the permittee and has consented in writing to the sale and delivery of beverage alcohol by the permittee in the hotel or motel.

10 Jan 2003 cA-18.011 Reg 1 s6.

Endorsement permitting sale from locked compartments

7(1) The authority may endorse a restaurant permit of a permittee who operates a restaurant that is located in or adjacent to a hotel or motel to authorize the permittee to sell beverage alcohol from locked compartments in guest rooms of the hotel or motel.

(2) A permittee whose permit has been endorsed to authorize the sale of beverage alcohol from locked compartments shall ensure that:

- (a) the beverage alcohol is stored in locked compartments;
- (b) the keys that open the compartments are provided only to registered guests of the hotel or motel who are not minors; and
- (c) non-alcoholic beverages and foodstuffs are stored with the beverage alcohol in the locked compartments.

(3) A permittee shall sell from the locked compartments only those types of beverage alcohol that the permittee is authorized to sell in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s7.

Endorsement permitting sale from lounge, etc.

8(1) Subject to subsection (2), the authority may endorse a restaurant permit to authorize the permittee to sell beverage alcohol for consumption by persons in a lounge, banquet room or casino that is adjacent and suitably connected to the permitted premises.

(2) The authority shall not, in any of the following circumstances, endorse a restaurant permit pursuant to subsection (1) respecting a lounge:

- (a) if, in the authority's opinion, the lounge is not suitable for the purpose for which the endorsement is sought;
- (b) if the floor area of the lounge exceeds 50% of the floor area of the permitted premises;
- (c) if the capacity of the lounge exceeds 50% of the capacity of the permitted premises.

(3) For the purposes of subsection (1), guest rooms in a hotel or motel to which beverage alcohol may be delivered for sale and consumption pursuant to an endorsement mentioned in section 6 are not to be considered as part of any lounge.

(4) A permittee whose permit is endorsed pursuant to subsection (1) shall ensure that:

- (a) food service is available in the lounge, banquet room or casino; and
- (b) only those types of beverage alcohol that the permittee is authorized to sell in the permitted premises are sold in the lounge, banquet room or casino.

10 Jan 2003 cA-18.011 Reg 1 s8; 27 Mar 2009
SR 20/2009 s7.

Endorsement permitting sale at other locations

9(1) The authority may endorse a restaurant permit to authorize the permittee to deliver and sell beverage alcohol for consumption at locations for which a special occasion permit has been issued.

(2) **Repealed.** 27 Mar 2009 SR 20/2009 s8.

10 Jan 2003 cA-18.011 Reg 1 s9; 27 Mar 2009
SR 20/2009 s8.

Restaurant permit requirements

10(1) The holder of a restaurant permit shall only serve beverage alcohol to a customer as part of a meal served to the customer.

(2) The holder of a restaurant permit shall ensure that the food to beverage alcohol sales value ratio in the permitted premises is at least one dollar of food sales for every dollar of beverage alcohol sales.

(3) Subsections (1) and (2) do not apply to any lounge, banquet room or casino with respect to which the permit is endorsed pursuant to section 8 nor to any patio with respect to which the permit is endorsed pursuant to section 32.

(4) In accordance with subsection 75(6) of the Act, the holder of a restaurant permit shall, on request of the purchaser, recork a bottle of wine purchased in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s10; 27 Mar 2009
SR 20/2009 s9.

Nightclub endorsement

11(1) Subject to the approval by resolution of the council of the municipality in which the restaurant is situated, the authority may endorse a restaurant permit with a nightclub endorsement to authorize the permittee to operate the permitted premises as a nightclub.

(2) A permittee who, prior to January 20, 1995, held a valid Class "A" licence with an entertainment endorsement is not required to obtain municipal approval for a nightclub endorsement on a restaurant permit issued to the permittee after that date.

- (3) When the authority endorses a restaurant permit pursuant to subsection (1), the authority shall prescribe the days and times that the permitted premises may be operated as a nightclub.
- (4) During the days and times that an endorsement pursuant to subsection (1) authorizes the permitted premises to be operated as a nightclub:
- (a) the permittee shall operate the permitted premises as a nightclub subject to the Act, these regulations and the terms established by the authority;
 - (b) the provisions of the Act and these regulations that affect or apply to permittees operating nightclubs apply to the permittee and the permitted premises during the times that the permittee is operating the permitted premises as a nightclub;
 - (c) subsection 10(2) does not apply to the permittee; and
 - (d) the permittee shall ensure that entertainment is offered nightly in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s11; 27 Mar 2009
SR 20/2009 s10.

PART III Tavern Permits

Tavern permits

12(1) The authority may issue a tavern permit respecting any premises where the primary business is the sale of beverage alcohol for consumption on the premises, and the premises:

- (a) are situated in a hotel or motel;
- (b) are brew pub premises and the applicant for the permit is the holder of the manufacturer permit respecting the brew pub premises;
- (c) consist of a nightclub where:
 - (i) subject to the hours of operation prescribed pursuant to subsection (3), entertainment is offered nightly in the premises; and
 - (ii) the operations of the nightclub have been approved by resolution of the council of the municipality in which the nightclub is situated;
- (d) are:
 - (i) situated in a municipality that has a population of less than 5 000 people and in which there are no other premises with respect to which a tavern permit is held; and
 - (ii) constructed or reconstructed on or near the site of a hotel or motel that was destroyed or damaged from any cause and with respect to which a permit or liquor licence had been issued;

- (e) are premises with respect to which a valid beverage room licence issued pursuant to *The Liquor Licensing Act* existed on January 1, 1989; or
 - (f) are:
 - (i) premises situated in a municipality that has a population of less than 5 000 people in which a hotel or motel is situated that previously held a tavern permit with an off-sale endorsement and no other permit that contains an off-sale endorsement is presently in effect in that municipality; and
 - (ii) the only premises in that municipality for which a tavern permit has been granted, other than the hotel or motel situated in that municipality.
- (2) In accordance with subsection 75(6) of the Act, the holder of a tavern permit shall, on request of the purchaser, recork a bottle of wine purchased in the permitted premises.
- (3) The authority shall prescribe the hours during which the permitted premises for which a tavern permit has been granted may be operated as a nightclub.

