

General Merchandise Liquor Stores



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**GENERAL MERCHANDISE
LIQUOR STORE
HANDBOOK**

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SUBJECT: INTRODUCTION

POLICIES

- 1.1.1 The Alberta Gaming and Liquor Commission (AGLC) is established under the *Gaming and Liquor Act* (GLA) and is governed by the requirements of the *Criminal Code*, the GLA and the Gaming and Liquor Regulation (GLR).
- 1.1.2 The AGLC is the province's liquor and gaming authority, responsible for administering and regulating the liquor and gaming industries in Alberta.
- 1.1.3 Board policies are approved by the Board of the AGLC and signed by its Chair, on behalf of the Board.
- 1.1.4 Board policies related to liquor licence activities are conditions of the licence. This includes policies approved after the liquor licence is issued [Section 61(1) of the GLA].
- 1.1.5 Guidelines are best business practices designed to help licensees meet operating requirements.
- 1.1.6 Board policies and guidelines are located in the General Merchandise Liquor Store Handbook, which is available on the AGLC website at aglc.ca. *(Amended Sept 2015)*
- 1.1.7 The licensee is responsible for ensuring the General Merchandise Liquor Store Handbook, GLA and GLR are available to its staff. *(Amended Sept 2015)*
- 1.1.8 If a licence applicant, licensee or manager involved in the daily operation of a licensed premises does not have a working knowledge of the English language sufficient to understand the legislation and/or these policies, the AGLC will ask that the licensee have an interpreter present whenever:
- a) discussing details of the licence application;
 - b) an Inspector visits the premises to review the licensee's responsibilities;
 - c) the licensee acknowledges its responsibilities by signing the Operating Procedures form (see Subsection 11.3); and
 - d) the licensee attends a Board hearing.

SUBJECT: INTRODUCTION

GUIDELINES

- 1.1.9 *(Deleted Sep 2015)*
- 1.1.10 The Retail Liquor Store Handbook may be accessed on the AGLC's web site at aglc.ca. *(Amended Sept 2015)*
- 1.1.11 The GLA and GLR may be accessed on the Queen's Printer web site at www.qp.alberta.ca. *(Amended Sept 2015)*
- 1.1.12 Sample forms related to liquor licences are provided in Section 11.

SUBJECT: DEFINITIONS

POLICIES

- 1.2.1 In this handbook,
- a) "AGLC" means the Alberta Gaming and Liquor Commission.
 - b) "Board" means the Board of the AGLC.
 - c) "General Merchandise Liquor Store" refers to the specific liquor retail area associated with the primary business.
 - d) "GLA" means the *Gaming and Liquor Act*.
 - e) "GLR" means the Gaming and Liquor Regulation.
 - f) "Inspector" means an Inspector of the AGLC, a police officer as defined in the *Police Act* or someone designated by the AGLC as an Inspector under the GLA.
 - g) "licensed premises" means all areas associated with the operations of the licensee, including, but not limited to:
 - i) areas liquor may be sold or consumed; and
 - ii) any storage room, lobby, hallway or other service areas used by the licensee in support of the areas where liquor may be sold or consumed.
 - h) "licensee" means the individual, partnership or corporation holding a liquor licence.
 - i) "liquor" means beverages that are intended for human consumption containing over one (1) % alcohol by volume (e.g., spirits, wine, liqueur, coolers, cider or beer).
 - j) "liquor agency" means a corporation or individual who is in the business of representing a liquor supplier in the sale of the supplier's liquor.
 - k) "liquor supplier" means
 - i) a manufacturer;
 - ii) a person who operates an establishment for making liquor outside Alberta;
 - iii) a person, other than the AGLC, who is a distributor of liquor; and

SUBJECT: DEFINITIONS

- iv) any person who has a connection, as specified in the GLR, to a manufacturer or person described in j) ii) and j) iii) above.
- l) “minor” means a person under the age of 18 years.
- m) “municipality” means:
 - i) a city, town, village summer village, municipal district or specialized community;
 - ii) a town under the *Parks Town Act* (Alberta); or
 - iii) a municipality formed by special Act.
- n) “primary business” refers to the business with which the general merchandise liquor store is affiliated.
- o) “staff” means any person employed by the licensee or contracted by the licensee or a third party to perform assigned or delegated duties.

SUBJECT: CONTACTING THE AGLC

GUIDELINES

1.3.1 There are five (5) AGLC offices in the province. Normal office hours are 8:15 a.m. to 4:00 p.m. Monday to Friday, excluding statutory holidays. Outside normal office hours and when staff is unavailable, messages may be left on voice mail.

St. Albert (Head Office)

50 Corriveau Avenue
St. Albert, Alberta
T8N 3T5

Phone: (780) 447-8600
Fax: (780) 447-8911
Fax: (780) 447-8912

Calgary

110 Deerfoot Atrium
6715 - 8 Street NE
Calgary, Alberta
T2E 7H7

Phone: (403) 292-7300
Fax: (403) 292-7302

Red Deer

#3, 7965 – 49 Avenue
Red Deer, Alberta
T4P 2V5

Phone: (403) 314-2656
Fax: (403) 314-2660

Grande Prairie

100 – 11039 78 Avenue
Grande Prairie, Alberta
T8W 2J7

Phone: (780) 832-3000
Fax: (780) 832-3006

Lethbridge

655 WT Hill Blvd South
Lethbridge, Alberta
T1J 1Y6

Phone: (403) 331-6500
Fax: (403) 331-6506

1.3.2 The AGLC web site address is: aglc.ca.

SUBJECT: LEGISLATION AND BOARD POLICIES

POLICIES

- 1.4.1 Licensees and their staff must comply with:
- a) the GLA;
 - b) the GLR;
 - c) Board policies; and
 - d) all federal, provincial and municipal legislation.
- 1.4.2 Non-compliance with the legislation or Board policies may result in disciplinary action by the Board pursuant to Part 4 of the GLA.
- 1.4.3 A licensee or manager approved by the AGLC must notify the AGLC immediately if charged with or convicted of an offence under:
- a) the *Criminal Code* (Canada);
 - b) the *Excise Act* (Canada);
 - c) the *Food and Drugs Act* (Canada);
 - d) the *Controlled Drugs and Substances Act* (Canada);
 - e) a foreign Act or Regulation substantially similar to an offence under a), b), c) or d);
 - f) the GLA; or
 - g) the GLR.
- 1.4.4 If a licensee is at any time charged or convicted of an offence set out in any of the legislation listed in Subsection 1.4.3, the Board may take disciplinary action including, but not limited to, suspension or cancellation of the liquor licence/registration.
- 1.4.5 If a licensee misleads the AGLC, fails to provide information or provides inaccurate information, the Board may take disciplinary action including, but not limited to, suspension or cancellation of the liquor licence.

SUBJECT: LICENSEE'S RESPONSIBILITIES

POLICIES

- 1.5.1 Licensees and their staff must ensure the licensed premises operate in accordance with all federal, provincial and municipal legislation.
- 1.5.2 All general merchandise liquor store operators will be required to sign an Operating Procedures form (see Subsection 11.3) declaring full understanding of the legal requirements about liquor purchases, sales and special promotions at the time of licensing.
- 1.5.3 A licensee shall:
- a) ensure staff understands the legislation and policies, in accordance with ProServe training as specified in Subsection 1.6; and
 - b) place a high priority on maintaining a safe premises.
- 1.5.4 A licensee and its staff with information about illegal activities related to liquor, tobacco or gaming is required to contact the nearest AGLC office (see Subsection 1.3). This includes:
- a) smuggled liquor or tobacco;
 - b) stolen liquor or tobacco;
 - c) homemade liquor, such as moonshine, wine or beer;
 - d) tobacco not marked for sale in Alberta; and
 - e) illegal gaming devices or illegal gaming houses.

GUIDELINES

- 1.5.5 Licensees should be aware that the sale of liquor carries a risk of potential liability. Questions on liability should be directed to a lawyer.

SUBJECT: PROSERVE LIQUOR STAFF TRAINING

POLICIES

- 1.6.1 A licensee must meet ProServe Liquor Staff Training certification requirements. Equivalency may be granted for programs offered in other provinces if the program was taken within the last five years. The person must apply to the SMART Training programs office (see Section 1.6.18) to have the certification recognized.
- 1.6.2 ProServe certification is mandatory for the following full time and part time staff:
- a) positions where liquor is provided under the authority of a Class A, B, D, E, F and Duty Free licence (excluding Class D-Sacramental Wine Resale licence):
 - i) licensed premises owners that are responsible for directly managing a licensed premises;
 - ii) licensed premises managers, supervisors, retailers, bartenders, servers, greeters, and hosts;
 - iii) security staff (directly employed or contracted by the licensee); and
 - iv) owners and managers of a company contracted to provide security.
 - b) positions where liquor is provided under the authority of a Special Event Licence (SEL) Public Resale - Commercial:
 - i) managers, supervisors, bartenders, servers, and drink ticket sellers;
 - ii) security staff (directly employed or contracted by the licensee); and
 - iii) owners and managers of a company contracted to provide security.
 - c) positions where liquor is provided under the authority of a SEL Public Resale - Community:
 - i) the licensee and designate(s); and
 - ii) a minimum of one bartender/server per every 100 patrons.

(Added Mar 2019)

SUBJECT: PROSERVE LIQUOR STAFF TRAINING

- d) persons registered with the AGLC as a liquor agency and their employees whose duties include the sampling of liquor products.

1.6.3 ProServe certification is not required for staff working full time or part time:

- a) as kitchen staff, bus persons, and cleaning staff in licensed premises;
- b) (Deleted Mar 2019)
- c) where liquor is provided under the authority of a Private Special Event licence;
- d) where liquor is provided under the authority of a Class C licence (Note: the Board may require the licensee to meet ProServe training requirements if the Class C licensee has violated the GLCA, GLCR, or Board policies); and
- e) where liquor is provided under the authority of a Class D Sacramental Wine Resale licence.

1.6.4 Persons requiring ProServe must be certified:

- a) within 30 days of the employment start date for all new hires to positions identified in Section 1.6.2 a) and 1.6.2 d) or;
- b) before a SEL Public Resale for staff in positions identified in Section 1.6.2 b) and c).

1.6.5 A minimum score of 80% on an AGLC administered examination is required for ProServe certification.

1.6.6 ProServe certification is valid for a period of five (5) years from the date of successfully completing the program.

1.6.7 Valid ProServe certification must be maintained by successfully repeating the ProServe course (including passing the exam) before the certification expiration date.

1.6.8 Licensee staff must provide proof of ProServe certification at the request of an AGLC Inspector. Failure to present proof of ProServe certification may result in disciplinary action. Proof of ProServe certification includes:

- a) paper printed versions that have a QR code;

SUBJECT: PROSERVE LIQUOR STAFF TRAINING

- b) the personal information page printed from the staff member's SMART account;
- c) a plastic card (that does not have a QR code);
- d) clear images of any of the above (i.e. image photograph or screen shot) saved on the staff member's mobile device/phone. *(Amended Oct 2016)*

1.6.9 It is the responsibility of the licensee to ensure:

- a) all staff in their premises who are required to have ProServe certification (as per Section 1.6.2) are certified in accordance with the requirements identified in Section 1.6; and
- b) at least one (1) ProServe certified staff member is on shift at all times. *(Added, Oct 2014)*

1.6.10 Licensees must keep a log of employees that are ProServe certified, including the following information:

- a) employee name as it appears on the certification card;
- b) SMART Training registration number; and
- c) expiry date.

