



[Français](#)

Liquor Licence Act

R.R.O. 1990, REGULATION 719

LICENCES TO SELL LIQUOR

Consolidation Period: From December 11, 2009 to the [e-Laws currency date](#).

Last amendment: O. Reg. 481/09.

This is the English version of a bilingual regulation.

[SKIP TABLE OF CONTENTS](#)

CONTENTS

	Sections
DEFINITIONS	1
POSSESSION OF LIQUOR	1.1
LICENCES TIED TO MANUFACTURERS	2-2.1
APPLICATIONS FOR AND ISSUANCES AND RENEWALS OF LICENCES	3-5
PUBLIC NOTICE OF APPLICATION	6-7.1
CLASSES OF LICENCES	8
STANDARDS FOR PREMISES	9-14.1
PROHIBITED METHODS AND PRACTICES RESPECTING THE SERVING OF LIQUOR	15-21.1
CONDITIONS OF LIQUOR SALES LICENCES	22-56
CONDITIONS OF BREW PUB AND WINE PUB ENDORSEMENTS	57-58
CONDITIONS OF CATERER'S ENDORSEMENTS	59-66.1
CONDITIONS OF ROOM SERVICE ENDORSEMENTS	67
CONDITIONS OF MINI BAR LICENCES AND OF MINI BAR ENDORSEMENTS	68-75
CONDITIONS OF GOLF COURSE ENDORSEMENTS	75.1-75.2
EXEMPTIONS AND RULES RESPECTING STADIUMS	76-86
CONDITIONS OF BRING-YOUR-OWN-WINE ENDORSEMENTS	86.1-86.2
ADVERTISING LIQUOR AND ITS AVAILABILITY FOR SALE	87
INFORMATION AND RETURNS	88.-90-93
TRANSFER OF LICENCE	94-96
TEMPORARY EXTENSION OF PREMISES	97
EXEMPTIONS FROM PROVISIONS OF THE ACT	98.-98.2.6-105.- 107
TRANSITIONAL PROVISIONS	108.-111-113

DEFINITIONS

1. In this Regulation,

“banquet room” means either a self-contained premises or a specific area within a licensed premises whose primary use is for private social functions booked in advance; (“salle de réception”)

“boat” means a ship, vessel or boat designed and used to carry passengers for hire on short trips but does not include a seaplane; (“bateau”)

“commercially-made wine” means wine made by a manufacturer but does not include wine made at a ferment on premise facility, wine made at an establishment with a wine pub endorsement, fortified wine as defined in Ontario Regulation 659/00 (Content and Labelling of Wine) made under the *Wine Content and Labelling Act, 2000* or homemade wine; (“vin produit dans le commerce”)

“railway car” means the rolling stock of a railway company used for the transport of passengers but does not include rolling stock used as a street car, a subway or a similar transit vehicle; (“voiture de chemin de fer”)

“restaurant” means a premises or portion of a premises to which a liquor licence applies that is primarily used for the sale and service of meals for consumption by patrons seated at tables but does not include,

- (a) a banquet room,
- (b) premises where liquor is served under a caterer’s endorsement,
- (c) premises located on the property of a post-secondary educational institution, or
- (d) premises at which entertainment designed to appeal to erotic or sexual appetites or inclinations, as set out in subsection 23 (1.2), is provided; (“restaurant”)

“stadium” means a premises whose seating is in fixed tiers and in which live sporting and entertainment events take place before an audience; (“stade”)

“theatre” means a place to which the public is invited that is used primarily for the viewing of live productions of the performing arts. (“theatre”) R.R.O. 1990, Reg. 719, s. 1; O. Reg. 348/92, s. 1; O. Reg. 247/02, s. 1; O. Reg. 230/03, s. 1; O. Reg. 8/05, s. 1; O. Reg. 285/08, s. 1.

POSSESSION OF LIQUOR

1.1 For the purpose of section 33.1 of the Act, the prescribed quantity of liquor is zero millilitres. O. Reg. 198/95, s. 1.

LICENCES TIED TO MANUFACTURERS

2. (1) In this section,

“manufacturing site” means property that is used by a manufacturer primarily for the distillation and production of spirits, the fermentation and production of beer or the alcoholic fermentation and production of Ontario wine and includes a vineyard owned by the manufacturer if a significant amount of the grapes is used in the production of the wine. O. Reg. 196/07, s. 2.

(2) Despite subsection 6 (4) of the Act, a person may obtain a licence to sell liquor of a manufacturer on premises located on a manufacturing site of the manufacturer. O. Reg. 196/07, s. 2.

(3) No more than one licence shall be issued under this section for all manufacturing sites of any one manufacturer. O. Reg. 196/07, s. 2.

(4) Despite subsection (3), if a manufacturer produces more than 10 million litres of wine in the preceding fiscal year, a person may obtain a second licence under this section for premises located on a second manufacturing site of the manufacturer. O. Reg. 196/07, s. 2.

(5) Despite subsection 12 (1), the maximum capacity of premises to which the licence applies shall not exceed 500 persons for indoor premises and 1,000 persons for outdoor premises. O. Reg. 196/07, s. 2.

(6) The holder of a licence to sell liquor at a manufacturing site of a manufacturer may apply for a caterer's endorsement only for events on the manufacturing site that are attended,

(a) by no more than 500 persons, if the premises at which the event is held are indoor premises;

(b) by no more than 1,000 persons, if the premises at which the event is held are outdoor premises. O. Reg. 196/07, s. 2.

(7) Sections 21 and 32 do not apply to the licence holder. O. Reg. 196/07, s. 2.

2.1 (1) In this section,

“manufacturing site” has the same meaning as in subsection 2 (1). O. Reg. 196/07, s. 3.

(2) Despite subsection 6 (4) of the Act, the holder of a manufacturer's licence to sell beer or Ontario wine to the Liquor Control Board of Ontario may obtain a licence to sell liquor that permits the sale of beer or Ontario wine manufactured by that manufacturer in accordance with this section. O. Reg. 196/07, s. 3.

(3) A licence may be issued under subsection (2) if,

(a) the licence applies only to areas under the sole control of the manufacturer that are located on or immediately adjacent to a manufacturing site of the manufacturer;

(b) the sale is primarily aimed at promoting the manufacturer's product and either providing an enhanced tourist experience or fulfilling an educational purpose; and

(c) the council of the municipality, if any, has passed a resolution in support of the issuance of the licence. O. Reg. 196/07, s. 3.

(4) The following are conditions of a licence issued under this section that the licence holder must comply with:

1. The liquor is served only in quantities equal to or less than,

i. 341 ml (12 oz.) in the case of beer, and

ii. 142 ml (5 oz.) in the case of wine.

2. The liquor is sold and served no earlier than 11 a.m. and no later than 9 p.m. on any day. O. Reg. 196/07, s. 3; O. Reg. 285/08, s. 2.

(5) A licence issued under this section shall not have attached to it any endorsement referred to in subsection 8 (2). O. Reg. 196/07, s. 3.

(6) Section 13 does not apply to the premises to which the licence applies and sections 21, 23, 32, 35 and 36 do not apply to the licence holder. O. Reg. 196/07, s. 3.

APPLICATIONS FOR AND ISSUANCES AND RENEWALS OF LICENCES

3. Revoked: O. Reg. 354/07, s. 1.

4. Subject to section 13 of the Act, a licence to sell liquor expires on such date, determined by the Registrar of Alcohol and Gaming, as is set out in the licence. O. Reg. 63/98, s. 2.

5. (1) An application for the issue or renewal of a licence to sell liquor must be on a form supplied by the Registrar of Alcohol and Gaming. O. Reg. 63/98, s. 3.

(2) Revoked: O. Reg. 247/02, s. 3.

PUBLIC NOTICE OF APPLICATION

6. (1) For the purposes of clause 7 (1) (a) of the Act, the manner of giving notice in a newspaper of an application for a licence to sell liquor is as described in this section. R.R.O. 1990, Reg. 719, s. 6 (1).

(2) The advertisement must state that an application has been made and state the location of the premises to be licensed. R.R.O. 1990, Reg. 719, s. 6 (2).

(3) If the application is made in respect of outdoor premises, the advertisement must so state. R.R.O. 1990, Reg. 719, s. 6 (3).

(4) The advertisement must state the date by which written objections to the issuance of the licence must be received by the Registrar of Alcohol and Gaming. O. Reg. 63/98, s. 4.