10 Jan 2003 cA-18.011 Reg 1 s12; 27 Mar 2009
SR 20/2009 s11.

Tavern permit for brew pub

- 13(1) The holder of a manufacturer permit respecting brew pub premises shall:
- (a) sell the beer manufactured in the brew pub premises to the authority; and
 - (b) as the holder of a tavern permit pursuant to clause 12(1)(b), purchase that beer from the authority at a price established by the authority.
- (2) The holder of a tavern permit pursuant to clause 12(1)(b) shall offer for sale in the brew pub premises a minimum of four types of in-house draught beer manufactured in the brew pub premises.

10 Jan 2003 cA-18.011 Reg 1 s13; 27 Mar 2009
SR 20/2009 s12.

Endorsement permitting sale from locked compartments

- 14(1) The authority may endorse a tavern permit of a permittee who operates a tavern that is located in or adjacent to a hotel or motel to authorize the permittee to sell beverage alcohol from locked compartments in guest rooms of the hotel or motel.
- (2) A permittee whose permit has been endorsed to authorize the sale of beverage alcohol from locked compartments shall ensure that:
- (a) the beverage alcohol is stored in locked compartments;
 - (b) the keys that open the compartments are provided only to registered guests of the hotel or motel who are not minors; and
 - (c) non-alcoholic beverages and foodstuffs are stored with the beverage alcohol in the locked compartments.
- (3) The permittee shall sell from the locked compartments only those types of beverage alcohol that the permittee is authorized to sell in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s14.

Endorsement permitting sale at other locations

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

27 Mar 2009 SR 20/2009 s13.

PART IV
Special Use Permits

Special use permits

16(1) The authority may issue a special use permit respecting:

- (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;
- (e) any premises in an airport;
- (f) any premises in a university or post-secondary educational institution;
- (g) any military mess;
- (h) a 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 in which dining and lodging is provided;
- (j) any premises in 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; and
- (n) any premises from which a permit holder may offer home delivery of beverage alcohol.

(2) The holder of a permit issued pursuant to clause (1)(b) may purchase beer, wine and coolers from a permittee whose permit is endorsed pursuant to clause 33(1)(b), (c) or (e) if the primary purpose of the holder of the permit with respect to the permitted premises is to operate a golf course or curling rink.

(3) The following provisions of the Act do not apply with respect to special use permits mentioned in clauses (1)(d), (h) and (j):

- (a) clause 58(1)(d) of the Act;
- (b) subclause 61(1)(a)(ii) of the Act;
- (c) clause 61(1)(b) of the Act.

(4) In accordance with subsection 75(6) of the Act, the holder of a special use permit shall, on request of the purchaser, recork a bottle of wine purchased in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s16; 27 Mar 2009
SR 20/2009 s14.

Endorsement re club premises

16.1 The authority may endorse a special use permit issued pursuant to clause 16(1)(a) authorizing a club to sell beverage alcohol for consumption on club premises for which a special occasion permit has been granted.

27 Mar 2009 SR 20/2009 s15.

Endorsement re trade show events

16.2 The authority may endorse a special use permit issued pursuant to clause 16(1)(d), (f) or (j) authorizing the sale for consumption of samples of beverage alcohol at trade show events that are carried on in the permitted premises in accordance with the Act, these regulations and any terms imposed by the authority.

27 Mar 2009 SR 20/2009 s15.

Home delivery special use permit

16.3(1) A home delivery special use permit may be issued pursuant to clause 16(1)(n) to:

- (a) a holder of a franchise;
- (b) a permittee who has been granted an endorsement pursuant to clause 33(1)(b), (c) 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) 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 purchase the beverage alcohol required to fill an order taken pursuant to subsection (3):
- (a) from the authority, a franchise or a permittee with an endorsement pursuant to clause 33(1)(b), (c) or (e); and
 - (b) during the hours and days that beverage alcohol may be lawfully sold pursuant to section 41.
- (5) The holder of a home delivery special use permit shall deliver and sell the beverage alcohol ordered pursuant to subsection (3) during the hours and days that beverage alcohol may be lawfully sold pursuant to section 41 and the period mentioned in section 44.
- (6) 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, a franchise or a permittee with an endorsement pursuant to clause 33(1)(b), (c) or (e).
- (7) The holder of a home delivery special use permit shall:
- (a) have the purchaser sign a receipt for the sale and delivery of beverage alcohol; and
 - (b) maintain a record of the following information with respect to sale and delivery of beverage alcohol:
 - (i) the address of each person who orders beverage alcohol from the permittee;
 - (ii) the date of the order;
 - (iii) the kind and quantity of beverage alcohol ordered;
 - (iv) the price charged for the beverage alcohol ordered;
 - (v) the delivery fee charged;
 - (vi) the date and time of delivery;
 - (vii) the name of the person making the delivery;

- (viii) for each person who purchases beverage alcohol from the permittee who appears to the delivery person to be less than 25 years of age, the name of the person and the type of identification proving age that is produced at the request of the delivery person;
 - (ix) in the event that beverage alcohol was ordered but not delivered or sold, the reason the beverage alcohol was not delivered or sold.
- (8) The holder of a home delivery special use permit shall retain the receipts and records mentioned in subsection (7) for at least two years and make those receipts and records available for inspection by the authority.

27 Mar 2009 SR 20/2009 s15.

PART IV.1

U-brew and U-vin Operation Permits

U-brew and u-vin operation permits

16.4(1) The authority may issue a permit respecting a u-brew or u-vin operation to be carried on:

- (a) in a premises that, in the opinion of the authority, is 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.
- (2) 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 section 16.5, 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;
 - (e) perform any activity related to the manufacture of beverage alcohol except those activities allowed by the authority.