Note: Logs are subject to review by AGLC.

1.6.11 An industry worker's ProServe certification will be placed into conditional status when an employee at a licensed premises is found to violate any of the following:

- a) Section 75 GLCA: give, sell, or supply liquor to a minor;
- b) Section 75.1 GLCA: sell or provide liquor to an intoxicated person, permit an intoxicated person to consume liquor or take part in a gaming activity or provincial lottery that is conducted in the licensed premises; and
- c) AGLC Board policy: failure to ask for proof of age for those persons who appear to be under 25 years of age.

1.6.12 Industry workers whose ProServe certification is placed into conditional status may continue working at a licensed premises, however, they are required to successfully retake ProServe certification and pay all required fees within 30 days from the date of

SUBJECT: PROSERVE LIQUOR STAFF TRAINING

notification by the AGLC. Failure to do so will cancel their ProServe certification.

1.6.13 Industry workers placed on conditional status may appeal the violation in writing to the Vice President, Compliance and Social Responsibility Division, within 14 days of the date of notification by the AGLC. The decision of the Vice President is final.

1.6.14 Industry workers whose appeal of the violation is unsuccessful will have 30 days from the date of the appeal outcome to recertify.

1.6.15 If an industry worker incurs three violations within a five-year period they will be ineligible for further ProServe certification.

GUIDELINES

1.6.16 ProServe is a social responsibility training course designed to reduce:

- a) underage drinking;
- b) over-consumption of liquor;
- c) impaired driving; and
- d) liquor related harms and violence.

1.6.17 *(Deleted Oct 2016)*

1.6.18 ProServe certification options are found on the SMART Training website. For more information on ProServe contact:

SMART Training Programs
AGLC
50 Corriveau Avenue
St. Albert, Alberta
T8N 3T5

Toll Free: 1-877-436-6336
Fax: 780-651-7626
Website: smartprograms.aglc.ca

SUBJECT: STAFF TRAINING SESSIONS

GUIDELINES

- 1.7.1 AGLC Inspectors are available to provide training sessions to licensee staff to help them gain a better understanding of their responsibilities and authority regarding liquor sales and the operation of a licensed premise.
- 1.7.2 *(Deleted, Jan., 2018)*
- 1.7.3 To arrange a staff training session, contact your nearest AGLC office (see Subsection 1.3 for AGLC contact information).

SUBJECT: AUDIT

POLICIES

- 1.8.1 General merchandise liquor store records are subject to review by the AGLC and must be maintained in a manner acceptable to the AGLC.
- 1.8.2 The areas normally subject to audit will include, but are not limited to:
- a) invoices;
 - b) special event licence sales;
 - c) cash register sales records;
 - d) inventory records;
 - e) annual financial statements; and
 - f) promotional give-away records.

SUBJECT: LICENCE FEES

POLICIES

- 2.1.1 A one-time, non-refundable fee of \$200 must be submitted with all new liquor licence applications. No application fee is required for a new licence following expiry of the existing licence.
- 2.1.2 An annual licence fee of \$300 is due on the date of licence issue.
- 2.1.3 The licence application form (see Subsection 11.1) and the applicable annual fee must be received by the AGLC before a licence is issued.

SUBJECT: APPLICATION REVIEW

POLICIES

- 2.2.1 Liquor licence applications are subject to review and approval by the AGLC.
- 2.2.2 When reviewing applications, the AGLC considers:
- a) the appropriateness of the proposed premises;
 - b) the applicant's eligibility;
 - c) compliance with municipal requirements;
 - d) the expressed views of the local community. Applicants must provide a letter of support from the municipality or hamlet in which the applicant's proposed store is located.
- 2.2.3 If the AGLC does not support a licence application due to operational problems, operational style changes or major structural changes to the premises made by the applicant, the application will be referred to the Board for decision.
- 2.2.4 If a licence expires, the licensee must stop liquor service until a new licence is issued.

Reasons for Licence Refusal

- 2.2.5 As per Section 51 of the GLR, unless otherwise directed by the Board of the AGLC, a general merchandise liquor store licence will not be issued for any premises located in a municipality or hamlet if:
- a) a retail liquor store licence is in force for a retail liquor store located in the same municipality or hamlet; or
 - b) a general off sales licence is in force for a hotel located in the same municipality or hamlet and no general merchandise liquor store licence is in effect for the premises at the time the application for a general merchandise liquor store licence is made.
- 2.2.6 The AGLC may refuse to issue a liquor licence if the applicant, any of the applicant's employees, any of the applicant's associates or any person associated with the applicant fails to pass a records check (see Subsection 2.2.7).
- 2.2.7 A person will fail to pass a records check if the person has:

SUBJECT: APPLICATION REVIEW

- a) within the five (5) years prior to the application date, been charged with or convicted of:
 - i) an offence under the *Criminal Code* (Canada), the *Excise Act* (Canada), the *Food and Drugs Act* (Canada) or the *Controlled Drugs and Substances Act* (Canada); or
 - ii) an offence under a foreign act or regulation that, in the Board's opinion, is substantially similar to an offence described in Subsection 2.2.7a i); or
- b) at any time been charged with or convicted of:
 - i) an offence under the *Criminal Code* (Canada), the *Excise Act* (Canada), the *Food and Drugs Act* (Canada) or the *Controlled Drugs and Substances Act* (Canada); or
 - ii) an offence under a foreign act or regulation that, in the Board's opinion, is substantially similar to an offence described in Subsection 2.2.7b i);

that, in the opinion of the Board, is sufficiently serious to detract from the integrity of lawful gaming, lottery and/or licensed liquor activities in Alberta; or
- c) within the five (5) years prior to the application date, been in prison serving a term of three (3) years or more.

Note: Subsection 2.2.7 does not apply to a person who has received a pardon under the provisions of the *Criminal Records Act* or similar legislation or if any records relating to a charge or conviction have been expunged or otherwise officially sealed by a court or government agency.

2.2.8 The AGLC may refuse to issue a liquor licence if satisfied the applicant, any of the applicant's employees or associates, or any person or entity connected to or associated with the applicant:

- a) has not acted or may not act in accordance with the law, with honesty and integrity or in the public interest, based on their past conduct;
- b) would be a detriment to the integrity or lawful conduct of gaming or liquor activities or provincial lotteries; or

SUBJECT: APPLICATION REVIEW

c) has a background, reputation and/or associations that may cause adverse publicity for the gaming or liquor industry in Alberta.

2.2.9 The AGLC may refuse to issue a liquor licence if, within the five (5) years prior to the application date, the applicant, any of the applicant's employees or any person associated with the applicant has contravened:

- a) the GLA or the GLR;
- b) a predecessor of the GLA or the GLR; or
- c) a condition imposed on a licence or registration issued or made under the GLA.

2.2.10 The AGLC may also refuse to issue a liquor licence:

- a) if the applicant is not eligible to receive the licence; and
- b) if the requirements of the GLA, GLR and Board policies have not been met.

2.2.11 An applicant who has been refused a licence may request a Board hearing to review the decision not to grant a licence, by making written application to the Board within 30 days of receiving notice of the refusal.

GUIDELINES

2.2.12 First-time applicants should contact the AGLC (see Subsection 1.3 for AGLC contact information).

2.2.13 A licensee should first consult this handbook and then contact the AGLC when:

- a) seeking a new licence or a new class of licence;
- b) seeking an endorsement to an existing licence (e.g., delivery service);
- c) planning to renovate the premises; or
- d) planning to relocate.

2.2.14 Licensees are sent a reminder notice six to eight weeks before their existing licence expires.

SUBJECT: APPLICATION REVIEW

2.2.15 The Board may take into account any of the following factors when making a decision respecting an application for a general merchandise liquor store:

- a) the extent and nature of opposition from community members or groups to establishment of a general merchandise liquor store in a particular location;
- b) the results of consultations with local authorities;
 - i) the nature of the primary business of the applicant and the clientele that frequent it; and
 - ii) whether the sale of liquor products is, in the opinion of the Board, primarily for the purpose of enhancing the sale of non-liquor products.

SUBJECT: OBJECTION(S) TO AN APPEAL

POLICIES

New Class A, B, C, D or E Premises

2.3.1 The AGLC will post all applications for the following types of licences on its website (aglc.ca/licences):

- a) Class A, B, C, D and E liquor licence(s) for new premises;
- b) existing licensed premises applying for additional Class A, B, C, D or E licence(s);
- c) changes to the Class of liquor licence; and
- d) relocations of existing licensed premises.

Note: The application must meet the preliminary requirements for a licence prior to the application being posted. These requirements include, but are not limited to, the application fee, application form, floor plan, (site plan for Class D General Merchandise Retail Liquor Store licensees), food menu (if applicable) and Particulars of Individual Form.

2.3.2 The following information will be posted on the AGLC website:

- a) name of the applicant;
- b) name of the proposed premises;
- c) municipal address of the proposed premises;
- d) licence(s) applied for; and
- e) the date that a written objection must be received by the AGLC.

2.3.3 All objections must be submitted in writing and received by the AGLC within 21 calendar days from the date the application is posted on the AGLC website in order for the objection to be considered during the current licensing process (See Subsection 2.3.16).

2.3.4 The applicant will be notified in writing of all objections received.

2.3.5 The applicant will be given 14 days from the date of notification to respond in writing to the objection; an extension may be requested by the applicant. No licence(s) will be issued until the objection and the applicant's response, if any, have been considered by the Board.

SUBJECT: OBJECTION(S) TO AN APPEAL

2.3.6 The applicant and the person(s) filing the objection will be advised in writing of the Board's decision.

2.3.7 If no objections to the issue of a licence are received within the 21 calendar days the AGLC will continue with the licensing process.

Existing Licensed Premises/Facilities

2.3.8 For existing licensed premises, only written objections received by the AGLC at least 90 days prior to the expiration of the current licence will be provided to the Board for consideration.

2.3.9 The applicant will be notified in writing of all objections received.

2.3.10 The applicant will be given 14 days from the date of notification to respond in writing to the objection; an extension may be requested by the applicant. No licence(s) will be issued until the objection and the applicant's response, if any, have been considered by the Board at the earliest possible date.

2.3.11 The applicant and the person(s) filing the objection will be advised in writing of the Board's decision.

2.3.12 If no objections to the issue of a licence are received within the 90 calendar days prior to the expiration of the current licence the AGLC will continue with the licensing process.

2.3.13 The Board will not consider an objection for an existing licensed premises where there is a sale, transfer or change in control. Should an objection be received during a sale, transfer or change in control, the Board will deal with the objection at least 90 days before the expiration of the new licence term.

Other Liquor/Gaming Licence(s)/Registrations

2.3.14 If any written objection to an application for a liquor licence not referred to above is received by the AGLC, the following policies apply:

- a) The applicant will be notified in writing of all objections received.
- b) The applicant for the licence will be given 14 days from the date of notification to respond to the objection; an extension may be requested by the applicant;

SUBJECT: OBJECTION(S) TO AN APPEAL

c) The objection and the applicant's response, if any, will be submitted to the Chief Executive Officer (CEO) of the AGLC for consideration. Should an objection to the issue of a licence be received by the AGLC without sufficient time to consider the objection, a new licence may be issued and the objection will be considered by the CEO at the earliest possible date.