(5) No notice in a newspaper is required if the premises to be licensed is a railway car. R.R.O. 1990, Reg. 719, s. 6 (5); O. Reg. 247/02, s. 4.

7. Revoked: O. Reg. 230/03, s. 3.

7.1 (1) In the absence of evidence to the contrary, the board of the Alcohol and Gaming Commission of Ontario shall consider a resolution of the council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a licence to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of clause 6 (2) (h) of the Act. O. Reg. 346/93, s. 2; O. Reg. 31/94, s. 1 (1); O. Reg. 63/98, s. 6 (1); O. Reg. 230/03, s. 4.

(2) In the absence of evidence to the contrary, the board of the Alcohol and Gaming Commission of Ontario shall consider a written statement by an authorized officer of the Ministry of Finance that an applicant for a licence or for a transfer of a licence or a holder of a licence owes tax under the *Retail Sales Tax Act*, as proof that the person cannot reasonably be expected to be financially responsible in the conduct of business for the purposes of clause 6 (2) (a) of the Act. O. Reg. 31/94, s. 1 (2); O. Reg. 63/98, s. 6 (2).

CLASSES OF LICENCES

8. (1) The following classes of licences to sell liquor are established:

1. A liquor sales licence authorizing the sale and service of liquor for consumption on the premises to which the licence applies.
2. A mini bar licence authorizing the sale and service of liquor from a dispenser in a room rented as overnight accommodation on the premises to which the licence applies.

R.R.O. 1990, Reg. 719, s. 8 (1).

(2) The following endorsements to liquor sales licences are established:

1. A brew pub endorsement authorizing the sale and service, for consumption on the premises to which the licence applies, of beer manufactured by the applicant.
2. A wine pub endorsement authorizing the sale and service, for consumption on the premises to which the licence applies, of wine manufactured by the applicant.
3. A caterer's endorsement authorizing the applicant to sell and serve liquor for an event held on premises other than the premises to which the liquor sales licence applies.
4. A room service endorsement authorizing the applicant to sell and serve liquor to persons registered as guests in a facility that rents overnight accommodation adjacent to the premises to which the licence applies.
5. A mini bar endorsement authorizing the sale and service of liquor from a dispenser in a room rented as overnight accommodation in a facility adjacent to the premises to which the liquor sales licence applies.
6. A golf course endorsement authorizing the sale and service of liquor to persons on a golf course for consumption on the playing area of a golf course.
7. A stadium endorsement authorizing the sale and service of liquor in the tiered seats of a stadium during live sporting and entertainment events approved by the Registrar of Alcohol and Gaming.
8. A bring-your-own wine endorsement authorizing the holder of a liquor sales licence for a restaurant or for a banquet room located in a hotel or motel to permit patrons to bring unopened bottles of commercially-made wine into the restaurant or banquet room to which the licence applies for their own consumption. R.R.O. 1990, Reg. 719, s. 8 (2); O. Reg. 163/96, s. 1; O. Reg. 230/03, s. 5; O. Reg. 8/05, s. 2; O. Reg. 354/07, s. 2.

(3) A room is considered to be rented as overnight accommodation if it is rented on a short term basis to persons who are not ordinarily resident in it. R.R.O. 1990, Reg. 719, s. 8 (3).

STANDARDS FOR PREMISES

9. The standards described in sections 10 to 14 apply with respect to premises, or the part of premises, used in connection with the sale and service of liquor. R.R.O. 1990, Reg. 719, s. 9; O. Reg. 31/94, s. 2; O. Reg. 230/03, s. 6.

10. (1) Premises used as a dwelling must not be used for the sale of liquor. R.R.O. 1990, Reg. 719, s. 10 (1).

(2) Outdoor premises must not be used for the sale of liquor if the premises are used in conjunction with a dwelling. R.R.O. 1990, Reg. 719, s. 10 (2).

11. Except in a stadium or in the auditorium of a motion picture theatre to which the exemption provided in clause 23 (3) (g) applies, premises with tiered seats intended for a viewing audience must not be used for the sale and service of liquor. O. Reg. 369/08, s. 1; O. Reg. 342/09, s. 1; O. Reg. 481/09, s. 1.

11.1-11.4 Revoked: O. Reg. 230/03, s. 8.

12. (1) The maximum capacity of premises to which the *Building Code Act, 1992* applies is the maximum capacity determined under that Act. O. Reg. 230/03, s. 9.

(2) The maximum capacity of premises to which the *Building Code Act, 1992* does not apply is the maximum capacity determined under the *Fire Protection and Prevention Act, 1997* if that Act applies to the premises. O. Reg. 230/03, s. 9.

(3) The maximum capacity of premises to which neither the *Building Code Act, 1992* nor the *Fire Protection and Prevention Act, 1997* applies is determined by allowing 1.11 square metres per person. O. Reg. 230/03, s. 9.

(4) Subsections (1), (2) and (3) do not apply to railway cars, boats and the playing area of a golf course. O. Reg. 230/03, s. 9.

13. Premises to which a licence applies, other than on a railway car or a boat, must be defined by a partition that is at least 0.9 metres high and that makes the premises readily distinguishable from adjacent premises to which the licence does not apply. O. Reg. 247/02, s. 11.

14. A boat to which a liquor sales licence applies must have a minimum seating capacity of twelve people. R.R.O. 1990, Reg. 719, s. 14.

14.1 Revoked: O. Reg. 230/03, s. 10.

PROHIBITED METHODS AND PRACTICES RESPECTING THE SERVING OF LIQUOR

15. (1) Except as provided in subsection (2), the holder of a licence to sell liquor shall not contract out the sale and service of liquor. O. Reg. 230/03, s. 11.

(2) The Registrar shall authorize a licence holder to contract out the sale and service of liquor to a person who is applying to receive the transfer of the licence holder's licence if,

(a) the applicant has filed with the Registrar of Alcohol and Gaming an application for transfer and paid the required fee; and

(b) the licence holder has signed an authorization for the applicant to operate the business and has filed it with the Registrar. O. Reg. 230/03, s. 11.

(3) The licence holder shall remain liable under the licence during the period for which the sale and service of liquor has been contracted out and the authorization shall state that the licence holder is so liable for that period. O. Reg. 230/03, s. 11.

(4) An authorization expires,

(a) on the issuance of the transfer of the licence; or

(b) on the issuance of a notice of proposal to refuse the transfer. O. Reg. 230/03, s. 11.

16. (1) The holder of a licence to sell liquor shall not carry on the business to which the licence applies under a name other than the name set out on the licence. R.R.O. 1990, Reg. 719, s. 16 (1).

(2) The Registrar of Alcohol and Gaming may authorize a licence holder to carry on business in another name if the Registrar of Alcohol and Gaming considers that the public will not be misled as to the obligations of the licence holder under the Act. R.R.O. 1990, Reg. 719, s. 16 (2); O. Reg. 63/98, s. 9.

17. (1) The holder of a licence to sell liquor shall not supply liquor to a person except in accordance with the conditions of the liquor sales licence. O. Reg. 230/03, s. 12.

(2) The licence holder shall ensure that liquor is offered for sale, sold and served only under the supervision of an employee authorized by the licence holder for the purpose. O. Reg. 230/03, s. 12.

(3) The licence holder shall ensure that no liquor is sold or served from a vending machine. O. Reg. 230/03, s. 12.

18. The holder of a licence to sell liquor shall not substitute one type of liquor for another in a customer's drink unless the customer consents to the substitution. R.R.O. 1990, Reg. 719, s. 18.

18.1 The holder of a licence to sell liquor shall not require a person to purchase a minimum number of drinks in order to gain entry to, or remain on, the premises to which the licence applies. O. Reg. 230/03, s. 13.

18.2 (1) The holder of a licence to sell liquor shall not permit contests on the premises to which the licence applies which involve the purchase or consumption of liquor. O. Reg. 230/03, s. 13.

(2) The licence holder shall not permit contests which require a patron to remain on the premises in order to receive a prize except in the case of break open tickets, raffles and bingo games held on premises located in a bingo hall referred to in section 15 of Ontario Regulation 68/94 (Registration of Suppliers and Gaming Assistants — Games of Chance Held under a Licence) made under the *Gaming Control Act, 1992* pursuant to a lottery licence issued to a charitable or religious organization pursuant to clause 207 (1) (b) of the *Criminal Code* (Canada). O. Reg. 563/06, s. 1.

(3) Except as permitted in subsection 33 (2), the licence holder shall not permit free liquor to be offered or given to a patron as a prize in a contest. O. Reg. 230/03, s. 13.