27 Mar 2009 SR 20/2009 s16.

Sampling

16.5 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, subject to the following:

- (a) the samples must be provided before the beverage alcohol is bottled;
- (b) the maximum number of samples shall not exceed two samples per batch, regardless of the number of customers participating in the batch;

- (c) the maximum sample size shall not exceed 100 millilitres per sample; and
- (d) the samples may only be consumed by a customer identified on the identification tag that is attached in accordance with subsection 16.7(2) to the container used for the manufacturing of the customer's beverage alcohol.

27 Mar 2009 SR 20/2009 s16.

Responsibilities concerning customers

16.6(1) No holder of a u-brew or u-vin operation permit shall allow a customer to manufacture beverage alcohol in the premises or remove beverage alcohol manufactured in 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:
 - (i) bottle and seal the beverage alcohol; and
 - (ii) remove the beverage alcohol from the premises.

(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.

27 Mar 2009 SR 20/2009 s16.

Record-keeping and reporting requirements

16.7(1) The holder of a u-brew or u-vin operation permit shall obtain, retain for two years and make available for inspection by the authority:

- (a) a signed declaration from each customer for each batch of beverage alcohol manufactured in the premises, declaring that the beverage alcohol will be used for personal consumption in a private place or for consumption by others in a private place at no charge; and

- (b) a sales invoice for each customer declaration that includes:
 - (i) the customer's name, address and telephone number;
 - (ii) the product type and quantity;
 - (iii) the ingredients provided to the customer and the price charged;
 - (iv) the services provided to the customer and the price charged;
 - (v) the date on which the manufacturing process started;
 - (vi) the amount of payment received;
 - (vii) the name, address and telephone number of the permittee.
- (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; and
 - (c) any other information that the authority may require.

27 Mar 2009 SR 20/2009 s16.

Unclaimed product

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

27 Mar 2009 SR 20/2009 s16.

Permittee may manufacture for personal use

16.9 Subject to fulfilling the requirements set out in sections 16.4 to 16.8, 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.

27 Mar 2009 SR 20/2009 s16.

PART V
Manufacturer Permits

Manufacturer permits

17(1) The authority may issue a manufacturer permit respecting any premises where the primary business is that of a brewery, distillery or winery.

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

- (a) manufacture beverage alcohol of a kind and at the premises specified in the permit;
- (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 beverage alcohol 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 unless he or she holds a manufacturer permit issued by the authority.

(4) **Repealed.** 26 May 2006 SR 44/2006 s2.

10 Jan 2003 cA-18.011 Reg 1 s17; 26 May 2006
SR 44/2006 s2; 27 Mar 2009 SR 20/2009 s17.

Manufacturer permit for brew pub premises

18(1) The authority shall not issue a manufacturer permit with respect to a brew pub premises unless:

- (a) in the authority's opinion, the location and construction of the premises and the equipment at the premises are suitable for the purpose of manufacturing beer;
- (b) the fermentation, maturation and dispensing tanks have a minimum capacity of:
 - (i) in the case of premises located in the City of Saskatoon, Regina, Prince Albert or Moose Jaw, eight hectolitres; and
 - (ii) in the case of premises located elsewhere, two hectolitres; and
- (c) in the authority's opinion, proper metering devices are attached to the brewing equipment to monitor and record the total amount of beer manufactured for sale in the brew pub premises.

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

- (a) the beer manufactured pursuant to the permit:
 - (i) is manufactured at the brew pub 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 the authority's standards with respect to quality;
- (b) the amount of beer manufactured for sale in a year is:
 - (i) in the case of premises located in the City of Saskatoon, Regina, Prince Albert or Moose Jaw, not less than 100 hectolitres and not more than 2 000 hectolitres; and
 - (ii) in the case of premises located elsewhere, not less than 30 hectolitres and not more than 2 000 hectolitres; and
- (c) the conditions described in subsection (1) are complied with.

(3) A holder of a manufacturer permit with respect to brew pub premises 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 premises; and
- (b) any other particulars that may be required by the authority.

10 Jan 2003 cA-18.011 Reg 1 s18; 27 Mar 2009 SR 20/2009 s18.

Importation of beer

19 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.

10 Jan 2003 cA-18.011 Reg 1 s19.

Hospitality suite

20(1) The holder of a manufacturer permit who operates a hospitality suite on the manufacturer's permitted premises:

- (a) may, without charge, offer beverage alcohol manufactured on the permitted premises to guests in the hospitality suite;
- (b) may operate the hospitality suite during the hours and days that a permittee may lawfully sell beverage alcohol pursuant to section 41;

- (c) shall not allow minors in the hospitality suite; and
 - (d) shall not allow more than 125 persons as guests at any one time in the hospitality suite.
- (2) The holder of a manufacturer permit with respect to a brew pub premises shall not operate a hospitality suite on the permitted premises.

27 Mar 2009 SR 20/2009 s19.

PART VI Special Occasion Permits

Special occasion permits

21(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 only to recover the purchase price of the beverage alcohol, as specified by the authority; or
 - (c) to sell beverage alcohol at prices set by the permittee for the special occasion.
- (2) The holder of a special occasion permit:
- (a) may store beverage alcohol in the premises or area with respect to which the permit was issued;
 - (b) shall stop serving or selling beverage alcohol not less than one-half hour prior to 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 it; and
 - (c) shall ensure that:
 - (i) only those kinds and quantities of beverage alcohol that the permittee is authorized to sell or serve at the special occasion are sold or served; and
 - (ii) the number of persons in the premises or area with respect to which the permit is issued does not exceed the capacity of the premises or area endorsed on the permit.

10 Jan 2003 cA-18.011 Reg 1 s21.

Days and hours of operation

22(1) No person who holds 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) Subject to subsection (5) and section 23, no special occasion permit is to be in effect for more than 12 hours during any 24-hour period.
- (5) The authority may endorse a special occasion permit to be in effect for a period not exceeding 19 hours in any 24-hour period.