2.3.15 Any objection to an application for a licence received after the specified time frames noted above will not be taken into consideration. The objector(s) will be advised accordingly.

GUIDELINES

2.3.16 A request may be made to view the floor plan/site plan of the applicant's proposed premises prior to submitting an objection. The person making the request will be given 21 days from the date the application is posted to view the plans and to submit a written objection.

2.3.17 Objections and/or requests to view the plans of proposed premises may be forwarded to:

Alberta Gaming and Liquor Commission
Director, Inspections
50 Corriveau Avenue
St. Albert, AB. T8N 3T5
Fax: 780-447-8911
Email: Inspections.Mailbox@aglc.ca

2.3.18 If a request to view the plans is received, the AGLC will contact the stakeholder to arrange a time to view the floor plan/site plan at the nearest AGLC office to the proposed premises. See Subsection 1.3 for AGLC office locations.

SUBJECT: CONVERSION FROM CLASS D RETAIL LIQUOR STORE

POLICIES

2.4.1 An existing Class D Retail Liquor Store licence may be converted to a General Merchandise Liquor Store licence except under the following conditions:

- a) if there is more than one Class D Retail Liquor Store in the same municipality.
- b) no written support from the municipality.
- c) less than 15 kilometres from an existing Class D Retail Liquor Store.
- d) less than 15 kilometres from a hotel that has a Class D General Off Sales licence.

SUBJECT: DISTANCE REQUIREMENTS

POLICIES

- 3.1.1 A general merchandise liquor store must normally be located 15 kilometres or more from the nearest retail liquor store or hotel with a general off sales licence.
- 3.1.2 Distance will be determined by measuring kilometres from the exact physical location of the proposed general merchandise liquor store to the exact physical location of the nearest existing retail liquor store or hotel with a general off sales licence.

SUBJECT: BUSINESS REQUIREMENTS

POLICIES

- 3.2.1 General merchandise liquor stores are independent businesses that must not represent themselves as acting as agents of the AGLC.
- 3.2.2 General merchandise liquor stores operate in conjunction with another established retail business which sells consumable goods.
- 3.2.3 The business with which the licence is affiliated must continue to operate with the same general types of non-liquor products and in the same manner as originally approved as an agency store.
- 3.2.4 Operators must keep separate sets of records for liquor sales.
- 3.2.5 Licensees shall not enter into an agreement in which one (1) party is to receive remuneration for working in the store based on the amount of liquor sold at the store.
- 3.2.6 Operators shall not enter into a contract or agreement, whether written or oral, which contains a condition or provision by which the remuneration, salary, commission, or other money payable under the contract or agreement is to vary with the volume of sales or brand of product.
- 3.2.7 The owner of a general merchandise liquor store shall not have a direct or indirect financial interest in, or be involved in the management of, or be an employee or representative of:
- a) a liquor supplier or liquor agency which sells liquor to the AGLC; or
 - b) the AGLC
- 3.2.8 A person/company may own more than one (1) general merchandise liquor store and/or other licensed premises, except for a Class E manufacturer's licence. If the other licensed premises is a Class D retail liquor store, the business under which the liquor store operates must be separate from any other business. *(Amended Jan 2017)*
- 3.2.9 If the licensed business is owned by a limited company, the operator is required to provide a "Particulars of Incorporation of Company" which identifies all company shareholders and directors. Any changes in shareholders must be approved by the AGLC prior to the changes.

SUBJECT: BUSINESS REQUIREMENTS

- 3.2.10 The AGLC must be advised of any change in the management of the business.
- 3.2.11 Minors may be hired to work in the business but shall not be involved in the sale or serving of liquor products.
- 3.2.12 General merchandise liquor store owners and employees are prohibited from consuming alcohol or being under the influence of alcohol while on duty.

SUBJECT: FACILITY REQUIREMENTS

POLICIES

- 3.3.1 The general merchandise liquor store must be situated in a permanent building and be operated as originally approved.
- 3.3.2 Where the premises are leased, written permission from the owner is required to retail liquor.
- 3.3.3 The design and construction of general merchandise liquor stores must meet local municipal building code and zoning requirements.
- 3.3.4 General merchandise liquor stores are independent businesses that must not represent themselves as acting as agents of the AGLC.
- 3.3.5 Stores offering a self-service style of operation must merchandise liquor product from an area which is:
 - a) physically separated from the products carried in the primary business, for example on a separate shelf, or in a dedicated corner, alcove or room; and
 - b) clearly visible from and in close proximity to the main sales counter; or
 - c) staffed by an adult at all times the liquor area of the store is open.
- 3.3.6 Drive-through windows are prohibited.
- 3.3.7 General merchandise liquor stores must store their liquor products on site.
- 3.3.8 General merchandise liquor stores cannot be relocated without the prior approval of the AGLC.

GUIDELINES

- 3.3.9 The store may be designed to provide self-service, over-the-counter service or a combination of service styles; however, primary consideration shall be given to the control of liquor products.
- 3.3.10 Adequate security should be addressed for the premises, by:
 - a) developing store security procedures;
 - b) contacting the local police for a crime analysis of the premises, local crime activity and information on loss prevention awareness programs; and

SUBJECT: FACILITY REQUIREMENTS

- c) developing training/programs for staff on armed robberies, break, enter and thefts, shoplifting, physical assault, cash handling procedures, counterfeit currency, fraudulent use of credit cards, customers short changing clerks, and issuing of Petty Trespass Act notices.

SUBJECT: CHANGE OF STATUS (SALE, ASSIGNMENT, TRANSFER OR CLOSURE)

POLICIES

3.4.1 A liquor licensee cannot sell, assign or transfer a liquor licence.

3.4.2 A liquor licence is automatically cancelled when:

- a) a licensee sells, assigns or transfers a portion of the business in which activities authorized by the liquor licence are carried out; and
- b) the sale, assignment or transfer results in a change in control of the business.

3.4.3 A proposed sale, assignment or transfer of a portion of a business:

- a) that is a sole proprietorship, a partnership or a corporation but not a distributing corporation, as defined in the *Business Corporations Act*; and
- b) in which the activities authorized by a liquor licence are carried out;

must be reported to and approved by the AGLC prior to the effective date of the sale, assignment or transfer.

3.4.4 A sale, assignment or transfer of five per cent or more of a business:

- a) that is a distributing corporation as defined in the *Business Corporations Act*; and
- b) under which the activities authorized by a liquor licence are carried out;

must be reported to the AGLC within 10 business days of the effective date of the sale, assignment or transfer and approved by the AGLC.

3.4.5 The AGLC may, with respect to a sale, assignment or transfer as per Subsections 3.4.3 and 3.4.4:

- a) approve it without conditions;
- b) approve it with conditions;
- c) approve it with changes to or removal of existing conditions; or
- d) refuse to approve it.

SUBJECT: CHANGE OF STATUS (SALE, ASSIGNMENT, TRANSFER OR CLOSURE)

3.4.6 Where the AGLC refuses to approve a sale, assignment or transfer, after the sale, assignment or transfer takes effect the AGLC may treat the licensee as ineligible to hold a liquor licence and:

- a) cancel or suspend the licence;
- b) require a person to dispose of an interest in the business under which the activities authorized by the licensee are carried out; and/or
- c) require a person to dispose of an interest in a licensed premises.

3.4.7 When a licensed premise must be closed due to significant damage by fire or other natural event, the licence is cancelled by the AGLC. However, the licensee may obtain a new licence if the premises is restored to an acceptable condition, complies with current policies and the licensee continues to qualify to hold a liquor licence.

3.4.8 Existing licences may remain in effect if a licensee is placed in receivership or bankruptcy. The licence may continue for a period determined by the Board of the AGLC and is subject to any conditions imposed on the licence by the Board.

3.4.9 The AGLC will refuse to grant a licence to a new owner when an Incident Report or disciplinary action is in progress against the existing licensee until such time as the Incident Report or disciplinary action has been dealt with by the AGLC.

3.4.10 A licence application fee will not be charged when:

- a) individual owners incorporate and a controlling interest in the business continues to be held by the original owners;
- b) the transfer or assignment of shares does not result in a transfer of control of the business; or
- c) only the name of the company or premises changes.

3.4.11 The seller of a licensed premises may apply for a refund of the annual licence fee when:

- a) the premises have been sold; and
- b) the licence certificate has been returned.

3.4.12 A refund will not be paid when:

SUBJECT: CHANGE OF STATUS (SALE, ASSIGNMENT, TRANSFER OR CLOSURE)

- a) the premises are destroyed by fire;
- b) the premises are closed or licence surrendered;
- c) the licence has been cancelled by the Board;
- d) there is a change of licence class; or
- e) the licence is seasonal.

3.4.13 Refunds are based on the original annual licence fee less:

- a) the prorated portion during which the licence was in effect;
and
- b) a \$100 administration charge.

GUIDELINES

3.4.14 Prospective applicants wishing to purchase a licensed premises can find a list of the documents required by the AGLC in Subsection 11.4: Sale or Lease of Premises.

3.4.15 A licensee selling or closing their premises permanently may sell their remaining liquor stocks to another licensee. The purchaser of the liquor stocks is responsible to ensure the product is legal and of acceptable quality (i.e., not adulterated or contaminated).

SUBJECT: HOURS OF LIQUOR SERVICE

POLICIES

- 4.1.1 The general merchandise liquor store may set its hours of operation between the maximum allowable hours of 10:00 a.m. and 2:00 a.m., Monday through Sunday. Stores may operate reduced hours.
- 4.1.2 The Board has the authority to reduce or increase hours of operation.
- 4.1.3 A Class D licensed premises must be closed:
- a) on Christmas Day (December 25); and
 - b) at all times other than the hours endorsed for liquor sales on the licence, unless the premises is also a Class A licensed premises.
- 4.1.4 The maximum hours of liquor sales will be noted on the General Merchandise Liquor Store licence, which must be prominently displayed in the liquor sales area at all times.
- 4.1.5 On the date Daylight Savings Time takes effect or ends, liquor sales must end before clocks are adjusted and may not re-start until the next business day.

GUIDELINES

- 4.1.6 Municipalities will notify stores if they must remain closed during municipal elections.

SUBJECT: LIQUOR PRODUCTS AND PRICING

POLICIES

- 4.2.1 A general merchandise liquor store shall not possess, keep, sell or provide any liquor product at or from the store which has not been purchased directly from the AGLC or from a liquor supplier or liquor agency authorized by the AGLC to warehouse and distribute its products, or from other Class D licensees.
- 4.2.2 All general merchandise liquor store licensees must maintain invoices and receipts to account for the lawful purchase of all liquor on the premises.
- 4.2.3 A general merchandise liquor store is responsible for determining the categories, brands and sizes of products available for sale in the store.
- 4.2.4 Liquor adulterated in any manner, purchased or possessed illegally, brought into Alberta illegally or manufactured illegally, is subject to immediate seizure by Inspectors. Licensees involved in such activities are subject to prosecution and to penalties imposed by the Board.
- 4.2.5 General merchandise liquor stores may set their own retail prices. Prices may be adjusted based on consumer response and market forces.
- 4.2.6 Retail prices must be clearly displayed.
- 4.2.7 Cash register receipts must be provided for all liquor products sold.
- 4.2.8 Liquor products must be sold in sealed containers as supplied by the liquor supplier or liquor agent. Special considerations exist for draught beer and bulk wine sales, including:
- a) the cap design should enable the purchaser to demonstrate that the container has not been opened during transportation;
 - b) available quantities and related prices must be clearly displayed;
 - c) disposable containers are acceptable, however, a container deposit may become necessary to ensure environmental concerns are addressed; and
 - d) the federal government sets standards in areas such as acceptable container material and labelling content.

