
LIQUOR CONTROL AND LICENSING ACT

CHAPTER 267

- 1 *Section 1 of the Liquor Control and Licensing Act is amended in the definition of “establishment” by adding at the end “, and includes within such a place or premises any area where liquor is manufactured, stored or served”.*

1996-13-17.

- 2 *Section 16 is amended by adding the following subsection:*

(7) A licence in respect of which a fine or suspension has been imposed under this Act must not be renewed or transferred if, at the date that the renewal or transfer is to take effect,

(a) in the case of a fine,

(i) the fine has, under section 20 (5), become payable,

(ii) the time period set by the general manager for the payment of the fine has expired, and

(iii) the fine has not been fully paid, or

(b) in the case of a suspension, the suspension has, under section 20 (5), taken effect and has not been fully served.

1992-32-15; 1996-13-1.

- 3 *Section 18 (3) is amended by deleting “or” at the end of paragraph (a) and by adding the following paragraphs:*

(c) a distillery and an establishment, licensed under section 12, that is operated in conjunction with and at the same site as the distillery, with respect to liquor manufactured on the premises, or

(d) a brewery and an establishment, licensed under section 12, that is operated in conjunction with and at the same site as the brewery, with respect to liquor manufactured on the premises.

1994-26-8(part).

- 4 *The following section is added:*

Unlawful to dilute or adulterate liquor

38.1 (1) A licensee must not dilute or adulterate liquor purchased from the Liquor Distribution Branch or keep for sale, sell or in consideration of the purchase or transfer of property or for other consideration give to another person liquor that has been diluted or adulterated after its purchase from the Liquor Distribution Branch.

(2) Subsection (1) does not prevent a licensee from diluting or adulterating liquor in a drink at the request of a customer ordering that drink.

- (3) A licensee must not refill a bottle or container or add to the contents of a bottle or container purchased from the Liquor Distribution Branch.

1996-13-18.

5 *Section 55 (2) is repealed and the following substituted:*

- (2) This section does not apply to a person producing or manufacturing wine, beer or cider in his or her own residence for the person's own consumption or consumption at no charge by other persons.

- (3) A person must not produce or manufacture wine, beer or cider at places other than his or her own residence for the person's own consumption or consumption at no charge by other persons except in accordance with this Act and the regulations.

1988-43-29.

6 *Section 62 (4) is amended by adding "or the general manager" after "by the minister".*

1996-13-19.

7 *Section 73 is amended*

- (a) in subsection (1) by striking out "and" at the end of paragraph (a), by adding "and" at the end of paragraph (b) and by adding the following:*

- (c) establishments licensed under this Act and records, liquor and other things associated with the operation of the establishment. ,

- (b) by adding the following subsections:*

- (1.1) A person carrying out an inspection under subsection (1) may

- (a) remove records or things relevant to the inspection for the purpose of making copies or extracts, and
(b) take reasonable samples of liquor for testing and analysis.

- (1.2) A person who removes records or things or takes a sample must

- (a) give a receipt for the records or things removed or the sample taken, and
(b) make any copy or extract, and return the records or things taken, within a reasonable time.

- (1.3) A copy made or extract taken under this section, certified by the person carrying out the inspection as a true copy of or extract from the original, is admissible in evidence to the same extent as, and has the same evidentiary value as, the record of which it is a copy or from which it is an extract.

- (1.4) When acting under the authority of this section, a person shall carry identification in a form authorized by the general manager and present it on request to the owner or occupant of the premises referred to in subsection (1).

- (1.5) A person when acting under the authority of this section may request and receive the assistance of a peace officer. , **and**

(c) by repealing subsection (2) (a) and substituting the following:

- (a) to produce and submit a record or thing for inspection or a sample of liquor,
or
1996-13-20.

8 Section 75 (1) is amended by striking out "percentage of alcohol contained in that substance," and substituting "composition of that substance,"

1996-13-21.

9 Section 84 (2) is amended by adding the following paragraph:

- (p) imposing terms and conditions on licences issued, or to be issued, to liquor manufacturers, with power to impose different terms and conditions on licences issued or to be issued to different classes of liquor manufacturers.

1994-26-10.

Commencement

10 Sections 1 to 9 come into force by regulation of the Lieutenant Governor in Council.

1988-43-39; 1992-32-28(1); 1994-26-25(1); 1996-13-30(1).