10 Jan 2003 cA-18.011 Reg 1 s22; 27 Mar 2009
SR 20/2009 s20.

Regular meetings and functions

- 23(1)** The authority may issue a special occasion permit for a period not exceeding one year respecting regular meetings of an association or other organization and with respect to which the applicant would be entitled to apply for and receive a separate special occasion permit, if:
- (a) there is no more than one meeting per week during the period that the permit is in effect;
 - (b) arrangements satisfactory to the authority have been made to secure any beverage alcohol not consumed:
 - (i) at a meeting; and
 - (ii) that is intended to be served at the next regularly scheduled meeting; and
 - (c) no meeting is longer than six hours.
- (2) The authority may issue a special occasion permit for a period not exceeding one year respecting regular social functions of an association or other organization and with respect to which the applicant would be entitled to apply for and receive a separate special occasion permit, if:
- (a) a majority of the members of the association or other organization are 55 years of age or more;
 - (b) there is no more than one social function a week during the period that the permit is in effect; and

(c) arrangements satisfactory to the authority have been made to secure any beverage alcohol not consumed:

- (i) at the social function; and
- (ii) that is intended to be served at the next regularly scheduled social function.

10 Jan 2003 cA-18.011 Reg 1 s23.

24 Repealed. 27 Mar 2009 SR 20/2009 s21.

Special occasion permit requirements

25(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 the authority, a franchise or a permittee whose permit is endorsed pursuant to clause 33(1)(b), (c) or (e).

27 Mar 2009 SR 20/2009 s22.

Restrictions on issuing special occasions permits

26(1) The authority shall not issue a special occasion permit pursuant to clause 21(1)(c) to an individual.

(2) The authority may refuse to issue a special occasion permit pursuant to clause 21(1)(c) to any organization that the authority considers inappropriate.

(3) Notwithstanding subsection (1), the authority may issue a special occasion permit to an individual pursuant to clause 21(1)(c) if the beverage alcohol for the special occasion will be supplied by the holder of a restaurant permit, tavern permit or special use permit respecting a club premises endorsed pursuant to section 9, 15 or 16.1.

10 Jan 2003 cA-18.011 Reg 1 s26; 27 Mar 2009 SR 20/2009 s23.

Minors re special occasion permits

27 No holder of a special occasion permit shall allow minors in the premises or area with respect to which the special occasion permit is issued:

- (a) unless the permit is issued pursuant to clause 21(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.

10 Jan 2003 cA-18.011 Reg 1 s27.

Special occasion permits re outdoor premises

28 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 in order to prevent access by the public;
- (b) the council of the municipality in which the premises or area is situated has approved of the application for the permit; and
- (c) the application is submitted to the head office of the authority.

10 Jan 2003 cA-18.011 Reg 1 s28; 27 Mar 2009 SR 20/2009 s24.

Restriction re special occasion permit

29 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.

10 Jan 2003 cA-18.011 Reg 1 s29.

PART VII**Interim and Provisional Permits****Permits on an interim basis**

30(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.

10 Jan 2003 cA-18.011 Reg 1 s30.

Permits on a provisional basis

31(1) After an applicant files with the authority plans and specifications showing the location, layout and construction or reconstruction of the proposed permitted premises, 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 layout and construction or reconstruction of the premises does not comply with the plans and specifications 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) If the authority receives an application for a permit pursuant to clause 12(1)(a), (b), (c) or (d), before providing approval for a provisional permit, 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.

10 Jan 2003 cA-18.011 Reg 1 s31; 27 Mar 2009
SR 20/2009 s25.

PART VIII Endorsements

Endorsement re sale from patio

32(1) 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 adjacent and suitably connected to the permitted premises.

(2) If the authority endorses a permit pursuant to subsection (1), the permittee shall ensure that no beverage alcohol is sold to persons on the patio other than that which the permittee is authorized to sell in the permitted premises.

27 Mar 2009 SR 20/2009 s26.

Endorsements re sale of alcohol in closed containers

33(1) The authority, in its sole discretion, may make endorsements permitting the sale, in closed containers of the type and quantity contained in the endorsement for consumption off the permitted premises, of:

- (a) wine by a permittee who has been issued a restaurant permit, but only to a customer who has just consumed a meal in the permitted premises;
- (b) beverage alcohol by a permittee who has been issued a tavern permit other than a tavern permit issued respecting a nightclub or brew pub premises;
- (c) beer manufactured by the permittee in the brew pub premises and any beverage alcohol by a permittee who has been issued a tavern permit respecting a brew pub premises;
- (d) beverage alcohol by a permittee who has been issued a special use permit respecting a camp described in clause 16(1)(i); or
- (e) beer manufactured in the brew pub premises by a permittee who has been granted a tavern permit respecting the brew pub premises.

(2) If an endorsement is made pursuant to clause (1)(c), the permittee shall ensure that at least one type of beer manufactured and sold in the brew pub premises is offered for sale in closed containers for consumption off the permitted premises.

(3) If the authority receives an application for an endorsement pursuant to subsection (1), the authority, in addition to any relevant considerations submitted by the applicant, shall consider the suitability of the location, the operation and management of the permitted premises and the type of business that the endorsement will authorize.

10 Jan 2003 cA-18.011 Reg 1 s33; 27 Mar 2009
SR 20/2009 s27.

Limitation of number of endorsements

34(1) Except for endorsements made pursuant to clause 33(1)(a) or (e), the maximum number of endorsements that the authority may make pursuant to subsection 33(1) for each municipality of a specified population is set out in Table 1 of Appendix A.

(2) Notwithstanding subsection (1), if a decrease in population of a municipality results in a decrease in the maximum number of endorsements that the authority may make as set out in Table 1 of Appendix A, the authority may, in its sole discretion, make the number of endorsements as though the population had not decreased.