SECTION: PREMISES MANAGEMENT

NUMBER: 4.2

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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SUBJECT: LIQUOR PRODUCTS AND PRICING

4.2.9 A general merchandise liquor store may sell cooking wines, cooking liquors, stomach bitters and herbal beverages provided the products are purchased as stated in Subsections 5.1.5 – 5.1.7.

DATE ISSUED: April 12, 2012

AUTHORITY: Original signed by
Marguerite Trussler

SUBJECT: NON-LIQUOR PRODUCTS

POLICIES

- 4.3.1 A general merchandise liquor store is affiliated with a primary business which operated prior to the approval of the liquor licence. The primary business must continue to operate in the same manner as when the liquor licence was approved.
- 4.3.2 Any significant change to the type of primary business the liquor licence is affiliated with must be approved by the AGLC, in advance.

SUBJECT: MINORS

POLICIES

- 4.4.1 It is an offence under the GLA to sell or provide liquor to sell or provide liquor to anyone under 18 years of age. Management and staff of a licensed premise are responsible to ensure liquor is not sold or provided to minors.
- 4.4.2 No minor may sell liquor products in a general merchandise liquor store.
- 4.4.3 Licensee staff are required to obtain valid identification and verify proof of age whenever a person who appears to be under 25 years of age attempts to buy liquor. *(Amended Oct 2015)*
- 4.4.4 For the purposes of Subsection 4.4.4, valid primary identification must:
- a) have a photo;
 - b) have a name;
 - c) have a signature;
 - d) be Government issued;
 - e) include date of birth;
 - f) not be expired;
 - g) have a unique identifier number; and
 - h) be an original (not a copy). *(Amended Oct, 2015)*
- 4.4.5 If the identification appears not to be genuine, licensee staff must request a second piece of identification. Valid secondary identification must:
- a) have a name;
 - b) be Government issued;
 - c) have a unique identifier number; and
 - d) include date of birth. *(Amended Oct, 2015)*
- 4.4.6 Licensee staff shall telephone police whenever a minor attempts to purchase liquor, is found consuming liquor or is found in a licensed premise where minors are prohibited.

SUBJECT: MINORS

4.4.7 Signage regarding minors and the requirement to produce identification is to be displayed in a prominent location of the store.

GUIDELINES

4.4.8 Identification should be carefully examined under good lighting and/or a black light should be used to ensure the:

- a) photograph is a true likeness and has not been substituted;
- b) the plastic laminate has not been tampered with; and
- c) the lettering of the name, date of birth and other data have not been altered (lettering that has been altered will show up under a black light).

4.4.9 For further identification confirmation, licensee staff may ask a person to provide a sample signature and compare it to the signatures on the photograph identification and on the second piece of identification.

SUBJECT: INTOXICATED PERSONS

POLICIES

4.5.1 Licensees and staff are prohibited from providing or selling liquor to anyone who appears to be intoxicated by liquor or a drug.

GUIDELINES

4.5.2 A person who is intoxicated by liquor or under the influence of a drug may:

- a) stagger (have an unsteady walk);
- b) have poor coordination;
- c) slur their words;
- d) have bloodshot eyes and/or breath that smells of alcohol;
- e) be messy in appearance; or
- f) behave in an overly bold, disruptive manner.

4.5.3 If licensee staff is aware an apparently intoxicated person drove to the licensed premises, the staff should suggest the person take a taxi and offer to call for one.

4.5.4 If an apparently intoxicated person leaves a licensed premises and gets into a motor vehicle to drive, licensee staff should note the licence plate number, model and colour of the vehicle and the direction the vehicle is travelling, and notify police immediately.

SUBJECT: DELIVERY SERVICE

POLICIES

4.6.1 Liquor delivery is subject to the following conditions:

- a) Liquor must only be delivered to locations within Alberta where liquor possession and consumption is legal (i.e., a private residence, temporary residence or office). *(Amended Aug 2013)*
- b) The delivery person must be at least 18 years of age and either:
 - i) the licensee;
 - ii) an employee of the licensee whose actions are the responsibility of the licensee;
 - iii) a delivery service licensee. If a store contracts with an individual or company (e.g. taxi) to deliver orders, that party must have a delivery service licence. The store must demand proof that a licence is in effect; or
 - iv) a common carrier as approved by the AGLC. *(Added Aug 2013)*
- c) Liquor must not be delivered to a minor or intoxicated person.
- d) When an order is to be delivered to an individual who appears to be under age 25, the delivery person must check photograph identification (see Subsection 4.4) and record the following information:
 - i) the individual's name (as per the identification);
 - ii) age;
 - iii) date and time of delivery; and
 - iv) product delivered.

4.6.2 Each order must be accompanied by a completed Delivery Order Slip (see Subsection 11.5). The Delivery Order Slip must include all of the following information:

- a) the general merchandise liquor store name, address and phone number;
- b) the Class D licence number (to complete the statement "This liquor is being delivered in accordance with AGLC policy under Class D Licence No. _____");

SUBJECT: DELIVERY SERVICE

- c) the purchaser's name, address and phone number;
- d) a list of the liquor products being delivered, including prices; and
- e) the delivery charge (if applicable).

4.6.3 A liquor order must leave the general merchandise liquor store during the maximum hours of operation, (10:00 a.m. to 2:00 a.m.); however an additional 30 minutes is permitted for delivery.

4.6.4 Delivery Order Slips must be kept by the licensee for one (1) year.

GUIDELINES

4.6.5 General merchandise liquor store operators may provide a delivery service.

4.6.6 A fee may be charged for delivery services.

4.6.7 The store may deliver more than one order at a time.

4.6.8 Delivery services exclusively to other licensees may commence at 7:00 a.m., any day of the week.

SUBJECT: COLLECTION OF PERSONAL INFORMATION

POLICIES

- 4.7.1 Pursuant to Section 69.2(1) of the GLA, a licensee may, but is not required to, collect a patron's name, age and photograph. No other information may be collected.
- 4.7.2 Licensees using electronic scanning systems must develop written procedures for:
- a) how the equipment will be used;
 - b) how the data collected will be used;
 - c) how the data collected will be retained;
 - d) who will have access to the data; and
 - e) how the data will be provided to other licensees and the police.
- 4.7.3 These written procedures must be available upon request for inspection by the AGLC.
- 4.7.4 Licensees must comply with the guidelines established by the Office of the Information and Privacy Commissioner (OIPC) (see Subsection 4.7.6).

GUIDELINES

- 4.7.5 Licensees may wish to consider the use of an electronic scanning system if there are:
- a) incidents of violence, or otherwise unacceptable behaviour, in or around the licensed premises;
 - b) attempts by gang members, gang associates or drug dealers to enter the licensed premises; or
 - c) attempts by minors to enter the licensed premises.
- 4.7.6 The OIPC has established guidelines for collecting personal information. The key guidelines include:
- a) Should a licensee use scanning technology to collect a patron's name, age and photograph, the technology must be programmed to only collect this limited, specific information. Otherwise, it is against the law to scan or photocopy the entire face of a patron's driver's licence or other identification as a

SUBJECT: COLLECTION OF PERSONAL INFORMATION

condition of allowing them to enter the licensed premises: Personal Information Protection Act (PIPA).

- b) A licensee may examine identification to confirm the age of a patron.
- c) A licensee can deny a person entry if they refuse to produce identification verifying his/her name and age, or if a person refuses to allow a photograph to be taken.
- d) If a licensee does collect personal information, it may only be used to decide whether to let a person into the premises. Use for any other purpose would have to be reasonable and would require consent from the patron.
- e) A licensee can disclose the information they collect:
 - i) to other licensees, if the licensee reasonably believes a patron has broken a law;
 - ii) to other licensees, if a patron is a threat to others; and
 - iii) to a police officer, upon request.
- f) Other licensees may then use the information to decide whether or not to allow a specific person onto their premises, and for no other purpose.
- g) A licensee must tell patrons why the information is being collected. This can be done using a sign.
- h) Once it is collected, the licensee is responsible for protecting the information against loss, theft, or improper use. Access to the information should be restricted to those who need to know.
- i) A licensee must give a person access to the information it has collected about that person. If someone asks, they should be directed to an employee of the licensee who can assist them.

4.7.7 For more information on the collection, storage, and disclosure of personal information see *Guidelines for Licensed Premises: Collecting, Using and Disclosing Personal Information of Patrons* at the OIPC website at oipc.ca or contact the OIPC at 403-297-2728 or 1-888-878-4044.

SUBJECT: GENERAL INFORMATION

POLICIES

5.1.1 The AGLC is the sole importer of liquor into Alberta. All liquor offered for sale in a licensed premises must be purchased by the licensee from one of the following AGLC-approved sources:

- a) St. Albert warehouse (i.e., Connect Logistics Services Inc.);
- b) a liquor supplier or liquor agency authorized to warehouse and distribute products (e.g., domestic brewery); or
- c) a Class D retailer authorized to sell to licensees (i.e., retail liquor store, general merchandise liquor store, general off sales licensees) at prices negotiated between the parties).

5.1.2 A licensee must keep a record of all liquor purchases (i.e., invoices and receipts) to prove the source of all liquor in the licensed premises.

5.1.3 All liquor products must meet Government of Canada labelling standards. The liquor supplier or agent must provide confirmation of Government of Canada approval or obtain AGLC approval that federal labelling standards are met before releasing a product for retail sale.

5.1.4 Two (2) or more licensees may consolidate their orders (i.e., place their orders together) to satisfy minimum order requirements. The following conditions apply:

- a) A consolidated order must refer to only one (1) licence number and be shipped on one (1) bill of lading.
- b) The licensee placing the order is responsible for full payment.
- c) Once the licensee who placed the order receives it, the products may be distributed to other participating licensees.
- d) The licensee who received the order is authorized to collect payment from other participating licensees for the wholesale price of their products, plus any portion of the freight costs.

Non-Beverage Liquor Products

5.1.5 A Class D licensee may purchase the following liquor products directly from suppliers or distributors:

SUBJECT: GENERAL INFORMATION

- a) cooking wines containing 20% or less alcohol by volume and a minimum of 1.5 grams of salt per 100 ml;
- b) cooking liquors containing 20% or less alcohol by volume not considered drinkable by the AGLC;
- c) stomach bitters containing 20% or less alcohol by volume, or stomach bitters of higher alcohol content sold in containers of 200 ml or less; and
- d) herbal beverages containing 20% or less alcohol by volume.

5.1.6 A Class D licensee must purchase the following products from an AGLC-approved source:

- a) cooking wines and spirits containing more than 20% alcohol by volume;
- b) cooking wines and spirits containing 20% or less alcohol by volume and considered drinkable by the AGLC;
- c) stomach bitters containing more than 20% alcohol by volume and sold in containers larger than 200 ml; and
- d) herbal beverages containing more than 20% alcohol by volume.