19. (1) The holder of a licence to sell liquor shall not adulterate liquor by adding any substance to it or keep for sale or sell adulterated liquor. R.R.O. 1990, Reg. 719, s. 19 (1).

(2) The licence holder may add a substance to a customer's drink when requested to do so by the customer. R.R.O. 1990, Reg. 719, s. 19 (2).

20. (1) The holder of a licence to sell liquor shall not engage in or permit practices that may tend to encourage patrons' immoderate consumption of liquor. O. Reg. 354/07, s. 3.

(2) Without restricting the generality of subsection (1), the licence holder shall not,

(a) supply servings of liquor free of charge; or

(b) permit persons employed on the licensed premises to supply servings of liquor to patrons free of charge. O. Reg. 354/07, s. 3.

(3) Without restricting the generality of subsection (1), the licence holder shall not offer for sale or supply a serving of liquor for less than a total purchase price of two dollars, including retail sales tax, goods and services tax and any other applicable taxes. O. Reg. 354/07, s. 3.

(4) For the purposes of subsection (3), a serving of liquor is prescribed, by volume and type, as follows:

1. 341 ml (12 oz.) of beer, cider or cooler.
2. 29 ml (1 oz.) of spirits.
3. 142 ml (5 oz.) of wine.
4. 85 ml (3oz.) of fortified wine. O. Reg. 354/07, s. 3.

(5) If a licence holder offers for sale a serving of liquor that differs from the volume prescribed in subsection (4), the minimum price for that serving shall increase or decrease in direct proportion to the difference in volume of liquor contained in that serving. O. Reg. 354/07, s. 3.

(6) The holder of a licence to sell liquor that applies to premises in which the Ontario Lottery and Gaming Corporation conducts and manages a lottery scheme is exempt from clause (2) (a) with respect to any part of the premises to which public access is restricted and which are approved by the Registrar of Alcohol and Gaming. O. Reg. 354/07, s. 3.

(7) Despite subsections (1) and (3), a licence holder may offer a package of food and liquor at a fixed price at an event if,

- (a) the licence holder and event organizer have entered into a written contract that sets out separately the price of the food component and the price of the liquor component of the package;
- (b) the price of the food component is the fair market price and represents more than 50 per cent of the total price of the package;
- (c) the event is intended only for the invited guests of the event organizer, is not advertised to the general public and is not open to the general public;
- (d) attendees are not charged a fee for admission to the event or for liquor or food;
- (e) the event organizer or the organizer's delegate remains on the premises at all times during the event;
- (f) the time for which alcoholic drinks may be provided to attendees without charge to the attendee does not exceed eight hours;
- (g) the licence holder, the employees and managers of the licence holder and the security personnel other than paid duty police officers acting as security personnel at the event have completed a server training course approved by the board of the Commission; and
- (h) the licence holder keeps all contracts relating to the event for at least one year after the event takes place and, on request, produces them to a person designated under section 43 of the Act or to a police officer. O. Reg. 354/07, s. 3.

(8) Despite subsections (1) and (3), if the premises to which the licence applies is an airport lounge, a boat or a railway car, the licence holder may offer for sale at one price a package including the cost of a trip and of liquor. O. Reg. 354/07, s. 3.

20.1. Revoked: O. Reg. 354/07, s. 3.

21. The holder of a licence shall not directly or indirectly request, demand or receive any financial or material benefit from a manufacturer of liquor or a representative or an employee of the manufacturer. R.R.O. 1990, Reg. 719, s. 21.

21.1 The holder of a licence shall not have or permit on the licensed premises a device, known as an alcohol without liquid vaporizer, designed or marketed for the purpose of mixing alcohol with oxygen or another gas to produce a mist for inhalation. O. Reg. 354/07, s. 4.

CONDITIONS OF LIQUOR SALES LICENCES

22. The conditions set out in sections 23 to 56 apply with respect to liquor sales licences. R.R.O. 1990, Reg. 719, s. 22.

23. (1) The licence holder shall not operate or permit to be operated at the premises to which the licence applies any business other than,

- (a) the sale and service of liquor and food;
 - (b) the sale of articles incidental to the sale and service of liquor and food;
 - (c) the sale of lottery tickets distributed under a government licence; or
 - (d) the provision of entertainment ancillary to the sale and service of liquor and food.
- R.R.O. 1990, Reg. 719, s. 23 (1).

(1.1) For the purposes of clause (1) (d),

“entertainment ancillary to the sale and service of liquor and food” does not include entertainment designed to appeal to erotic or sexual appetites or inclinations if the entertainment includes entertainment provided by a person under 18 years of age. O. Reg. 696/94, s. 1.

(1.2) In subsection (1.1),

“entertainment designed to appeal to erotic or sexual appetites or inclinations” includes entertainment,

- (a) a feature or characteristic of which is the nudity or partial nudity of a person, or
- (b) in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or “nu” or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement. O. Reg. 696/94, s. 1.

(1.3) Subsections 41 (3), (4) and (5) and subsections 42 (1) and (2) apply with respect to the enforcement of clause (1) (d) where the entertainment appears to be entertainment under subsection (1.1). O. Reg. 696/94, s. 1.

(2) The premises for which a licence is issued must be used primarily for the sale and service, for consumption on the premises, of light meals and liquor. R.R.O. 1990, Reg. 719, s. 23 (2).

(3) This section does not apply with respect to,

- (a) premises located in the concourse of a bowling alley or theatre;
 - (a.1) the playing area of a golf course;
- (b) premises owned and operated by the Province of Ontario or by a municipality or by an agency of either of them;
- (c) a lottery scheme conducted and managed by the Ontario Lottery and Gaming Corporation;

- (c.1) Revoked: O. Reg. 230/03, s. 16 (1).
- (d) the premises known as the Great Blue Heron Charitable Casino located on Scugog Island, except any areas of the premises where bingo is played;
- (e) premises located in a bingo hall referred to in section 15 of Ontario Regulation 68/94 (Registration of Suppliers and Gaming Assistants — Games of Chance Held under a Licence) made under the *Gaming Control Act, 1992*, if the applicant has first notified the municipality in which the premises are located of their application for a licence to sell liquor;
- (f) premises located in the lobby of a hotel or motel;
- (g) the auditorium of a motion picture theatre on condition that,
 - (i) a liquor sales licence applies to premises attached to the auditorium in the concourse or lounge area of the motion picture theatre,
 - (ii) the auditorium and attached licensed premises are physically separated and clearly demarcated from any non-licensed premises,
 - (iii) admission to the auditorium and attached licensed premises is restricted to patrons aged nineteen years or older, and
 - (iv) not more than two single servings of liquor, as defined in subsection 20 (4), are served to an individual patron in any one order in the auditorium;
- (g.1), (g.2) Revoked: O. Reg. 354/07, s. 5.
- (h) the operation of a pari-mutuel betting system permitted under the *Criminal Code* (Canada) at race tracks or at premises commonly known as teletheatres or betting theatres. R.R.O. 1990, Reg. 719, s. 23 (3); O. Reg. 31/94, s. 5; O. Reg. 261/94, s. 1; O. Reg. 163/96, s. 4; O. Reg. 562/96, s. 1; O. Reg. 367/98, s. 1; O. Reg. 122/99; O. Reg. 603/00, s. 1; O. Reg. 604/00, s. 1, O. Reg. 158/01, s. 1; O. Reg. 476/01, s. 1; O. Reg. 396/02, s. 1; O. Reg. 230/03, s. 16 (1); O. Reg. 563/06, s. 2; O. Reg. 354/07, s. 5; O. Reg. 369/08, s. 2; O. Reg. 342/09, s. 2; O. Reg. 481/09, s. 2.

(4) In clause (3) (b),

“municipality” includes an upper-tier municipality. O. Reg. 230/03, s. 16 (2).

24. Revoked: O. Reg. 230/03, s. 17.

25. (1) Except for December 31, liquor may be sold and served only between 11 a.m. on any day and 2 a.m. on the following day. O. Reg. 163/96, s. 5.

(2) On December 31, liquor may be sold and served only between 11 a.m. on any day and 3 a.m. on the following day. O. Reg. 163/96, s. 5.

(3) This section does not apply with respect to the sale or service of liquor from a mini bar. R.R.O. 1990, Reg. 719, s. 25 (3); O. Reg. 247/02, s. 13.