(3) Notwithstanding subsection (1), the authority, in its sole discretion, may make an endorsement pursuant to clause 33(1)(b) or (c) that exceeds the maximum number of endorsements that the authority may make for each rural municipality of a specified population if:

(a) a permittee of a permitted premises applying for the endorsement pursuant to clause 33(1)(b) or (c) had an existing permit with an off-sale endorsement on July 19, 2000; or

(b) an applicant has acquired permitted premises that have an off-sale endorsement mentioned in clause (a).

(4) Subsections (1) and (2) do not apply to the following municipalities:

- (a) Regina;
- (b) Saskatoon;
- (c) Prince Albert;
- (d) Moose Jaw.

10 Jan 2003 cA-18.011 Reg 1 s34; 27 Mar 2009
SR 20/2009 s28.

Limitation of number of endorsements in the Northern Saskatchewan Administration District

34.1(1) Notwithstanding section 34 but subject to subsection (2), the authority shall only make an endorsement pursuant to clause 33(1)(b) or (c) with respect to permitted premises 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 endorsement issued pursuant to clause 33(1)(b) or (c);
- (b) the nearest store; or
- (c) the nearest franchise.

(2) Subsection (1) does not apply to any renewal of an endorsement made pursuant to clause 33(1)(b) or (c) in the Northern Saskatchewan Administration District, where the endorsement was made before April 1, 2009.

27 Mar 2009 SR 20/2009 s29.

Permittees may sell beverage alcohol

35(1) Notwithstanding any other provision of these regulations, a permittee whose permit is endorsed pursuant to clause 33(1)(b), (c) or (e) may sell beer, wine and coolers to:

- (a) a holder of a special occasion permit;
- (b) a holder of a permit issued pursuant to subsection 16(1)(b) if the permittee's primary purpose with respect to the permitted premises is to operate a golf course or curling rink; or
- (c) a holder of a home delivery special use permit issued pursuant to clause 16(1)(n).

(2) A permittee who sells beer, wine or coolers to a permittee mentioned in clause (1)(b) shall keep a record of each sale setting out:

- (a) the permittee's name;
- (b) the permittee's liquor consumption tax number; and
- (c) the type and quantity of the beverage alcohol sold.

(3) Every permittee shall keep the records mentioned in subsection (2) for at least six years after the date of the sale.

10 Jan 2003 cA-18.011 Reg 1 s35; 27 Mar 2009
SR 20/2009 s30.

Non-alcoholic beverages or food to be made available

36(1) Every holder of a permit, other than a manufacturer permit or a home delivery special use permit, shall maintain at the location of the special occasion or in 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 in the premises.

(2) Every holder of a permit, other than a manufacturer permit or a special use permit issued pursuant to clause 16(1)(c), (d) or (n), shall maintain at the location of the special occasion or in 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 in the premises.

27 Mar 2009 SR 20/2009 s31.

Minors in permitted premises

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

10 Jan 2003 cA-18.011 Reg 1 s37.

Presence of persons in permitted premises

38(1) Subject to subsections (2) to (4), persons may be present in any permitted premises between the hours of 3:00 a.m. and 9:30 a.m. of the same day other than:

- (a) premises situated in a hotel or motel;
- (b) a brew pub premises;
- (c) a nightclub;
- (d) premises described in clause 12(1)(d); and
- (e) premises described in clause 12(1)(e).

(2) Persons may be present in any permitted premises between the hours of 3:30 a.m. and 9:30 a.m. on January 1 other than:

- (a) premises situated in a hotel or motel;
- (b) a brew pub premises;
- (c) a nightclub;
- (d) premises described in clause 12(1)(d); and
- (e) premises described in clause 12(1)(e).

(3) Persons may be present in any permitted premises situated in a hotel or motel or in any permitted premises described in clause 12(1)(d):

(a) between the hours of 5:00 a.m. and 9:30 a.m. on any day except Sunday; and

(b) between the hours of 5:00 a.m. and 12:00 noon on Sundays.

(4) Persons may be present between the hours of 3:00 a.m. and 9:30 a.m. in premises situated in a hotel, motel, brew pub or nightclub if the permittee has received prior written approval from the authority.

10 Jan 2003 cA-18.011 Reg 1 s38; 27 Mar 2009 SR 20/2009 s32.

Limitations

39 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.

10 Jan 2003 cA-18.011 Reg 1 s39.

Duration of permits

40 Every permit, other than a special occasion permit or a permit issued on an interim basis or a provisional basis, expires one year from the date it is issued unless it is issued for less than a year.

10 Jan 2003 cA-18.011 Reg 1 s40.

PART IX Hours of Operation, etc.

General hours of operation

41 Subject to the other provisions of these regulations, every permittee may:

(a) open the permitted premises for the sale of beverage alcohol on every day; and

(b) except in the permitted premises for which a permit is held pursuant to clause 12(1)(c), sell beverage alcohol in the permitted premises between:

(i) 9:30 a.m. and 2:00 a.m. of the following day on any day except Sunday;

(ii) 12:00 noon and 2:00 a.m. of the following day on Sundays, Good Friday, Christmas Day, and Remembrance Day; and

(iii) 9:30 a.m. and 2:30 a.m. of the following day on December 31.

27 Mar 2009 SR 20/2009 s33.

42 Repealed. 27 Mar 2009 SR 20/2009 s34.

Off-sale endorsements

43(1) The holder of a tavern permit with an off-sale endorsement shall open the permitted premises for at least six hours each day for at least five days in each calendar week during the hours and days that a permittee may lawfully sell beverage alcohol pursuant to section 41.

(2) A permittee whose permit is endorsed to authorize the sale of beverage alcohol for consumption off the permitted premises may sell that beverage alcohol for consumption off the permitted premises:

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

(b) during the period mentioned in section 44.

(3) Notwithstanding any other provision in these regulations, no holder of a tavern permit whose permit is endorsed to authorize the sale of beverage alcohol for consumption off the permitted premises shall sell that beverage alcohol before 12:00 noon on Good Friday, Remembrance Day or Christmas Day.