5.1.7 All herbal beverages require a Drug Identification Number from Health Canada.

SUBJECT: PURCHASES FROM THE AGLC (CONNECT LOGISTICS SERVICES INC.)

GUIDELINES

- 5.2.1 Connect Logistics Services Inc. (CLS) operates an order desk at the St. Albert warehouse for licensees.
- 5.2.2 To place an order, or for information about order days, minimum order quantities, product pickup and delivery, contact CLS during regular business hours:
- Hours: 6 a.m. – 2:30 p.m. Monday through Friday
8 a.m. – 2:30 p.m. Sunday
- Phone: 1-800-661-8943 toll-free across Alberta, or
780-458-4504 in the Edmonton area
- Fax: 1-800-727-8960 toll-free across Alberta, or
780-458-4515 in the Edmonton area
- 5.2.3 Orders may also be placed through the CLS website liquorconnect.com. To register for online services, call CLS at 1-800-265-6784.
- 5.2.4 The following information is required to place an order:
- a) name of licensed retail outlet;
 - b) AGLC licence number;
 - c) 6-digit product code for each item ordered (see the Liquor Wholesale Price list); and
 - d) quantities required (full case).
- 5.2.5 CLS will confirm pickup or delivery arrangements at the time of ordering.
- 5.2.6 Product pricing information is available on the AGLC web site aglc.ca. To register for online access, contact the AGLC at 1-800-272-8876, or in the Edmonton area at 780-447-8863. Prices are updated every two (2) weeks.
- 5.2.7 Licensees wanting to order products not available through CLS must use the services of a registered agent/supplier.

SUBJECT: PURCHASES FROM CLASS E MANUFACTURERS

GUIDELINES

- 5.3.1 Licensees may order brewery products from the AGLC as follows:
- a) To order Molson or Labatt beer, contact Brewers Distributor Ltd.:
 - Calgary and area 403-531-1080
 - Province-wide 1-800-661-2337
 - b) To order Big Rock beer, contact Big Rock Brewery:
 - Edmonton and area 780-413-6677
 - Calgary and area 403-720-3239
 - Red Deer & south 1-800-242-3107
 - North of Red Deer 1-800-381-4682
 - Fax 403-236-7523
 - c) To order Sleeman products, contact the Sleeman Distribution Centre:
 - Province-wide 1-888-517-8764
 - Fax 1-888-517-8760
 - d) *(Deleted Mar 2017)*
- 5.3.1.1 Licensees may also order product from Class E breweries, wineries and distilleries. Manufacturers' contact information can be located on the AGLC's website using [Search Liquor Licensees](#). Select 'Licensee Class', 'Class E' and 'Search'. *(Added Mar 2017)*
- 5.3.2 Breweries, wineries and distilleries may offer delivery services, set minimum order quantities for delivery and/or require payment before delivery. *(Amended Mar 2017)*

SUBJECT: PURCHASES FROM CLASS D RETAILERS

GUIDELINES

- 5.4.1 General merchandise retail liquor stores may sell to or purchase liquor from any authorized Class D retailer.
- 5.4.2 Prices and quantities purchased are negotiable between the purchaser and the retailer.
- 5.4.3 Ordering, payment and pick-up or delivery conditions are set by the retailer.

SUBJECT: PURCHASES FROM A PRIVATE PARTY OR ESTATE

POLICIES

- 5.5.1 In exceptional circumstances, a retail liquor store may purchase liquor products from a private party or an estate. The retail liquor store licensee must obtain approval in writing from the AGLC before making the purchase.
- 5.5.2 The AGLC will approve this type of purchase only if it can be proven that the liquor products were initially purchased legally in Alberta.

SUBJECT: ABSOLUTE ALCOHOL

POLICIES

5.6.1 Ethyl alcohol is a controlled product and may only be purchased by:

- a) holders of Industrial Use Licence;
- b) physicians;
- c) pharmacists; and
- d) veterinarians.

5.6.2 General merchandise liquor stores are not permitted to stock or sell absolute alcohol.

GUIDELINES

5.6.3 Inquiries received at a general merchandise liquor store liquor for the purchase of absolute alcohol are to be referred to the AGLC, St. Albert, at 780-447-8846.

SUBJECT: LIQUOR COST AND PAYMENT

POLICIES

- 5.7.1 Liquor cost to a licensee must be based on product prices at the time the order is placed.
- 5.7.2 Payment must be warehouse-specific, with a separate transaction for each order placed under a specific licence number.
- 5.7.3 Payment must be confirmed before an order is released to a licensee. The following forms of payment are acceptable:
- a) cash;
 - b) certified cheque;
 - c) bank draft;
 - d) bank money order;
 - e) uncertified cheque or interactive voice response (IVR), if provided with a bank guarantee letter (see Subsection 5.7.4); or
 - f) direct deposit through an approved financial institution if:
 - i) authorized by the AGLC; or
 - ii) direct deposit set-up was initiated by the AGLC.
- 5.7.4 When a bank guarantee letter is required:
- a) for licensees except cottage winery licensees, the bank guarantee must be equal to or greater than the licensee's total anticipated weekly purchases.
 - b) for cottage winery licensees, the bank guarantee must be equal to or greater than the licensee's total anticipated sales for a two (2) month period.
- 5.7.5 No form of credit is extended.
- 5.7.6 If for any reason a cheque (including an IVR "draw cheque") is returned by the bank:
- a) any outstanding orders will not be released to the licensee, nor will the licensee be allowed to place any further orders until the amount owing is paid by certified cheque or bank money order; and

SUBJECT: LIQUOR COST AND PAYMENT

b) the licensee must pay any service charges determined by the AGLC.

5.7.7 Repeated payment problems may result in licence suspension.

GUIDELINES

5.7.8 Questions regarding liquor payments should be directed to the AGLC at 780-447-7554 or by fax at 780-447-8917.

SUBJECT: REFUNDS FOR DELIVERY PROBLEMS (CLS ONLY)

POLICIES

5.8.1 A licensee that experiences a problem related to delivery services contracted to Connect Logistics Service Inc. (CLS) may make a claim for refund. The following types of claims will be considered:

- a) product breakage (wet only);
- b) shortage or overage (i.e. missing case(s) or too many delivered); and
- c) picking error (wrong product shipped).

5.8.2 Product breakage or shortages in orders picked up by a licensee or delivered to a licensee by a carrier not contracted to CLS will not be considered.

5.8.3 A licensee submitting a claim for wet breakage must keep broken bottle necks complete with caps for at least 60 days after submitting the claim for inspection by the AGLC.

GUIDELINES

5.8.4 All liquor products should be examined carefully when delivered, before signing the Bill of Lading, to confirm the correct products and quantities and no breakage.

5.8.5 Dry breaks should not be claimed. Compensation for dry breaks is automatically processed each year, based on a licensee's purchases the previous year. Payment is made to each licensee to a maximum allowed in the Operating Guidelines (0.005% of wholesale purchases). Cheques for less than \$5 will not be issued.

5.8.6 To submit a claim for a delivery problem, a licensee must:

- a) note the following on the Bill of Lading before signing:
 - i) type of problem (e.g., breakage, shortage, overage or picking error);
 - ii) brand name of the affected product;
 - iii) 6-digit product code;
 - iv) size of the container(s);
 - v) number of containers or cases; and

SUBJECT: REFUNDS FOR DELIVERY PROBLEMS (CLS ONLY)

vi) any additional details to fully describe the problem;

Note: Any shortage must be signed off by both the person receiving the order and the carrier.

- b) Call CLS Customer Service (1-800-265-6784 or 780-418-6500 in the Edmonton area) immediately to report a shortage, or within two (2) working days to report an incorrect order.
- c) Provide CLS with the information listed in Subsection 4.7.6a), plus the CLS invoice number and invoice date.
- d) Complete a Product Delivery Claim Request (see Section 10), attach it to a copy of the signed Bill of Lading and mail or fax it within two (2) working days to:

Connect Logistics Services Inc.
Attention: Product Claims
50 Corriveau Avenue
St. Albert, Alberta T8N 3T5
Phone: 780-458-4492
Fax: 780-458-8588

5.8.7 On receiving a Product Delivery Claim Request, CLS will confirm the claim against the Bill of Lading and, if valid, process the claim and issue a refund.

- a) Refund amounts are based on the original wholesale price paid by the licensee to the AGLC.
- b) Refunds for claims under \$20 may be deferred for up to 90 days.

SUBJECT: REFUNDS FOR FAULTY PRODUCT

POLICIES

5.9.1 Licensees that purchase products directly from the AGLC through Connect Logistics Service Inc. (CLS) may request a refund from the AGLC for the following types of faulty products handled by CLS:

- a) products returned due to customer complaint;
- b) a sealed bottle(s) which:
 - i) is partially filled;
 - ii) has a damaged cap or cork; or
 - iii) is contaminated with a foreign material; and
- c) bottle(s) that are missing from a sealed case, with no imprint in the case.

5.9.2 The AGLC validates all faulty product claims.

5.9.3 Faulty product claims will be automatically deducted from consignment payments based on the product's duty paid price (invoice price plus any applicable customs duty/excise duty).

5.9.4 A claim for a refund must be received by the AGLC within 30 days of product delivery, except for products returned by customers. Customer returns may be refunded up to one (1) year from the date of invoice. If a product has been discontinued the AGLC may decline to provide a refund.

5.9.5 Requests for refunds beyond 30 days, excluding product returned by customers, will be allowed if the claim request includes written approval from the liquor agent. *(Amended Jun 2018)*

5.9.6 Faulty bottles, and cases that are missing bottles, must be kept by the licensee until the AGLC approves disposition.

5.9.7 Faulty products approved for credit by the AGLC must immediately be destroyed. The product must not be made available for resale. *(Amended Jun 2018)*

5.9.8 Refund amounts are based on the original wholesale price paid by the licensee to the AGLC.

5.9.9 Licensees purchasing product from a retail liquor store must report faulty product claims to the retailer. The retailer may then initiate a

SUBJECT: REFUNDS FOR FAULTY PRODUCT

claim with the AGLC for those products purchased directly from the AGLC.

5.9.10 Faulty kegs returned to a brewery are assessed by the AGLC. Only kegs at least 80% full by weight are eligible for refund.

5.9.11 Replacement of faulty product by a liquor supplier or liquor agent for products purchased from warehouse other than Connect Logistics must be properly documented, and include the following:

- a) name of licensee;
- b) date replacement was made;
- c) product and quantity replaced;
- d) specific reason for replacement; and
- e) acknowledgement of replacement by the retail liquor store (a copy of the acknowledgement must be kept by the liquor store).

Note: Records must clearly distinguish between:

- i) product used for promotions or sampling; and
- ii) product used to replace faulty product.

5.9.12 If the AGLC confirms a contaminated product has been distributed, licensees will receive specific instructions regarding removing the product from sale and making a claim for refund.

5.9.13 When the AGLC issues a product recall, the licensee must immediately suspend sales of these products and remove them from store shelves, segregating them and marking them with: "DO NOT SELL – RECALLED PRODUCT."

5.9.14 Licensees must deal with the recalled product as directed by the AGLC, which may include returning it to the warehouse for a full refund.

GUIDELINES

5.9.15 To make a claim for refund, a licensee must complete a Faulty Product Claim Request form. The form can be found at aglc.ca. Completed forms must be sent to FaultyProduct@aglc.ca.