26. (1) The Registrar of Alcohol and Gaming may extend the hours of sale of liquor during events of provincial, national or international significance. R.R.O. 1990, Reg. 719, s. 26 (1); O. Reg. 63/98, s. 11; O. Reg. 247/02, s. 14.

(2) The Registrar of Alcohol and Gaming may extend the hours of sale of liquor during events of municipal significance if the council of the municipality, or its delegate, has

designated the event as one of municipal significance. O. Reg. 346/93, s. 5; O. Reg. 63/98, s. 11; O. Reg. 247/02, s. 14.

(3) In subsection (2),

“municipality” includes an upper-tier municipality. O. Reg. 230/03, s. 18.

27. Liquor may be sold and served on a railway car only when the railway car is being used for the primary purpose of transporting its passengers and is in transit. R.R.O. 1990, Reg. 719, s. 27.

28. (1) Liquor may be sold and served on a boat beginning one-half hour before the boat departs from the dock and until one-half hour before the boat is expected to arrive at the dock. R.R.O. 1990, Reg. 719, s. 28 (1).

(2) While a boat is docked, liquor may be sold and served on a maximum of five occasions from the 1st day of November to the 31st day of March in the following year if, on each occasion, the ship’s captain and the engineer advise the Registrar of Alcohol and Gaming in writing within seventy-two hours after service of liquor begins that it was not safe for the boat to leave the dock because of inclement weather. R.R.O. 1990, Reg. 719, s. 28 (2); O. Reg. 63/98, s. 12.

29. The licence holder shall ensure that evidence of liquor that has been served and consumed on the premises is removed within forty-five minutes after the end of the period during which liquor may be sold and served under the licence. R.R.O. 1990, Reg. 719, s. 29.

30. (1) Revoked: O. Reg. 230/03, s. 19.

(2) The licence holder shall not employ a person under eighteen years of age to sell or serve liquor on the premises to which the licence applies. R.R.O. 1990, Reg. 719, s. 30 (2).

31. (1) The licence holder may keep for sale, sell and serve,

(a) Revoked: O. Reg. 230/03, s. 20.

(b) only liquor that the licence holder has purchased from a government store; and

(c) only liquor that the licence holder purchased under the licence. R.R.O. 1990, Reg. 719, s. 31 (1); O. Reg. 230/03, s. 20.

(2) When purchasing liquor under the licence, the licence holder shall provide the government store with the licence number. R.R.O. 1990, Reg. 719, s. 31 (2).

(3) Despite subsection (1), the licence holder with a bring-your-own-wine endorsement may serve commercially-made wine to patrons who brought the wine into the restaurant to which the licence applies. O. Reg. 8/05, s. 3.

(4) Despite subsection (1), the licence holder with a bring-your-own-wine endorsement may serve commercially-made wine to patrons who brought the wine into the banquet room to which the licence applies, while the patrons are seated at tables in the banquet room consuming a meal. O. Reg. 8/05, s. 3.

31.1 (1) Subject to subsection (2), the licence holder shall not have or permit any one to have in the premises to which the licence applies or that are used in connection with the sale and service of liquor, including the liquor and food preparation area and storage areas, any container that contains liquor or any other substance other than the liquor contained in the container at the

time the licence holder purchased the container under the licence from a government store. O. Reg. 31/94, s. 6.

(2) A licence holder may use automatic dispensing equipment to serve liquor if all the liquor contained in the automatic dispensing equipment comes from the same container of liquor that the licence holder has purchased under licence from a government store. O. Reg. 31/94, s. 6.

32. (1) A licence holder who offers spirits, beer or wine for sale shall keep in stock and offer for sale a variety of liquor products of a variety of manufacturers. O. Reg. 230/03, s. 21.

(2) A licence holder is not required to offer for sale more than one brand of draught beer. R.R.O. 1990, Reg. 719, s. 32 (2).

33. (1) The licence holder shall not permit liquor, other than liquor purchased by the licence holder under licence from a government store, to be brought onto the premises to which the licence applies or that are used in connection with the sale and service of liquor, including the liquor and food preparation area and storage areas. O. Reg. 31/94, s. 7.

(2) Despite subsection (1), liquor may be brought onto premises to which the licence applies for the purpose of being awarded as a prize at a lottery event conducted in accordance with paragraph 207 (1) (b) of the *Criminal Code* (Canada). O. Reg. 247/02, s. 15.

(3) Despite subsection (1), the licence holder may permit a manufacturer of liquor or a representative or employee of a manufacturer or the Liquor Control Board of Ontario to bring liquor onto the premises to which the licence applies for the purpose of having the licence holder or the licence holder's employees sample the liquor in the presence of the manufacturer, representative or employee. O. Reg. 284/02, s. 2.

(4) The licence holder shall ensure,

(a) that the sampling is conducted in accordance with guidelines on the sampling of liquor issued by the Registrar of Alcohol and Gaming; and

(b) that any sampled liquor remaining at the conclusion of the sampling is immediately removed from the premises. O. Reg. 284/02, s. 2.

(5) Despite subsection (1), the licence holder with a bring-your-own-wine endorsement may permit patrons to bring unopened bottles of commercially-made wine into the restaurant or banquet room to which the licence applies. O. Reg. 8/05, s. 4.

(6) Despite subsection (1), the licence holder may permit patrons to bring sealed, unopened liquor purchased from a government store onto the premises if the liquor is intended for personal use elsewhere than on or adjacent to the premises. O. Reg. 354/07, s. 6.

34. (1) The licence holder shall not permit a patron to remove liquor from the premises to which the licence applies. R.R.O. 1990, Reg. 719, s. 34.

(2) Despite subsection (1), liquor may be removed from the premises to which the licence applies where the liquor has been awarded as a prize at a lottery event conducted in accordance with paragraph 207 (1) (b) of the *Criminal Code* (Canada). O. Reg. 247/02, s. 16.

(3) Despite subsection (1), where a patron has purchased a bottle of commercially-made wine from the licence holder or has brought commercially-made wine into a restaurant or banquet room and has not consumed all of the wine in a bottle that has been opened, the licence holder may permit the patron to remove the bottle containing the remaining wine from the

licensed premises if the licence holder has recorked the bottle with a cork that is flush with the top of the bottle. O. Reg. 8/05, s. 5.

(4) Despite subsection (1), where a patron has brought commercially-made wine into a restaurant or banquet room and the bottle has not been opened, the licence holder shall permit the patron to remove the wine from the restaurant or banquet room when the patron departs. O. Reg. 8/05, s. 5.

(4.1) Despite subsection (1), where a patron has brought sealed, unopened liquor purchased from a government store onto the premises in accordance with subsection 33 (6) and the liquor has not been opened, the licence holder shall permit the patron to remove the liquor from the premises when the patron departs. O. Reg. 285/08, s. 3.

(5) Despite subsections (3) and (4), the licence holder shall not permit a patron who is or appears to be intoxicated to remove wine from the licensed premises. O. Reg. 8/05, s. 5.

35. (1) The licence holder shall ensure that light meals are available for sale to patrons on the premises. R.R.O. 1990, Reg. 719, s. 35 (1).

(2) The holder of a licence for premises in a theatre is not required to have light meals available if liquor is sold and served for a maximum of one hour before the performance, during intermission and for a maximum of one hour after the performance. R.R.O. 1990, Reg. 719, s. 35 (2).

36. The licence holder shall ensure that meals sold and served on the premises to which the licence applies are prepared on the premises or on nearby premises that are under the control of the licence holder. O. Reg. 346/93, s. 6.

37. Revoked: O. Reg. 230/03, s. 22.

38. The licence holder shall ensure that a variety of non-alcoholic beverages is available for sale at moderate prices in relation to the prices charged for liquor. R.R.O. 1990, Reg. 719, s. 38.

39. On and after January 1, 2008, all current and new licence holders shall ensure that all managers, persons involved in the sale or service of liquor and security staff in the employ of the licence holder hold, within 60 days of the commencement of their employment, a certificate demonstrating the successful completion of a server training course approved by the board of the Alcohol and Gaming Commission of Ontario. O. Reg. 354/07, s. 7.

40. The licence holder shall ensure that the licence holder and any person involved in the sale or service of liquor, providing security or management services, including managers of the premises, have successfully completed any applicable training courses or programs approved by the board of the Alcohol and Gaming Commission of Ontario within the periods specified by the board. O. Reg. 354/07, s. 7.