10 Jan 2003 cA-18.011 Reg 1 s43; 27 Mar 2009
SR 20/2009 s35.

Grace period

44 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 beverage.

10 Jan 2003 cA-18.011 Reg 1 s44.

Opening of permitted premises

45(1) The holder of a tavern permit issued respecting premises described in clause 12(1)(a) or (d) may open the permitted premises:

(a) between the hours of 5:00 a.m. and 9:30 a.m. on any day except Sunday, Good Friday, Christmas Day and Remembrance Day; and

(b) between the hours of 5:00 a.m. and 12:00 noon on Sundays, Good Friday, Christmas Day and Remembrance Day.

(2) The holder of a restaurant permit, other than a permit endorsed pursuant to section 11, may open the permitted premises:

(a) between the hours of 3:00 a.m. and 9:30 a.m. on any day except Sunday; and

(b) between the hours of 3:00 a.m. and 12:00 noon on Sundays.

(3) Nothing in subsections (1) and (2) authorizes the permittees mentioned in those subsections to sell, serve or permit the consumption of beverage alcohol in or from the permitted premises during the hours mentioned in those subsections.

(4) Notwithstanding subsection (2), if the holder of a restaurant permit endorsed pursuant to section 11 has received prior written approval from the authority, the holder may open the permitted premises:

- (a) between the hours of 3:00 a.m. and 9:30 a.m. on any day except Sunday; and
- (b) between the hours of 3:00 a.m. and 12:00 noon on Sundays.

10 Jan 2003 cA-18.011 Reg 1 s45; 27 Mar 2009
SR 20/2009 s36.

PART X Other Permits

Medical use permit restrictions

46(1) No permittee who has been issued a medical use permit pursuant to section 77 of the Act shall have more than 1.14 litres of beverage alcohol on the premises that are used in the practice of his or her profession.

(2) Every permittee described in subsection (1) shall ensure that the container used to hold the beverage alcohol mentioned in that subsection is clearly labelled “for medical purposes only”.

10 Jan 2003 cA-18.011 Reg 1 s46.

Medical use permits re pharmacists

47(1) Notwithstanding subsection 46(1), a pharmacist holding a valid medical use permit issued pursuant to section 77 of the Act may have up to 40 litres of beverage alcohol on the premises that are used in the practice of his or her profession.

(2) Every permittee mentioned in subsection (1) shall ensure that any container used to hold the beverage alcohol mentioned in that subsection is clearly labelled “for medical purposes only”.

10 Jan 2003 cA-18.011 Reg 1 s47.

Non-consumptive use permits

48 Every permittee who has been issued a non-consumptive use permit pursuant to section 83 of the Act shall ensure that any container used to hold the beverage alcohol in his or her possession is clearly labelled “not for human consumption - for industrial purposes only”.

10 Jan 2003 cA-18.011 Reg 1 s48.

Beverage alcohol re educational purposes

49 Every governing authority of an educational institution that purchases beverage alcohol from the authority pursuant to section 84 of the Act shall ensure that any container used to hold that alcohol while it is in the institution's possession is clearly labelled "not for human consumption – for educational purposes only".

10 Jan 2003 cA-18.011 Reg 1 s49.

Beverage alcohol re sacramental purposes

50(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.

10 Jan 2003 cA-18.011 Reg 1 s50.

PART XI General Provisions

Applications and supporting materials

51(1) In this section:

“outlet” means any place or area with respect to which an application for a permit is made; (« *débit* »)

“premises” means the premises in which a proposed outlet is to be located. (« *lieu* »)

- (2) Every applicant for a permit, other than a special occasion permit, shall:
- (a) provide evidence of the applicant's right to possession of the premises that is satisfactory to the authority; and
 - (b) if required by the authority, include the following particulars with the application:
 - (i) layout plans of the outlet in quadruplicate and to scale clearly showing the floor plan and physical arrangements for:
 - (A) washrooms;
 - (B) storage;
 - (C) preparation and serving of foodstuffs and beverage alcohol; and
 - (D) any other particulars of the premises and the property in or used in connection with the premises that the authority may require; and

- (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.
- (3) On an application for a restaurant, tavern or special use permit, the authority may require the applicant to post a notice of the application on the proposed premises if the premises have not been the subject of a permit for at least 60 consecutive days as at the date of application.
- (4) The notice required pursuant to subsection (3) shall:
 - (a) be posted in a conspicuous place on the proposed premises for two consecutive weeks;
 - (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).

10 Jan 2003 cA-18.011 Reg 1 s51; 27 Mar 2009
SR 20/2009 s37.

Application for endorsements

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

10 Jan 2003 cA-18.011 Reg 1 s52.

Application fees

- 53(1)** Every applicant for a permit mentioned in section 3, other than a special occasion permit, shall pay an application fee of \$200.
- (2) Subject to subsection (3), every applicant for a permit shall pay the applicable fee for the permit set out in Table 2 or 3 of Appendix A.
- (3) Every applicant for a permit pursuant to section 77, 83, 85, 86 or 87 of the Act shall pay the applicable fee for the permit set out in Table 4 of Appendix A.
- (4) Every applicant for an endorsement shall pay the applicable fee for the endorsement set out in Table 5 of Appendix A.
- (5) Every applicant for a transfer of a permit pursuant to section 69.1 of the Act shall pay an application fee of \$50.
- (6) If the authority cancels a permit issued pursuant to these regulations or a licence issued prior to the coming into force of these regulations, the authority may, in its discretion, refund any prorated amount it considers appropriate.

10 Jan 2003 cA-18.011 Reg 1 s53.

Transfer of permit – when allowed

54 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.

Sale of beer manufactured outside Saskatchewan

55 If the authority has purchased beer that has been 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.

10 Jan 2003 cA-18.011 Reg 1 s55.

Samples of beverage alcohol

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

(2) Subsection (1) does not apply to sampling of beverage alcohol at a u-brew or u-vin operation conducted pursuant to section 16.5.