(Amended Jun 2018)

SUBJECT: REFUNDS FOR FAULTY PRODUCT

- 5.9.16 The following information must be included for all claims:
- a) licensee name, contact information and licence number; *(Amended Jun 2018)*
 - b) invoice number and date;
 - c) the 6-digit product code, brand name (description) and size of the faulty product(s); *(Amended Jun 2018)*
 - d) reason for the claim; and
 - e) price paid for the faulty product(s).
- 5.9.17 If the faulty product is a customer return, the licensee must also provide: *(Amended Jun 2018)*
- a) the person's name, address and phone number; and
 - b) nature of their complaint.
- 5.9.18 Refund claims are normally processed within 30 days of receipt of the claim, even if not validated by the AGLC within that timeframe. However, the licensee must keep all bottles and cases listed on the form until the AGLC approves disposition. Should any of the product be missing or otherwise ineligible, the licensee will be required to repay the refund. *(Amended Jun 2018)*
- 5.9.19 Product analysis by the AGLC for faulty product claims may be required.
- 5.9.20 If a product listed on a Faulty Product Claim Request is ineligible for refund, the AGLC will advise the licensee and explain why. Possible reasons include:
- a) product was not purchased directly from the AGLC;
 - b) product was damaged by licensee staff, customers or during delivery; *(Amended Jun 2018)*
 - c) product has been discontinued;
 - d) the claim period has expired; or *(Amended Jun 2018)*
 - e) insufficient information provided to approve the claim.
- 5.9.21 Dry breaks (no product spilled) should not be reported on a Faulty Product Claim Request form. Licensees are compensated annually (see Section 5.8.5).



SECTION: LIQUOR PURCHASES AND RETURNS

NUMBER: 5.9

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SUBJECT: REFUNDS FOR FAULTY PRODUCT

Products Causing Illness

5.9.22 Customer allegations of injury or illness resulting from a faulty product must be reported immediately to the AGLC Product and Pricing Department: *(Amended Jun 2018)*

Alberta Gaming and Liquor Commission
50 Corriveau Avenue
St. Albert, Alberta T8N 3T5
Attention: Product and Pricing
Telephone: 780-447-8832
Email: Product@aglc.ca

DATE ISSUED: June 21, 2018

AUTHORITY: Original signed by
Gael MacLeod

SUBJECT: EMPTY CONTAINER RETURNS

POLICIES

5.10.1 The AGLC does not require general merchandise liquor stores to accept containers for refund.

GUIDELINES

5.10.2 Empty beverage container returns in Alberta are governed by the Beverage Container Management Board (BCMB), a body delegated authority by the Environmental Protection and Enhancement Act to administer the Beverage Container Recycling Regulation.

5.10.3 This legislation requires retailers, including general merchandise liquor stores, to advertise the deposit amounts applicable to the container types sold by the retailer (e.g. the prominent public display of an information poster).

5.10.4 If a general merchandise liquor store wishes to refund empty beer containers, the store must obtain a Class "D" Beverage Container Depot permit from the BCMB. Class "D" opportunities are currently limited to existing permit holders.

5.10.5 If a general merchandise liquor store possesses a valid Class "D" Beverage Container Depot permit from the BCMB, the store shall refund the full deposit amount for both beer cans and beer bottles as follows:

- a) for beer containers less than or equal to 1000 ml, the deposit is \$0.10 per container (\$1.20 per dozen);
- b) for beer containers greater than 1000 ml, the deposit is \$0.25 per container (\$3.00 per dozen).

5.10.6 General merchandise liquor stores that offer a deposit refund program for beer containers must:

- a) provide a refund whether or not a product purchase is made; and
- b) provide the refund in cash if the patron so requests.

5.10.7 General merchandise liquor stores planning to offer an empty beer container return service must check with local municipal authorities to ensure the proposed operation meets all municipal requirements.

SUBJECT: EMPTY CONTAINER RETURNS

5.10.8 General merchandise liquor stores must accept all BCMB registered beer containers for refund. All other non-beer beverage containers must be returned for refund to registered Universal bottle depots only.

5.10.9 For information on the requirement to advertise deposit amounts or on operating a container return depot, contact:

Beverage Container Management Board

Edmonton, AB. T6A 3M1

Phone: 780-424-3193

Toll Free: 1-888-424-7671

Fax 780-428-4620

bcmb.ab.ca

SUBJECT: CUSTOMER RETURNS

POLICIES

- 5.11.1 A retail liquor store must accept full resalable containers of liquor returned for refund by a special event licensee, if the product was purchased at that retail liquor store. The customer must present a copy of the Special Event Licence (SEL) used at the event. A restocking fee may be charged. *(Amended Nov. 2017)*

GUIDELINES

- 5.11.2 General merchandise liquor stores may accept full resalable containers of liquor sold to the general public and returned for refund.
- 5.11.3 General merchandise liquor stores may use the following as a guide for determining whether or not a returned product is in sellable condition:
- a) closures are not weak, loose or damaged;
 - b) seal strips are intact;
 - c) label on bottle is intact; or
 - d) bottle is not cracked.

Note: This list is not exhaustive and store operators may use their discretion in determining whether the product is sellable or may have been damaged or tampered with.

SUBJECT: GENERAL INFORMATION

POLICIES

- 6.1.1 For all of Section 6,
- a) "advertising" means the use of media to communicate a message to an off-premises audience through words and/or images and includes television, radio, internet, email, signs, newspapers, magazines, flyers, billboards, transit shelters, inflatables, commercial vehicles and corporate vehicles;
 - b) "liquor agency" includes all associated shareholders, directors, management, agents and employees of liquor agencies and suppliers;
- 6.1.2 "records" are electronic or paper documents that summarize a transaction and include the documents to support these transaction. These documents include, but are not limited to, financial statements, invoices, receipts, vouchers, contracts, cancelled cheques, credit card receipts and emails. *(Added Apr 2016)*
- 6.1.3 A liquor agency, a licensee or a third party acting on their behalf (i.e., marketing company) may advertise in any medium not specifically prohibited, as long as the advertising complies with these policies, the Canadian Radio and Television Commission (CRTC) and any other regulator with jurisdiction.
- 6.1.4 All advertising must be:
- a) accurate and verifiable; and
 - b) within the limits of good taste and propriety (i.e. not offensive to the general population).
- 6.1.5 Advertising must not:
- a) be targeted at minors;
 - b) encourage non-drinkers to consume liquor;
 - c) promote irresponsible liquor consumption or service;
 - d) show heavy or prolonged liquor consumption;
 - e) give the impression liquor benefits a person's health;
 - f) disparage (put down) another company, business or product.

SUBJECT: GENERAL INFORMATION

- 6.1.6 Brand advertising is allowed by a liquor supplier or a manufacturer's off-sales licensee. Brand advertising by Class D licensees must comply to Subsection 6.2.
- 6.1.7 Co-operative advertising (advertising by licensees that includes the specific mention of liquor manufacturers/suppliers/agencies) is permitted under the following conditions: *(Amended Apr 2016)*
- a) the licensee must pay all costs pertaining to the advertising; and
 - b) all records for advertising must be kept by the licensee for a period of two years and provided to the AGLC on request.
- 6.1.8 A liquor supplier/agency is not allowed to pay any advertising costs for a licensee, either directly or indirectly.
- 6.1.9 A liquor supplier/agency's advertising must not be directed to a particular licensee/chain of licensees.
- 6.1.10 Advertising not specifically addressed in Section 6 requires the prior approval of the AGLC.

GUIDELINES

- 6.1.11 Advertising which promotes the responsible consumption of liquor (i.e., legal, moderate and safe) is highly recommended and supported by the AGLC.
- 6.1.12 Advertising may be of any size, frequency and duration, within the limits set by the CRTC and other regulators.
- 6.1.13 References to brand advertising do not apply to Special Event licensees.
- 6.1.14 Corporate or brand identification may be used in public service or community advertising.
- 6.1.15 Liquor agencies and licensees are responsible to ensure their advertising complies with these policies, including any advertising conducted by a third party.
- 6.1.16 A licensee and a manufacturer of non-liquor products may advertise jointly, as long as the advertising complies with Section 6 policies.

SUBJECT: ADVERTISING BY CLASS D LICENSEES AND DUTY FREE STORES

POLICIES

- 6.2.1 A general merchandise liquor store (i.e., Class D licensed premises or Duty Free Store) may advertise the:
- a) premises' name and location;
 - b) hours of operation;
 - c) products available, including sizes; and
 - d) product prices, including discount prices.
- 6.2.2 Comparative price advertising is allowed, but must not disparage a competitor or competitor's product (see Subsection 6.1.4 f).
- 6.2.3 Brand advertising is acceptable, with the following conditions:
- a) *deleted Apr 2016*
 - b) the licensee must receive permission in advance from the liquor supplier (or whoever owns/controls the brand identification) to use the brand logo, typeset or trademark; and
 - c) the licensee may not request or receive any benefit (money or other) from a liquor supplier for advertising its brands.
- 6.2.4 A licensee who also owns or operates another company or business may not:
- a) conduct common/joint advertising featuring both business interests in the same advertising (joint advertising); or
 - b) use one business to promote the other (cross-market advertising / promotions).
- 6.2.5 Pursuant to Section 50 of the GLR, a licensee who also owns or operates another company or business cannot:
- a) offer customers discounts on purchases in one business based on purchases in the other business;
 - b) operate a customer loyalty program in one business which recognizes purchases made in the other business; or
 - c) sell trademark or brand name products of the other business in the retail liquor store unless these products are also available

SUBJECT: ADVERTISING BY CLASS D LICENSEES AND DUTY FREE STORES

for wholesale purchase by other licensees and are not referred to by the other business's name.

- 6.2.6 The restrictions of Subsection 6.2.4 also apply to any general merchandise liquor store which uses the trademark name of another business or company not owned or operated by the licensee.
- 6.2.7 Class D liquor delivery service advertising must not promote the use, sale or consumption of liquor.
- 6.2.8 Signage for a Class D licensed premises must comply to Subsections 3.6.17. and 3.6.18 of the Licensee Handbook.

SUBJECT: ADVERTISING BY SPECIAL EVENT LICENSEES

POLICIES

6.3.1 Advertising must only be directed to members and invited guests and cannot indicate or imply that the general public may attend the event (i.e., the advertising must clearly state "Members and Guests Only"). *(Amended Apr 2016)*

GUIDELINES

6.3.2 Advertising may take the following forms:

- a) posters on community billboards;
- b) notice in the community news section of the local newspaper;
- c) televised notice on the local cable community news channel; and/or
- d) sign on community league association property (on the hall itself or freestanding).

SUBJECT: ADVERTISING CONTENT RESTRICTIONS

POLICIES

6.4.1 Drinking Scenes (applies to brand advertising by liquor suppliers/agencies):

- a) Drinking scenes depicted in advertising must be legal (i.e., the situation shown must not contravene any federal, provincial or municipal laws).
- b) The quantity of a liquor product shown in a social setting must not exceed one drink per person.
- c) Any scene showing a person with liquor before or while operating a vehicle (motorized or not) or doing any activity considered dangerous or requiring care is prohibited; the advertising must be clear the liquor is being consumed only after the activity has ended.