41. (1) The licence holder shall ensure that, before liquor is sold or served to a person apparently under the age of nineteen years, an item of identification of the person is inspected. R.R.O. 1990, Reg. 719, s. 41 (1).

(2) If a condition of the liquor sales licence prohibits the entry of persons under nineteen years of age at the premises to which the licence applies, the licence holder shall ensure that an item of identification is inspected before admitting the person to the premises. R.R.O. 1990, Reg. 719, s. 41 (2).

(3) The item of identification must include a photograph of the person and state his or her date of birth and must reasonably appear to have been issued by a government. R.R.O. 1990, Reg. 719, s. 41 (3).

(4) Without limiting the generality of subsection (3), the item of identification may be any of the types prescribed in subsection (5). R.R.O. 1990, Reg. 719, s. 41 (4).

(5) The following types of identification are prescribed for the purpose of subsection 30 (6) of the Act:

1. A driver's licence issued by the Province of Ontario with a photograph of the person to whom the licence is issued.
2. A Canadian passport.
3. A Canadian citizenship card with a photograph of the person to whom the card is issued.
4. A Canadian armed forces identification card.
5. Revoked: O. Reg. 230/03, s. 23 (1).
6. A photo card issued by the Liquor Control Board of Ontario. R.R.O. 1990, Reg. 719, s. 41 (5); O. Reg. 560/96, s. 1; O. Reg. 63/98, s. 13 (1); O. Reg. 230/03, s. 23 (1).

(6) Revoked: O. Reg. 230/03, s. 23 (2).

42. (1) At the request of an inspector designated under section 43 of the Act, the licence holder or an employee of the licence holder shall request evidence as to the age of a person on the premises to which the licence applies. O. Reg. 63/98, s. 14; O. Reg. 354/07, s. 8.

(2) The inspector may make the request if he or she believes that the person may be less than 19 years of age. O. Reg. 63/98, s. 14.

43. The licence holder shall ensure that the number of persons on the premises to which the licence applies, including employees of the licence holder, does not exceed the capacity of the licensed premises as stated on the licence. O. Reg. 346/93, s. 7.

44. (1) The licence holder shall ensure that no person enters behind the bar at the premises to which the licence applies during the hours that liquor is sold or served unless the person is,

- (a) an employee authorized by the licence holder to enter behind the bar;
- (b) a representative of a manufacturer who is in the course of carrying out his or her duties;
- (c) an employee of the Alcohol and Gaming Commission of Ontario;
- (d) a government inspector who is in the course of carrying out his or her duties; or
- (e) a police officer. R.R.O. 1990, Reg. 719, s. 44 (1); O. Reg. 63/98, s. 15; O. Reg. 230/03, s. 24.

(2) The licence holder shall ensure that police officers acting in the course of their duties are given access to the premises to which the licence applies and to the adjacent washrooms, liquor and food preparation areas and storage areas under the exclusive control of the licence holder. R.R.O. 1990, Reg. 719, s. 44 (2).

45. (1) The licence holder shall not permit drunkenness, unlawful gambling or riotous, quarrelsome, violent or disorderly conduct to occur on the premises or in the adjacent washrooms, liquor and food preparation areas and storage areas under the exclusive control of the licence holder. R.R.O. 1990, Reg. 719, s. 45 (1); O. Reg. 230/03, s. 25.

(2) The licence holder shall not permit a person to hold, offer for sale, sell, distribute or consume a controlled substance as defined in the *Controlled Drugs and Substances Act* (Canada) on the premises or in the adjacent washrooms, liquor and food preparation areas and storage areas under the exclusive control of the licence holder. R.R.O. 1990, Reg. 719, s. 45 (2); O. Reg. 247/02, s. 17; O. Reg. 24/04, s. 1.

45.1 The licence holder shall ensure that reasonable measures are in place and reasonable efforts are made to deter disorderly conduct on property adjacent to and in the vicinity of the premises and to minimize damage, nuisance or other harm to such property arising out of disorderly conduct engaged in by patrons of the licence holder or persons attempting or waiting to enter the premises or leaving the premises. O. Reg. 354/07, s. 9.

45.2 The licence holder shall ensure that the licence holder or a manager appointed by the licence holder maintains control over the premises, including exercising control over who is permitted to enter the premises or remain on the premises and the activities that are permitted to occur on the premises. O. Reg. 354/07, s. 9.

46. The holder of a licence that applies to outdoor premises shall not permit noise that arises directly or indirectly from entertainment on the premises or from the sale and service of liquor to disturb persons who reside near the premises. R.R.O. 1990, Reg. 719, s. 46.

47. (1) Liquor belonging to the licence holder must be stored adjacent to the premises for which the licence is issued. O. Reg. 230/03, s. 26.

(2) Despite subsection (1), liquor may be stored in a convenient location near the premises if the premises is a railway car or a boat or if it is not practical to store the liquor adjacent to the premises. O. Reg. 230/03, s. 26.

(3) The licence holder shall notify the Registrar of Alcohol and Gaming of the location of any liquor stored away from the premises pursuant to subsection (2). O. Reg. 230/03, s. 26.

48. If a liquor sales licence is issued in respect of more than one premises, the service bar at one premises may be used to service a second premises only if persons serving liquor are not required to carry the liquor across an area not under the exclusive control of the licence holder in order to reach the second premises. R.R.O. 1990, Reg. 719, s. 48.

49. The licence holder shall not alter the boundaries of the premises to which the licence applies without the prior written consent of the Registrar of Alcohol and Gaming. O. Reg. 63/98, s. 17.

50. The holder of a licence that applies to premises other than a railway car or a boat shall ensure that the premises complies with,

- (a) all applicable zoning by-laws respecting the use of the premises;
- (b) the *Building Code Act, 1992*;
- (c) the *Fire Protection and Prevention Act, 1997*; and
- (d) the *Health Protection and Promotion Act*. O. Reg. 247/02, s. 19.

51. The holder of a licence that applies to a boat must have a current inspection certificate issued under the *Canada Shipping Act* attesting to the fitness of the boat. R.R.O. 1990, Reg. 719, s. 51.

52. The licence holder shall post the licence in a conspicuous place in the premises to which the licence applies. R.R.O. 1990, Reg. 719, s. 52.

53. The licence holder shall make available to, or shall post in locations visible to, persons on the premises lists describing,

- (a) the varieties of liquor available for sale;
- (b) the amount of liquor in each type of drink offered for sale;
- (c) the varieties of non-alcoholic beverages available for sale; and
- (d) the purchase price of the liquor and the non-alcoholic beverages. O. Reg. 230/03, s. 27.

54. (1) The licence holder shall retain for one year,

- (a) records of the purchases of liquor offered for sale in the premises to which the licence applies; and
- (b) records of the sales of liquor in the premises to which the licence applies. O. Reg. 230/03, s. 28.

(2) The records must include purchase invoices. O. Reg. 230/03, s. 28.

55. (1) If a licence is suspended, the licence holder shall post a sign provided by the Registrar of Alcohol and Gaming concerning the suspension and shall ensure that the sign remains posted throughout the suspension. O. Reg. 63/98, s. 18.

(2) The sign must be in a conspicuous place that is visible from the exterior of the premises to which the suspension applies. R.R.O. 1990, Reg. 719, s. 55 (2).

56. (1) A licence holder who ceases to operate the business shall immediately surrender the licence to the Registrar of Alcohol and Gaming. O. Reg. 63/98, s. 19.

(2) Subsection (1) does not apply if an application is made to transfer the licence. R.R.O. 1990, Reg. 719, s. 56 (2).

CONDITIONS OF BREW PUB AND WINE PUB ENDORSEMENTS

57. (1) The holder of a liquor sales licence with a brew pub endorsement shall ensure that the conditions of the endorsement that are set out in this section are met. R.R.O. 1990, Reg. 719, s. 57 (1).

(2) The beer manufactured by the licence holder must be manufactured at an establishment located at the premises to which the licence applies. R.R.O. 1990, Reg. 719, s. 57 (2).

(3) The beer manufactured by the licence holder must be sold and consumed only,

- (a) on the premises to which the licence holder's licence applies;
- (b) on one premises other than the premises where the beer is manufactured if,
 - (i) the licence holder has at least a 51 per cent interest in the business carried on at

the other premises, and

(ii) a liquor sales licence applies to the other premises; or

(c) in accordance with any caterer's endorsement attached to the licence holder's licence.
O. Reg. 354/99, s. 1 (1).