27 Mar 2009 SR 20/2009 s38.

57 Repealed. 27 Mar 2009 SR 20/2009 s39.

How beverage alcohol is to be served

58(1) Every permittee who is issued a permit shall ensure that:

- (a) each single-serving drink containing spirits sold or served by the permittee contains one ounce or 28.5 millilitres of spirits in the same form in which it was purchased from the authority;
- (b) at the request of a customer, a drink served by the permittee is served with a separate vessel for each of the following:
 - (i) beverage alcohol;
 - (ii) mix;
 - (iii) ice;

- (c) all beverage alcohol dispensed by the permittee is dispensed from the original container in which it was purchased from the authority; and
 - (d) all spirits contained in a drink served by the permittee are measured by means of:
 - (i) 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
 - (ii) a mechanical or electronic measuring device.
- (2) Coolers may be sold by full bottles.
- (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 56(1); or
 - (b) in the case of a u-brew or u-vin operation, in accordance with section 16.5 no sample exceeds the sample size or maximum number of samples per batch of beverage alcohol manufactured.

10 Jan 2003 cA-18.011 Reg 1 s58; 27 Mar 2009 SR 20/2009 s40.

Importation limits

59 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 a person may bring into Saskatchewan is:

- (a) in the case of spirits, 1.14 litres;
- (b) in the case of wine, 1.14 litres; and
- (c) in the case of beer, coolers or any combination of beer and coolers, nine litres.

10 Jan 2003 cA-18.011 Reg 1 s59.

60 Repealed. 27 Mar 2009 SR 20/2009 s40.

61 Repealed. 27 Mar 2009 SR 20/2009 s41.

Authority may act as agent

62 For the purposes of subsection 135(1) of the Act, the authority may do any or all 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.

10 Jan 2003 cA-18.011 Reg 1 s62.

Prohibited entertainment

63(1) It is a term of every permit that no permittee shall permit or allow in the permitted premises or premises for which a special occasion permit has been granted:

- (a) any nude activity or entertainment; or
- (b) any activity or entertainment that consists of a striptease performance or wet clothing contest.

(2) Section 139 of the Act does not apply to a permittee who contravenes subsection (1).

10 Jan 2003 cA-18.011 Reg 1 s63; 27 Mar 2009 SR 20/2009 s43.

Forms

64(1) An application for review pursuant to sections 30 and 31 of the Act is to be substantially in Form A of Appendix B.

(2) An application for an oral hearing pursuant to section 33 or 39.1 of the Act is to be substantially in Form B of Appendix B.

(3) The notice to be published by the authority on the receipt of an application for a permit pursuant to section 49 of the Act is to be substantially in Form C of Appendix B.

10 Jan 2003 cA-18.011 Reg 1 s64.

Restocking fees

65 Pursuant to subsection 65(2) of the Act, the authority may assess a restocking fee equal to 10% of the current listing price of any products returned to the authority.

10 Jan 2003 cA-18.011 Reg 1 s65.

Duty-free liquor stores

66 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.

10 Jan 2003 cA-18.011 Reg 1 s66.

Grounds for objection not requiring commission hearing

67 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 49(3) of the Act and the grounds for the objection are based on competition issues within the beverage alcohol industry.

10 Jan 2003 cA-18.011 Reg 1 s67.

Grounds for objection not requiring person to be heard

68 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.

10 Jan 2003 cA-18.011 Reg 1 s68.

Grounds for objection not requiring person to receive notice of hearing

69 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.

10 Jan 2003 cA-18.011 Reg 1 s69.

Reviewable endorsements

70 An endorsement made pursuant to clause 33(1)(b) or (c) is prescribed, for the purposes of the definition of “**reviewable endorsement**” in section 2 of the Act, as a reviewable endorsement.

10 Jan 2003 cA-18.011 Reg 1 s70.

Administrative penalties

71(1) For the purposes of section 39.1 of the Act, any penalty assessed by the authority or the commission against a permittee must be within the limits set out in Table 6.

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

10 Jan 2003 cA-18.011 Reg 1 s71; 27 Mar 2009 SR 20/2009 s44.

PART XII**Transitional, Repeal and Coming Into Force****Transitional**

72 The holder of a Class “A”, Class “B” or Class “C” licence issued prior to January 20, 1995, and which is in force on the day before the coming into force of these regulations, shall continue to enjoy the same powers and privileges, and shall be subject to the same duties and responsibilities, respecting the sale and delivery of beverage alcohol and the conduct of the licensed premises as the holder enjoyed and was subject to prior to that date.

10 Jan 2003 cA-18.011 Reg 1 s72.

R.R.S. c.A-18.01 Reg 3 repealed

73 *The Alcohol Control Regulations, 1994* are repealed.

10 Jan 2003 cA-18.011 Reg 1 s73.

R.R.S. c.L-18 Reg 1 repealed

74 *The Liquor (Certificate of Analysis) Regulations* are repealed.

10 Jan 2003 cA-18.011 Reg 1 s74.

R.R.S. c.L-18 Reg 2 repealed

75 *The Duty-free Liquor Stores Regulations* are repealed.