6.4.2 Minors:

- a) Advertising must not appeal to minors or be placed in any medium targeted specifically at minors.
- b) No minor or anyone who may reasonably be mistaken for a minor may appear in advertising for a liquor product.
- c) No well-known personality or look-alike with strong appeal to minors may be featured in liquor advertising (e.g., an athlete or youth-oriented music group).
- d) The use or imitation of children's fairy tales, jingles, nursery rhymes, songs, musical themes or fictional characters from children's books is prohibited in liquor advertising.

GUIDELINES

6.4.3 Drinking Scenes (applies to brand advertising by liquor suppliers/agencies):

- a) A liquor product may be shown in a setting where consumption is not normally allowed only:
 - i) if it is clearly a beauty shot; and
 - ii) no people are present to suggest liquor had been or was about to be consumed.

SUBJECT: ADVERTISING CONTENT RESTRICTIONS

b) Activities shown within a bar or lounge setting must reflect the type of activities normally seen in licensed premises in Alberta.

c) The presence of food is encouraged.

6.4.4 A product endorsement by a well-known personality or look-alike should not imply that drinking liquor contributed to their success.

6.4.5 The age of a personality and their public image should be taken into account when assessing their appeal to minors.

SUBJECT: SPONSORSHIPS

POLICIES

- 6.5.1 Sponsorship may only involve the unconditional donation of cash or merchandise, a trophy, and/or a prize, by a licensee, agency or supplier, directly to an event or team. *(Amended Dec 2016)*
- 6.5.2 A licensee, agency or supplier may sponsor or co-sponsor an event or team with the following conditions:
- a) a liquor supplier or brand name may be used only if the event or team is adult-oriented and not geared toward minors; and
 - b) a Class A, B, C or D licensee may sponsor an event involving minors as long as liquor is not mentioned in any way.
- 6.5.3 Sponsorship or co-sponsorship of a publicly advertised contest is allowed with the following restrictions:
- a) participation in a contest or raffle must not be conditional on the purchase or consumption of liquor;
 - b) a contest sponsored by a liquor supplier must be directed only towards persons of legal drinking age; and
 - c) if the contest is conducted on licensed premises, the licensee must also comply with Subsection 7.7.1
- 6.5.4 Sponsorship promoting a specific brand of liquor in a Class A, B, or C licensed premises requires the prior approval of the AGLC. All other eligible sponsorships do not require the approval of the AGLC. *(Amended Dec 2016)*
- 6.5.5 A sponsored event held on-campus at an educational institution must have the prior approval of the institution's administration.
- 6.5.6 Corporate or brand names and logos may:
- a) be displayed on a permanent sign in an arena or stadium used primarily for sporting or entertainment events (e.g., scoreboard panel, rink board);
 - b) be displayed on a temporary sign in a community arena or in a stadium during a sponsored event (e.g., banner); and
 - c) not be displayed on signs at events involving minors (for example, Minor Hockey Week).

SUBJECT: SPONSORSHIPS

6.5.7 A corporate or brand name and logo may be displayed on a corporate vehicle and the vehicle may appear at a sponsored event.

6.5.8 A liquor agency, supplier or licensee may own a sports franchise.

6.5.9 Sponsorship advertising is allowed before and during a sponsored event with the following conditions:

- a) if the event has a licensed area, approved promotional materials may be displayed within the licensed area; and
- b) all advertising and promotional materials must comply with Sections 6 and 7.

6.5.10 The focus of sponsorship advertising shall be on the event or activity being sponsored, and not a liquor agency, supplier or brand.

GUIDELINES

6.5.11 Proposed agreements may be submitted to the AGLC by mail, fax or email at the following.

50 Corriveau Avenue
c/o Inspections Branch
St. Albert, Alberta
T8N 3T5
Fax: 780-447-8912
Email: inspections@aglc.ca

6.5.12 Items displaying a brand logo may be donated to a registered charity for use as give-aways and raffle prizes.

SUBJECT: TRADE SHOWS

POLICIES

6.6.1 Participation in a liquor industry trade show may be undertaken with a display booth. The following conditions apply:

- a) Participation in a liquor industry trade show may be advertised.
- b) The display booth may advertise liquor and related products and staff may wear promotional clothing. Promotional and educational materials may be given away.
- c) A liquor supplier/agency is allowed to sell or provide tastings of liquor products as follows:
 - i) Liquor tastings may be provided only to persons 18 years of age or older. Minors are not allowed to serve or to handle liquor.
 - ii) Liquor tastings must be provided from a display booth. The booth must be staffed at all times liquor is available.
 - iii) Liquor suppliers/agencies or their employees must not provide liquor while under the influence of liquor. Adequate measures must be taken to secure liquor supplies after-hours.
 - iv) All categories of liquor may be provided as samples. Maximum tasting sizes are:

beer	–	112 ml (4 oz.)
wine	–	56 ml (2 oz.)
spirits	–	14 ml (1/2 oz.)
liqueurs	–	14 ml (1/2 oz.)

 refreshment beverages:
 - i) alcohol by volume 8% or less: - 112 ml (4 oz.)
 - ii) alcohol by volume greater than 8%: - 56 ml (2 oz.)

6.6.2 A general merchandise liquor store (Class D licensee) may apply to sell liquor at a non-liquor industry trade show for off premises consumption. The licensee must obtain AGLC approval in advance, and meet all conditions of the approval.

SUBJECT: TRADE SHOWS

GUIDELINES

- 6.6.3 A licensee participating in a trade show must also comply with the trade show operator's requirements for display booths and liquor sampling.
- 6.6.4 Cooking demonstrations featuring liquor products on display or offered as samples may be conducted at the display booth or in a designated cooking area. Tasting of the prepared dishes is allowed.

SUBJECT: MARKET RESEARCH

POLICIES

- 6.7.1 A liquor supplier/agency may appoint an independent group or organization to conduct market research on their behalf.
- 6.7.2 Market research surveys are subject to the following conditions:
- a) A survey must not be:
 - i) used to directly or indirectly advertise a product, nor may the results be used in a public advertising program;
 - ii) used to communicate potentially damaging information about another company or product; and
 - iii) directed to or involve minors, if the survey is liquor-related.
 - b) A survey with a person-to-person, question-and-answer format may be conducted by telephone, in a private location or in a public area (e.g., in a shopping mall, on the street).
 - c) A survey which includes a product audit (taste test) may be conducted only in a private location acceptable to the AGLC (e.g., market research office, hotel meeting room or other location closed to the general public).
 - d) A market research organization conducting a taste test or a packaging audit (test of consumer response to a product's packaging) must meet all licence requirements (see Subsection 6.7.3).
 - e) A taste test:
 - i) may include liquor products not currently available for sale in Alberta, but have been processed by the AGLC (see Subsection 7.6.1c); and
 - ii) must not allow participants to consume more than a single serving of the liquor.

GUIDELINES

- 6.7.3 A taste test conducted in a non-licensed area requires a Private Non-Sale Special Event licence (see Subsection 8.2). This licence, which includes the words "Not for Consumption," authorizes transportation

SUBJECT: MARKET RESEARCH

of the liquor to and from the location of the taste test and possession of liquor at the location.

- 6.7.4 A market research organization conducting a survey may pay participants to take part.

SUBJECT: HOSTING NO SALE FUNCTIONS

POLICIES

- 6.8.1 A no sale function may be hosted by liquor suppliers/agencies or licensees at which invited guests may sample liquor.
- 6.8.2 Attendance at a no sale function must be by invitation only. There may be no advertising of the event.
- 6.8.3 If the event is to be held in an unlicensed location, the host must obtain a special event licence beforehand.
- 6.8.4 Liquor suppliers/agencies, other than a manufacturers, must have a hospitality licence issued by the AGLC to host no sale functions at their office premises.

SUBJECT: GENERAL INFORMATION

POLICIES

- 7.1.1 For all of Section 7:
- a) "Product Promotion" means activities within licensed premises designed to encourage the sale of specific brand(s) of liquor.
 - b) "liquor agency" includes all associated shareholders, directors, management, agents, and employees of liquor agencies and suppliers; and
 - c) "records" are electronic or paper documents that summarize a transaction and include the documents to support these transactions. These documents include, but are not limited to, financial statements, invoices, receipts, vouchers, contracts, cancelled cheques, credit card receipts, and emails. *(Added Apr 2016)*
- 7.1.2 A product promotion must not encourage the irresponsible use, consumption or service of liquor.
- 7.1.3 A licensee may participate in a liquor agency's local, regional, provincial or national corporate or brand promotion, with the following conditions:
- a) Product promotions must be directed to consumers or patrons of a licensed premises, with the exception of tasting (see Subsection 7.5) and sampling (see Subsection 7.6).
 - b) The promotion must take place in a licensed premise.
- 7.1.4 An exclusivity agreement between a liquor agency and a licensee for promotional activities at a community event or sporting venue requires the prior approval of the AGLC.
- 7.1.5 A product promotion may be co-sponsored by a third party.
- 7.1.6 Product promotions not specifically addressed in Section 7 require the prior approval of the AGLC.

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

POLICIES

7.2.1 A liquor agency is prohibited from directing any promotional activity or items to a licensee that could directly benefit the licensee or their staff, and a licensee may not request or accept any such inducements.

7.2.2 Licensees are prohibited from asking for or receiving items of value from an agency as an inducement to stock an agency's product, provide improved shelf positioning to an agency's brand of liquor or for any other consideration.

7.2.3 A liquor agency is prohibited from participating in any way in a licensee's customer loyalty program, and a licensee may not request that a liquor agency participate in such a program.

7.2.4 A liquor agency is prohibited from providing a licensee with a reduced rate for accommodation at a winery, brewery or distillery, or any other place they own, represent or have an interest in.

7.2.5 A liquor agency is prohibited from paying:

- a) a licensee's registration fees, conference fees, tuition or similar costs, except for a seminar or training event which is:
 - i) organized by the liquor agency;
 - ii) held within Alberta; and
 - iii) open to all licensees, or specified class(es) of licensees.
- b) any portion of a licensee's travel expenses, either directly or indirectly, whether for business, vacation or a combination of both; except for local transportation costs (e.g. taxi) to and from a manufacturing facility. *(Amended Apr 2016)*

Note: Travel expenses include, but are not limited to, any costs associated with air or ground transportation and accommodation while away from home, except for local transportation costs (e.g. taxi) to and from a manufacturing facility. *(Amended Apr 2016)*

7.2.6 A liquor agency may not offer or provide to a licensee:

- a) cash, rebates, coupons or credits of any monetary value;
- b) a deposit into any account held by the licensee, directly or indirectly;

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

- c) free liquor products, other than for sampling purposes as specified in Section 7.6; or
- d) compensation for expenses related to:
 - i) interior decorating (e.g., painting, draperies, carpeting, decor), renovations or maintenance to a licensed premises, or any other property owned, rented or leased by a licensee or anyone directly or indirectly involved with the licensee;
 - ii) furniture, equipment, or fixtures (except racks noted in Subsection 7.2.9.1); *(Amended Aug 2013)*
 - iii) refrigeration or dispensing equipment (except refrigerators noted in Subsection 7.2.9.1; dispensing equipment noted in 7.2.9.2 and tap handles noted in 7.2.10) *(Amended Feb 2018)*
 - iv) menu printing; or
 - v) other items considered essential to operating a licensed premises (see Section 7.2.10).