(4) The beer manufactured by the licence holder must not contain more than 6.5 per cent alcohol by volume. R.R.O. 1990, Reg. 719, s. 57 (4).

(5) A sign stating the percentage alcohol content of the beer manufactured by the licence holder must be posted in a conspicuous place on the premises to which the licence applies.
R.R.O. 1990, Reg. 719, s. 57 (5).

(6) The beer manufactured by the licence holder must be manufactured in accordance with the standards established under the *Food and Drugs Act* (Canada). R.R.O. 1990, Reg. 719, s. 57 (6).

(7) The licence holder shall make a daily record indicating the amount of beer manufactured for sale and the amounts of beer sold at each location referred to in subsection (3), and shall retain the records for two years. O. Reg. 354/99, s. 1 (2).

58. (1) The holder of a liquor sales licence with a wine pub endorsement shall ensure that the conditions of the endorsement that are set out in this section are met. R.R.O. 1990, Reg. 719, s. 58 (1).

(2) The wine manufactured by the licence holder must be manufactured at an establishment located at the premises to which the licence applies. R.R.O. 1990, Reg. 719, s. 58 (2).

(3) The wine manufactured by the licence holder must be sold and consumed only on the premises to which the licence applies. R.R.O. 1990, Reg. 719, s. 58 (3).

(4) The wine manufactured by the licence holder must not contain more than 14 per cent alcohol by volume. R.R.O. 1990, Reg. 719, s. 58 (4).

(5) A sign stating the percentage alcohol content of the wine manufactured by the licence holder must be posted in a conspicuous place on the premises to which the licence applies.
R.R.O. 1990, Reg. 719, s. 58 (5).

(6) The wine manufactured by the licence holder must be manufactured in accordance with the standards established under the *Food and Drugs Act* (Canada). R.R.O. 1990, Reg. 719, s. 58 (6).

(7) The licence holder shall make a daily record indicating the amount of wine manufactured for sale and the amount sold on the premises to which the licence applies and shall retain the records for two years. R.R.O. 1990, Reg. 719, s. 58 (7).

CONDITIONS OF CATERER'S ENDORSEMENTS

59. The holder of a liquor sales licence with a caterer's endorsement shall ensure that the conditions of the endorsement that are set out in sections 60 to 66.1 are met. R.R.O. 1990, Reg. 719, s. 59; O. Reg. 482/96, s. 2.

60. (1) The licence holder may offer liquor for sale only at events which do not exceed ten consecutive days in duration and which are sponsored by a person other than the licence

holder. R.R.O. 1990, Reg. 719, s. 60 (1).

(2) The licence holder shall not offer liquor for sale at a series of events sponsored by the same person if, as a result of doing so, the licence holder is or appears to be operating an ongoing business with the sponsor. R.R.O. 1990, Reg. 719, s. 60 (2).

61. Liquor may be sold or served only at events at which light meals are also available. R.R.O. 1990, Reg. 719, s. 61.

62. The licence holder shall not sell liquor at events held in a residence. R.R.O. 1990, Reg. 719, s. 62.

63. (1) The premises at which an event is held must comply with the requirements of this Regulation for premises to which a liquor sales licence applies. R.R.O. 1990, Reg. 719, s. 63 (1).

(2) Subsection (1) does not apply with respect to a residence. R.R.O. 1990, Reg. 719, s. 63 (2).

63.1 (1) At least 10 days before a catered event begins, a holder of a liquor sales licence with a caterer's endorsement shall provide to the Registrar of Alcohol and Gaming and the local police, fire, health and building departments details concerning,

- (a) the nature of the event and the name of the sponsor;
- (b) the address at which the event will be held;
- (c) the dates on which and the hours during which the event will be held;
- (d) the estimated attendance for the event; and
- (e) the boundaries of the area within which liquor will be sold and served. O. Reg. 354/07, s. 10.

(2) Subsection (1) does not apply with respect to events held in premises under the exclusive control of the licence holder if the licence holder gives prior notice to the Registrar of Alcohol and Gaming of the licence holder's intention to cater events in premises specified in the notice. O. Reg. 354/07, s. 10.

(3) Subsection (1) does not apply with respect to events held in a residence. O. Reg. 354/07, s. 10.

63.2 The holder of a liquor sales licence with a caterer's endorsement and an employee of the licence holder are exempt from subsection 32 (1) of the Act (conveying liquor in a vehicle) when transporting liquor purchased under the licence between the premises to which the liquor sales licence applies and the location of a catered event. O. Reg. 354/07, s. 10.

64. (1) Liquor may be sold and served at events only by the licence holder or by the employees of the licence holder. R.R.O. 1990, Reg. 719, s. 64 (1).

(2) The licence holder shall ensure that employees take a course on server training approved by the board of the Alcohol and Gaming Commission of Ontario. O. Reg. 63/98, s. 20.

65. Liquor not sold during an event must be returned to the licence holder's inventory. R.R.O. 1990, Reg. 719, s. 65.

66. The licence holder shall not promote an event at which the licence holder is offering liquor for sale or invite persons to attend the event. R.R.O. 1990, Reg. 719, s. 66.

66.1 (1) Premises must not be used for the sale and service of liquor under a caterer's endorsement to a liquor sales licence if,

- (a) an application for a licence in respect of the premises has been refused because issuing the licence would not have been in the public interest;
- (b) a licence in respect of the premises has been Revoked or is under suspension; or
- (c) the premises has been disqualified under section 20 of the Act. O. Reg. 482/96, s. 3.

(2) The licence holder who holds both a caterer's endorsement and a bring-your-own-wine endorsement shall not permit persons to bring wine onto the premises where the caterer's endorsement applies under the bring-your-own-wine endorsement. O. Reg. 8/05, s. 6.

CONDITIONS OF ROOM SERVICE ENDORSEMENTS

67. The holder of a liquor sales licence with a room service endorsement shall ensure, as a condition of the endorsement, that food is available for sale with the liquor. R.R.O. 1990, Reg. 719, s. 67.

CONDITIONS OF MINI BAR LICENCES AND OF MINI BAR ENDORSEMENTS

68. The holder of a mini bar licence or a liquor sales licence with a mini bar endorsement shall ensure that the conditions of the licence or the endorsement, as the case may be, that are set out in sections 70 to 75 are met. R.R.O. 1990, Reg. 719, s. 68; O. Reg. 230/03, s. 29.

69. Revoked: O. Reg. 230/03, s. 30.

70. (1) The licence holder may keep for sale, sell and serve,

- (a) Revoked: O. Reg. 230/03, s. 31.
- (b) only liquor that the licence holder has purchased from a government store; and
- (c) only liquor that the licence holder purchased under the licence. R.R.O. 1990, Reg. 719, s. 70 (1); O. Reg. 230/03, s. 31.

(2) When purchasing liquor under the licence, the licence holder shall provide the government store with the licence number. R.R.O. 1990, Reg. 719, s. 70 (2).

71. The licence holder shall provide a secure area for the storage of liquor. R.R.O. 1990, Reg. 719, s. 71.

72. (1) A room rented as overnight accommodation that has mini bar service must be equipped with a dispenser for the storage of liquor and non-alcoholic beverages. R.R.O. 1990, Reg. 719, s. 72 (1).

(2) Access to the contents of the dispenser must be controlled by the licence holder or be restricted by means of a locking device. R.R.O. 1990, Reg. 719, s. 72 (2).

73. (1) The licence holder shall ensure that a key or other security device for access to the contents of a dispenser in a room with mini bar service is not given to a person who is under nineteen years of age. R.R.O. 1990, Reg. 719, s. 73 (1).

(2) The key or other security device for access to the contents of the dispenser must be separate from the room key. R.R.O. 1990, Reg. 719, s. 73 (2).

74. A dispenser in a room with mini bar service may be restocked at any time. O. Reg.

522/97, s. 2.

75. The licence holder shall retain records of mini bar sales for one year. O. Reg. 230/03, s. 32.

CONDITIONS OF GOLF COURSE ENDORSEMENTS

75.1 The holder of a liquor sales licence with a golf course endorsement shall ensure that the following conditions of the endorsement are met:

1. Motorized vending carts used for the sale and service of liquor must be operated by an employee of the holder who is 18 years of age or older.
2. Non-alcoholic beverages must be for sale from motorized vending carts used for the sale and service of liquor.
3. Employees involved in the sale and service of liquor from motorized vending carts, as well as course marshals, must take a course on server training approved by the board of the Alcohol and Gaming Commission of Ontario.
4. A person must not drink or hold any liquor while driving a golf cart on a golf course. O. Reg. 163/96, s. 6; O. Reg. 63/98, s. 21; O. Reg. 354/07, s. 12.