10 Jan 2003 cA-18.011 Reg 1 s75.

Coming into force

76(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Alcohol and Gaming Regulation Act, 1997* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Alcohol and Gaming Regulation Act, 1997* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

10 Jan 2003 cA-18.011 Reg 1 s76.

Appendix A**Appendix A**

TABLE 1 [Subsection 34(1)] Off-sale Endorsements	
<i>Population of Municipality</i>	<i>Maximum Number of Endorsements</i>
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 – 25 000	6
25 001 – 30 000	7

TABLE 2 [Subsection 53(2)] General Permit Fees					
<i>Item</i>	<i>Type of Permit</i>	<i>City</i>	<i>Town</i>	<i>Village</i>	<i>Hamlet</i>
1	Restaurant	\$250	\$175	\$125	\$ 75
2	Tavern, other than Nightclub	200	150	100	50
3	Tavern, Nightclub	600	250	250	250
4	Special Use	200	150	100	50
5	Manufacturer	500	500	500	500
6	Interim/Provisional	100	100	100	100
7	U-brew or u-vin operation	200	150	100	50

TABLE 3 [Subsection 53(2)] Special Occasion Permit Fees		
<i>Item</i>	<i>Type of Permit</i>	<i>Fee</i>
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 22(5)	15
4	Special occasion – for an extended period respecting meetings pursuant to subsection 23(1) or social functions pursuant to subsection 23(2) – sale – non-sale	100 50

TABLE 4 [Subsection 53(3)] Miscellaneous Permit Fees		
<i>Item</i>	<i>Type of Permit</i>	<i>Fee</i>
1	Permit to pharmacist, physician, dentist or veterinarian	\$ 5
2	Permit to a person engaged in a mechanical or manufacturing business or in a scientific pursuit	5
3	Permit to an educational institution for bartending or mixology courses	5
4	Permit to a person engaged in the business of selling church supplies	10
5	Competition permit – homemade wine or beer	10

<p style="text-align: center;">TABLE 5 [Subsection 53(4)] Endorsement Fees</p>					
<i>Item</i>	<i>Type of Endorsement</i>	<i>City</i>	<i>Town</i>	<i>Village</i>	<i>Hamlet</i>
1	Sale of beverage alcohol in adjacent area	\$350	\$250	\$175	\$100
2	Endorsement pursuant to section 9 or 15 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	Nightclub endorsement to restaurant permit	100	75	50	25
5	Sale of wine for consumption off restaurant premises	50	25	10	10

TABLE 6 [Subsection 71(1)] Penalty Limits			
<p>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 holder of a permit. 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.</p>			
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
Item Number	Contravention of term	Provision	Penalty Limits in Dollars
<i>Minors (under 19 years of age)</i>			
1	Selling or giving beverage alcohol to a minor	110(1) – Act	\$1,000 – 10,000
2	Selling or providing beverage alcohol to a person who is 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: (a) is not entitled to be; or (b) may be entitled to be but the person is attempting to purchase beverage alcohol	111(1) – Act	500 – 10,000
4	Allowing minors in premises where the presence of minors is not authorized by the Act, regulations or terms of the permit	111(6) – Act	500 – 10,000
5	Allowing a minor to act in any way in the sale, handling or serving of beverage alcohol in the premises	113(1)(b) – Act	500 – 10,000
6	Allowing a minor to consume beverage alcohol in premises where the presence of minors is allowed	113(1)(c) – Act	1,000 – 10,000
<i>Over serving</i>			
7	Selling or supplying beverage alcohol to a person who appears intoxicated	125 – Act	1,000 – 10,000

<i>Overcrowding</i>			
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
<i>Sale or consumption during prescribed hours or days</i>			
9	Selling beverage alcohol or allowing its consumption on the premises except during hours and days on which it may be lawfully served and consumed	71(1) – Act	500 – 10,000
10	Selling or supplying beverage alcohol during prohibited hours or days	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	44 – 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	43 – Regulations	500 – 10,000
13	Allowing persons to enter or remain in the premises when sale or consumption of beverage alcohol is prohibited	116 – Act	500 – 10,000
<i>Illegal purchase, possession or sale beverage alcohol</i>			
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 <i>The Liquor Consumption Tax Act</i>	4(4) – Regulations	500 – 10,000

<i>Entertainment</i>			
18	Permitting or allowing any entertainment, game, sports or other activity on the premises that is unlawful, detrimental to the orderly operation of the premises, prohibited by the municipality in which the premises are located, or prescribed in the regulations	128(1)(a), (b), (c) and (d) – Act	500 – 10,000
<i>Customer service</i>			
19	Holder of a restaurant permit serving beverage alcohol to a customer other than as part of a meal	10(1) – Regulations	500 – 10,000
20	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	10(2) – Regulations	500 – 10,000
21	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	36 – Regulations	500 – 10,000
22	Adulterating or diluting beverage alcohol or offering adulterated or diluted beverage alcohol for sale	129(1)(d) – Act	500 – 10,000
23	Failing to ensure that each single-serving drink containing spirits sold or served contains one ounce or 28.5 ml of spirits in the same form purchased from the authority	58(1)(a) – Regulations	500 – 10,000

24	Failing to ensure that each sample of beverage alcohol is equal to or less than the prescribed amount	56(1) – Regulations	500 – 10,000
25	Failing to adhere to section 16.5 respecting the maximum number of samples or the maximum sample size	16.5 – Regulations	500 – 10,000
26	Allowing patrons to take and consume beverage alcohol off the premises	75(4) – Act	500 – 10,000
<i>Obstruction</i>			
27	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

Appendix B

FORM A

[Sections 30 and 31 of the Act]

Application for Review of a Decision of the Authority

To: The Liquor and Gaming Licensing Commission

(name of organization or individual)

requests a review of the 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
[Sections 33 or 39.1 of the Act]
Application for an Oral Hearing

To: The 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:	

FORM C
[Section 49 of the Act]
Notice for Publication

You are advised that _____ has applied to the Liquor and
(name of applicant)
Gaming Authority for a _____ permit with
(class of permit)
a _____ endorsement
(list only reviewable endorsements)
to sell beverage alcohol in premises located in _____
*(city, town, village, hamlet, rural municipality
or northern municipality)*
in the _____
(if hamlet, provide name of rural municipality or northern municipality, as the case may be).

The following is the correct legal description of the premises:

(describe the location of the premises giving the parcel number or the lot, block and plan number and, if applicable, the street address).

Dated at _____, Saskatchewan, this ____ day of _____, 20 ____.

Liquor and Gaming Authority

10 Jan 2003 cA-18.011 Reg 1.