75.2 Any person who obtained liquor at any licensed area of a golf course is exempt from subsection 32 (1) of the Act (conveying liquor in a vehicle) while driving or having the care or control of a golf cart on the playing area of the golf course. O. Reg. 354/07, s. 13.

EXEMPTIONS AND RULES RESPECTING STADIUMS

76. (1) No stadium endorsement shall be issued with respect to a stadium unless the council of the municipality in which the stadium is located has passed a resolution approving the issuance of a stadium endorsement. O. Reg. 230/03, s. 33.

(2) Despite subsection (1), a person who holds a liquor sales licence with respect to a stadium where the sale and service of liquor to patrons in the tiered seats is authorized on the day this section comes into force is not required to obtain a resolution under subsection (1). O. Reg. 230/03, s. 33.

(3) Subsection (1) does not apply to premises located at Molson Amphitheatre at Ontario Place, Toronto and Kingswood Music Theatre at Paramount Canada's Wonderland, 9580 Jane Street, Vaughan. O. Reg. 230/03, s. 33.

(4) The Registrar of Alcohol and Gaming is exempt from subsection 7 (1) of the Act in respect of an application for a stadium. O. Reg. 230/03, s. 33.

76.1 Holders of liquor sales licences with a stadium endorsement are exempt from section 23, subsection 32 (2) and section 53. O. Reg. 230/03, s. 33; O. Reg. 354/07, s. 14.

77. Each licence holder shall ensure that the conditions of the licence that are set out in subsection 79 (4) and sections 80, 83, 85 and 86 respecting stadiums are met. O. Reg. 230/03, s. 33; O. Reg. 354/07, s. 15.

78. A stadium endorsement shall be issued only with respect to a stadium that is primarily used for live entertainment events or live professional sporting events. O. Reg. 230/03, s. 33.

79. (1) Revoked: O. Reg. 230/03, s. 34.

(2) Revoked: O. Reg. 195/95, s. 1 (1).

(3) Revoked: O. Reg. 230/03, s. 34.

(4) The licence holder shall ensure that there are prominent notices throughout the stadium which promote responsibility in the use of liquor. O. Reg. 348/92, s. 4.

80. (1) The holder of a liquor sales licence with a stadium endorsement may sell and serve liquor for consumption by patrons in the seating area, including the tiered seats, only,

(a) during a live sporting event approved by the Registrar of Alcohol and Gaming held at the stadium and during the 90-minute period immediately prior to the event; or

(b) during a live entertainment event approved by the Registrar of Alcohol and Gaming held at the stadium and during the 90-minute period immediately prior to the event.

O. Reg. 230/03, s. 35; O. Reg. 481/09, s. 3.

(1.1) Revoked: O. Reg. 285/08, s. 4 (1).

(2) The Registrar of Alcohol and Gaming shall not approve a live sporting event for the purposes of clause (1) (a) if the majority of the participants in the event or the patrons in the stadium at the event are under the age of 19 years. O. Reg. 230/03, s. 35.

(3) Despite subsection (2), the Registrar of Alcohol and Gaming may approve an Ontario Hockey League event or a United States Hockey League event even if the majority of the participants in the event are under the age of 19 years. O. Reg. 230/03, s. 35.

(4) The Registrar of Alcohol and Gaming shall not approve a live entertainment event for the purposes of clause (1) (b) unless,

(a) the lighting for the tiered seating of the stadium during the event is sufficient to conduct inspections under the Act and this Regulation; and

(b) the majority of the patrons at the event are at least 19 years of age or older. O. Reg. 230/03, s. 35.

(4.1) Despite subsection (2), the Registrar of Alcohol and Gaming may approve the sale and service of liquor for consumption in the seating areas at Scotiabank Place, 1000 Palladium Drive, Kanata, Ontario, and at the Ottawa Civic Centre, Lansdowne Park, 1015 Bank Street, Ottawa, Ontario, for the 2009 World Junior Hockey Championship games held in December 2008 and January 2009. O. Reg. 285/08, s. 4 (2).

(5) Where the Registrar of Alcohol and Gaming has approved a live entertainment event under subsection (4), the licence holder shall ensure there is compliance with the requirements set out in clauses (4) (a) and (b). O. Reg. 230/03, s. 35.

80.1 Revoked: O. Reg. 230/03, s. 35.

81. Revoked: O. Reg. 354/07, s. 16.

82. Revoked: O. Reg. 247/02, s. 23.

83. The licence holder shall serve liquor to patrons for consumption in the tiered seats only in containers that are distinct in appearance from the containers in which non-alcoholic beverages are served. O. Reg. 247/02, s. 24; O. Reg. 8/05, s. 7.

84. Revoked: O. Reg. 247/02, s. 25.

85. For each event at which liquor is sold, the licence holder shall ensure that security staff are stationed throughout the stadium in sufficient numbers to maintain order. O. Reg. 348/92, s. 7.

86. (1) The licence holder shall ensure that the security staff in the stadium and persons who serve liquor in the stadium or who are responsible for managing the sale and service of liquor in the stadium take a course approved by the board of the Alcohol and Gaming Commission of Ontario on the service of liquor. O. Reg. 348/92, s. 7; O. Reg. 63/98, s. 25.

(2) Subsection (1) does not apply to paid duty police officers. O. Reg. 247/02, s. 26.

CONDITIONS OF BRING-YOUR-OWN-WINE ENDORSEMENTS

86.1 The holder of a liquor sales licence with a bring-your-own-wine endorsement shall ensure that the conditions of the endorsement that are set out in section 86.2 are met. O. Reg. 8/05, s. 8.

86.2 (1) The licence holder may permit a patron to bring into the restaurant or banquet room to which the licence applies only unopened bottles of commercially-made wine. O. Reg. 8/05, s. 8.

(2) Only the licence holder or an employee of the licence holder may open a bottle of wine brought into the restaurant or banquet room by the patron. O. Reg. 8/05, s. 8.

(3) If any of the wine in a bottle brought into the restaurant or banquet room by the patron remains at the end of the patron's visit, the licence holder shall dispose of it unless the patron is permitted to remove the bottle containing the wine in accordance with subsection 34 (3) or (4). O. Reg. 8/05, s. 8.

ADVERTISING LIQUOR AND ITS AVAILABILITY FOR SALE

87. (1) In this section,

“public service advertising” means any advertising carrying a strong message against irresponsible use of liquor where the message does not contain any direct or indirect endorsement of liquor, the brand name of liquor or of the consumption of liquor. O. Reg. 247/02, s. 27.

(2) Except for public service advertising, the holder of a licence to sell liquor may advertise or promote liquor or the availability of liquor only if the advertising,

- (a) is consistent with the principle of depicting responsibility in use or service of liquor;
- (b) promotes a general brand or type of liquor and not the consumption of liquor in general;
- (c) does not imply that consumption of liquor is required in obtaining or enhancing,
 - (i) social, professional or personal success,
 - (ii) athletic prowess,
 - (iii) sexual prowess, opportunity or appeal,
 - (iv) enjoyment of any activity,
 - (v) fulfilment of any goal, or

- (vi) resolution of social, physical or personal problems;
- (d) does not appeal, either directly or indirectly, to persons under the legal drinking age or is not placed in media that are targeted specifically at people under that age;
- (e) does not associate consumption of liquor with driving a motorized vehicle, or with any other activity that requires care and skill or has elements of physical danger;
- (f) does not depict motorized vehicles in motion in advertising showing the consumption of liquor, unless the motorized vehicle is a form of public transportation;
- (g) does not suggest any illegal sale, illegal purchase, illegal gift, illegal handling or illegal consumption of liquor; and
- (h) is in compliance with guidelines related to advertising issued by the Registrar of Alcohol and Gaming. O. Reg. 247/02, s. 27; O. Reg. 284/02, s. 3.

(3) When premises to which a licence applies are used as a setting for a film or television production, the licence holder may show the name of the establishment if the licence holder complies with the requirements set out in subsection (2). O. Reg. 247/02, s. 27.

INFORMATION AND RETURNS

88.-90. Revoked: O. Reg. 230/03, s. 36.

91. Revoked: O. Reg. 354/07, s. 16.

92., 92.1 Revoked: O. Reg. 230/03, s. 36.

93. (1) If a person other than the holder of a liquor sales licence or mini bar licence is entitled to receive 15 per cent or more of the gross revenue from the sale of liquor under the licence, the licence holder shall provide the Registrar of Alcohol and Gaming with a copy of the agreement or, if the agreement is not in writing, with details of the arrangement entitling the person to the payment within thirty days after entering into the agreement. R.R.O. 1990, Reg. 719, s. 93; O. Reg. 63/98, s. 33.

(2) A licence holder that is registered as a bingo hall owner or operator under the *Gaming Control Act, 1992* is not required to comply with subsection (1) if the revenue from the sale and service of liquor is included in the calculation of any payments made to the bingo hall owner or operator for the provision of gaming services in accordance with the terms and conditions of the lottery licence issued to a charitable or religious organization by the Registrar of Alcohol and Gaming or a municipal council pursuant to clause 207 (1) (b) of the *Criminal Code* (Canada). O. Reg. 563/06, s. 3.

TRANSFER OF LICENCE

94. (1) The following are prescribed changes for the purposes of section 16 of the Act:

1. An individual becomes or ceases to be an officer or director of a licence holder that is a corporation or a corporation that effectively controls the business.
2. A person becomes or ceases to be a partner of a licence holder that is a partnership.
3. A person or partnership acquires a beneficial interest in the business of the licence holder, including holding or controlling shares of a licence holder that is a corporation or in a corporation that effectively controls the business.

4. A person or partnership other than the licence holder becomes entitled to any of the profits from the sale of liquor or liable for any obligations incurred from the sale of liquor at the premises to which the licence applies. O. Reg. 354/07, s. 17.

(2) For the purposes of paragraph 3 of subsection (1), if a person or partnership acquires shares in a licence holder that is a corporation or in a corporation that effectively controls the business of the licence holder, an acquisition that results in the person or partnership holding or controlling 10 per cent or more of the outstanding shares, or of a class of shares, of the corporation is a prescribed change. O. Reg. 354/07, s. 17.

(3) Despite subsection (1), the following prescribed changes shall be considered rollovers by the Registrar of Alcohol and Gaming for the purposes of transferring a licence if the principal individuals involved in the business of the licence holder remain the same after the change occurs:

1. A licence holder that is a sole proprietorship becomes a corporation.
2. A licence holder that is a partnership becomes a sole proprietorship or a corporation.
3. A licence holder that is a corporation becomes a sole proprietorship or a partnership.
O. Reg. 354/07, s. 17; O. Reg. 285/08, s. 5.

(4) Despite paragraph 1 of subsection (1), if an individual ceases to be an officer or director of a licence holder that is a corporation, the corporation may keep for sale, offer for sale or sell liquor without transferring its licence, if the corporation gives the Registrar of Alcohol and Gaming notice of the change within 30 days after it occurs. O. Reg. 354/07, s. 17.

(5) Despite paragraph 2 of subsection (1), if a partner ceases to be a partner in a partnership that is a licence holder, the partnership may keep for sale, offer for sale or sell liquor without transferring its licence, if the partnership gives the Registrar of Alcohol and Gaming notice of the change within 30 days after it occurs. O. Reg. 354/07, s. 17.

95. Revoked: O. Reg. 354/07, s. 17.

96. For the purposes of subsection 18 (1) of the Act (temporary transfer of licence), the Registrar of Alcohol and Gaming may transfer a licence,

- (a) when a trustee in bankruptcy acquires the business of the licence holder;
- (b) when a court-appointed receiver acquires the business of the licence holder;
- (c) when a mortgagee takes possession of the premises to which the licence applies;
- (d) when a franchiser takes possession of the premises to which the licence applies;
- (e) when the landlord takes possession of the premises to which the licence applies; or
- (f) when executors or administrators of the estate of a deceased licence holder take possession of the premises to which the licence applies. R.R.O. 1990, Reg. 719, s. 96; O. Reg. 63/98, s. 36; O. Reg. 230/03, s. 37.

TEMPORARY EXTENSION OF PREMISES

97. The Registrar of Alcohol and Gaming may approve a temporary physical extension of the premises to which a licence to sell liquor applies for a period of 14 days or less if the extension is adjacent to the premises to which the licence applies. O. Reg. 63/98, s. 37.

EXEMPTIONS FROM PROVISIONS OF THE ACT

98.-98.2.6 Revoked: O. Reg. 230/03, s. 38.

98.3 The Registrar of Alcohol and Gaming is exempt from subsection 6 (6) of the Act with respect to an application for the renewal or transfer of a licence to sell liquor made by a trustee in bankruptcy or a court-appointed receiver. O. Reg. 196/95, s. 1; O. Reg. 63/98, s. 38.

99. (1) The Registrar of Alcohol and Gaming is exempt from subsection 7 (1) of the Act in respect of an application for a licence,

- (a) if a previous licence with respect to the premises was in force less than six months before the application is made; and
- (b) if the previous licence was not Revoked by reason of the public interest. R.R.O. 1990, Reg. 719, s. 99 (1); O. Reg. 63/98, s. 39 (1).

(2) The Registrar of Alcohol and Gaming is exempt from subsection 7 (1) of the Act in respect of an application for a licence for premises for which a previous application was made,

- (a) if notice of the previous application was first given under subsection 7 (1) of the Act within seven months before the current application is made; and
- (b) if the previous application was not refused by reason of the public interest. R.R.O. 1990, Reg. 719, s. 99 (2); O. Reg. 63/98, s. 39 (1).

(3) If a licence holder applies to add facilities to the premises to which the licence applies, to increase the capacity of the premises or to alter the boundaries of the premises, the Registrar of Alcohol and Gaming is exempt from subsection 7 (1) of the Act,

- (a) with respect to indoor premises, if the capacity of the premises is decreased or is increased,
 - (i) by less than 25 per cent, if the capacity of the premises is eighty or more persons, or
 - (ii) by less than twenty persons, if the capacity of the premises is less than eighty persons; and
- (b) with respect to outdoor premises, if the capacity of the premises is decreased or is increased by less than 25 per cent. R.R.O. 1990, Reg. 719, s. 99 (3); O. Reg. 31/94, s. 10; O. Reg. 63/98, s. 39 (2).

(4) For the purpose of subsection (3), a change in the capacity of premises is measured in relation to the maximum capacity of the premises set out on the licence that was issued after the most recent notice given under subsection 7 (1) of the Act. R.R.O. 1990, Reg. 719, s. 99 (4).

(5) The Registrar of Alcohol and Gaming is exempt from subsection 7 (1) of the Act with respect to an application by the Canadian Forces for a licence to sell liquor. R.R.O. 1990, Reg. 719, s. 99 (5); O. Reg. 63/98, s. 39 (1).

(6) The Registrar of Alcohol and Gaming is exempt from subsection 7 (1) of the Act with respect to an application for a mini bar licence. O. Reg. 346/93, s. 13; O. Reg. 63/98, s. 39 (1).

(7) The Registrar of Alcohol and Gaming is exempt from subsection 7 (1) of the Act with respect to an application by a manufacturer licensed to sell beer or Ontario wine under section 2.1. O. Reg. 196/07, s. 5.

[100.](#), [100.1](#) Revoked: O. Reg. 354/07, s. 18.

[101.-103.](#) Revoked: O. Reg. 247/02, s. 28.

[104.](#) Revoked: O. Reg. 354/99, s. 2.

[105.-107.](#) Revoked: O. Reg. 247/02, s. 28.

TRANSITIONAL PROVISIONS

[108.-111.](#) Revoked: O. Reg. 247/02, s. 28.

[112.](#) (1) The conditions described in this section apply to every licence that applies with respect to premises,

- (a) that were classified as clubs, canteens, resorts and recreational facilities under Regulation 581 of the Revised Regulations of Ontario, 1980 as it read immediately before the 15th day of September, 1990; and
- (b) that were located in municipalities that prohibit the sale of liquor in other classes of premises immediately before the 15th day of September, 1990. R.R.O. 1990, Reg. 719, s. 112 (1).

(2) Liquor may be sold and served only to those classes of person entitled to use the premises immediately before the 15th day of September, 1990. R.R.O. 1990, Reg. 719, s. 112 (2).

(3) The licence holder may sell and serve only those types of liquor that the licence holder was authorized to sell immediately before the 15th day of September, 1990. R.R.O. 1990, Reg. 719, s. 112 (3).

[113.](#) Revoked: O. Reg. 247/02, s. 28.

[Français](#)

[Back to top](#)