7.2.6.1 A liquor agency may provide interior signs displaying the agency's brand to licensees. However, an agency is not permitted to provide signs that display the licensee's business name or signs necessary for the operation of the business (e.g. entry/exit signs and bathroom signs). *(Added Apr 2016)*

7.2.7 A liquor agency may offer a licensee tickets to sporting, cultural or entertainment events, with the following conditions:

- a) tickets must be for events not normally paid for by the licensee.
- b) tickets with an individual value of more than \$500 require the prior approval of the AGLC; and
- c) no season tickets may be provided.

7.2.8 A licensee may not accept any offer from a liquor agency or a country's representative (political or non-political) to pay travel expenses specified in Subsection 7.2.5 or any other costs for the licensee, their staff or agents to attend a seminar, convention, meeting or exhibition outside Alberta.

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

7.2.9 Liquor agencies and licensees are also responsible to comply with related requirements in the GLR, Sections 80 to 85.

7.2.9.1 Liquor agencies may provide a Class D Retail Liquor Store licensee with promotional refrigeration and racking that is portable and standalone. The following specifications regarding the equipment must be met:

a) Refrigerators:

- i) a maximum size of 12 cubic feet;
- ii) a maximum of two refrigerators from one particular agency;
- iii) a maximum of four, agency-provided refrigerators in a licensed premises;
- iv) ownership of the refrigerators must remain with the agency(s); and
- v) services associated with the installation or maintenance of the refrigerators (i.e. electrical and power) must be the sole responsibility of the licensee.

b) Racks:

- i) a maximum size of 36 inches x 48 inches x 72 inches;
- ii) a maximum of two racks from one particular agency;
- iii) a maximum of four, agency-provided racks in a licensed premises
- iv) ownership of the racks must remain with the agency(s); and
- v) services associated with the installation of the racks (i.e. electrical and power) must be the sole responsibility of the licensee. *(Added, Aug. 2013)*

7.2.9.2 An agency may loan towers and proprietary branded dispensing equipment non-essential to the operation of a licensed premises to a licensee. Proprietary branded dispensing equipment is defined as:

- a) stand-alone;
- b) maximum dispensing capacity not to exceed 10 litres;

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

- c) not utilized as the licensee's primary dispensing method; and
- d) services associated to the equipment, including power or any other installation, must be the sole responsibility of the licensee.

(Added Feb. 2018)

7.2.9.3 A loan agreement must be in place and specify the type of equipment being loaned and the term of the agreement. Loan agreements can take any form as long as they contain the aforementioned information. The loan agreement must be provided to the AGLC on request. A Buy/Sell Agreement is not to be used as a loan agreement. *(Added Apr 2016)*

7.2.10 A liquor agency may provide a licensee with non-essential items, including:

- aprons or hats for staff
- bar towels
- bottle openers and corkscrews
- interior branded signs (must not contain or display the licensee's business name)
- clocks
- coasters
- condiment caddies
- draught tap handles
- drip mats
- flags, pennants and banners
- fruit slicers
- glasses and mugs
- ice buckets
- inflatables
- lapel pins
- mirrors
- napkins
- patio umbrellas
- place mats
- posters
- promotional fridges (see Sec. 7.2.9.1a)
- promotional racks (see Section 7.2.9.1b)
- sandwich boards
- serving trays
- tent cards and inserts

(Amended Apr 2016)

7.2.11 The following conditions apply to the non-essential items listed in subsection 7.2.10:

- a) branding and co-branding of these items is permitted;
- b) if liquor pricing is stated on any of these items, the prices must match those on the menu or the posted price and must be determined by the licensee; and

SUBJECT: PROHIBITED INDUCEMENTS AND BENEFITS

c) they cannot be sold to customers.

(Added Apr 2016)

GUIDELINES

7.2.12 Liquor agencies and licensees may contact the AGLC if unsure whether an item is considered essential or non-essential.

SUBJECT: BUY/SELL AGREEMENTS (BSA)

POLICIES

7.3.1 "BSA" means a document establishing the terms and conditions under which a liquor agency will provide a licensee with promotional items for its customers in exchange for the licensee promoting a specific brand(s) of liquor.

7.3.2 All promotional items provided by an agency to a licensee must be part of a BSA, except liquor for tastings conducted by the liquor supplier (see Subsection 7.5) and added-value items for existing inventory (Subsection 7.8). The following conditions apply:

- a) All promotional items included in a BSA can only be directed to consumers and conform to applicable legislation and Board policies.
 - i) Liquor products may be provided as a draw prize or give-away item in Class D Retail and General Merchandise Liquor Stores. *(Amended Mar 2014)*
 - ii) A licensee conducting a promotion on behalf of a liquor supplier must keep a written record of the name, address and telephone number of every person who receives a give-away item with a wholesale value of more than \$100.
 - iii) Cash, cheques, gift cards or prepaid credit cards are prohibited as promotional items and cannot form any part of a BSA. *(Amended Apr 2016)*
- b) A BSA cannot exclude or prohibit any competitor's product(s), unless specifically approved by the Board.
- c) A BSA must be documented, verifiable and include all of the following information:
 - i) name and registration number of liquor supplier/agency;
 - ii) name, licence number and class of licensed premises;
 - iii) duration of agreement (maximum 12 months);
 - iv) list of promotional items, the value of each item, and/or services provided and their retail value; and

SUBJECT: BUY/SELL AGREEMENTS (BSA)

- v) the terms of the agreement, specifying product brands and quantities (i.e., "while supplies last" or words to that effect are not acceptable).

7.3.3 A copy of a BSA must be kept by the agency and by the licensee on the licensed premises, and provided to the AGLC immediately on request. If the liquor agency or licensee has multiple locations, a copy of the BSA must be kept at each agency's location and each licensed premises (original to be provided on request).

7.3.4 A BSA that complies with these policies does not require AGLC approval.

7.3.5 A BSA must be kept for a minimum of two (2) years after the expiry of the agreement. *(Amended Apr 2016)*

GUIDELINES

7.3.6 An acceptable format for a BSA is provided in Subsection 11.8.

7.3.7 The effective period of a BSA may be extended if both parties agree. The change of date must be initialled by both the liquor supplier and the licensee on the original document, and must not exceed 12 months.

SUBJECT: LICENSEE PROMOTIONS

POLICIES

7.4.1 A licensee may conduct promotional activities in the licensed premises with the following conditions:

- a) Free liquor may not be awarded as a prize in a Class A, B or C licensed premises.
- b) A sealed bottle of liquor may be awarded as a prize on a Class D licensed premises, for off premises consumption.
- c) The purchase or consumption of liquor cannot be required in order to participate in a competition, contest, draw, giveaway or similar promotion, and participants must be told that there is no such requirement.
- d) Participants may be required to be present at the time of a draw in order to receive a prize. However, the time, date and place of the draw must be clearly displayed on the premises.

7.4.2 A liquor supplier may donate liquor or merchandise for a bona fide charitable fundraising event or activity on a licensed premises, with the following conditions:

- a) the liquor supplier and licensee must have a written buy/sell agreement (see Subsection 7.3);
- b) all liquor purchased must be from a Class D licensee or otherwise approved by the AGLC;
- c) charitable receipts cannot be issued; and
- d) all profits from the event or activity must be turned over to the charity.

GUIDELINES

7.4.3 There is no limit to the quantity of merchandise and/or liquor that may be donated in support of charitable fundraising.

SUBJECT: LIQUOR TASTING

POLICIES

7.5.1 A liquor tasting is an activity that allows patrons the opportunity to taste featured liquor products. Liquor tastings may be conducted on a Class A, B, C, D or E licensed premises under the following conditions:

- a) minors are not provided liquor;
- b) no one is served the product to the point of intoxication;
- c) the server has valid ProServe certification; and
- d) tasting records are provided to AGLC on request. *(Added Mar 2018)*

7.5.2 Maximum tasting sizes are as follows:

beer and ciders – 112 ml (4 oz.); *(Added Mar 2018)*

refreshment beverages (e.g. coolers/premixed) – 112 ml (4 oz.);
(Amended Mar 2018)

wine – 56 ml (2 oz); *(Amended Mar 2018)*

spirits – 14 ml (1/2 oz); and

liqueurs – 14 ml (1/2 oz).

7.5.3 Liquor agencies are not licensed to sell liquor and as a result may not charge a fee to customers for liquor tastings. This includes tastings conducted by a Class D licensee on behalf of an agency. *(Added Dec 2018)*

7.5.4 A liquor agency may provide free individual tastings of liquor to patrons on a Class A, B, C, D or E licensed premises with the following conditions:

- a) the liquor used for the tastings:
 - i) must be purchased from the licensee, at the licensee's cost of the product, or
 - ii) may be an unfinished product from a previous tasting(s) at another location(s), if the licensee permits the agency to use the product; *(Added Mar 2018)*
- b) the liquor agency or its employee must be present on the licensed premises;

SUBJECT: LIQUOR TASTING

- c) the booth or area from which the tastings are offered must be staffed;
- d) the tastings may be served by the liquor agency's employee or the licensee;
- e) the liquor agency must maintain a written record of the tasting including:
 - i) the date, time and location; and
 - ii) the liquor product(s) along with the quantity and cost.

(Added Mar 2018)

7.5.5 A Class D licensee may conduct free tastings of liquor to patrons on behalf of a liquor agency, with the following conditions:

- a) the liquor agency and the licensee must have a written buy/sell agreement (BSA) (see Subsection 7.3). The BSA must:
 - i) specify the date, time and location of the tasting; *(Amended Mar 2018)*
 - ii) identify the liquor product(s) that will be offered along with the quantity and the licensee's cost for the product(s); *(Amended Mar 2018)*
 - iii) identify staffing costs specific to the tasting (i.e., wages, benefits and administrative costs to a maximum of \$25/hour); and *(Amended Mar 2018)*
 - iv) be signed by both the liquor agency and licensee before the tasting can take place.
- b) the liquor agency representing the product(s) being tasted may be involved in the tasting; and *(Amended Dec 2018)*
- c) items charged by the licensee to the liquor agency are limited to staffing costs and the licensee's cost of the product(s) being tasted. *(Added Mar 2018)*

7.5.6 A Class D licensee may conduct its own liquor tastings, independent of a liquor agency, and charge a fee to its customers, with the following conditions:

- a) experts (e.g. manufacturer/agency representative) of the liquor product being tasted may be involved in the tasting for consumer education; *(Amended Dec 2018)*

SUBJECT: LIQUOR TASTING

- b) the licensee is not allowed to charge back the costs of a tasting to a liquor agency;
- c) *(Deleted Dec 2018)*
- d) the licensee must maintain a written record of the tasting, including:
 - i) the name of the liquor product(s) tasted, the quantity and licensee's cost of the product(s);
 - ii) date and time of the tasting;
 - iii) fee to customers; and
 - iv) itemized list of staffing, educational and food costs. *(Added Mar 2018)*
- e) any fees or ticket charges to customers must be based on cost recovery only. See Section 7.5.7 for permitted cost recovery items.

7.5.7 Cost recovery items are limited to:

- a) licensee's cost for the liquor products(s) being tasted. This includes costs associated with transportation, warehousing and associated costs incurred to provide the product for sale at retail. This cost is reflected in the average retail cost of the product. Prices may not be artificially inflated to create a profit. *(Added Mar 2018)*
- b) allowable food items in a Class D premises, which must be snack-sized portions that complement the liquor being tasted. Full course meals (catered or otherwise) are not permitted. *(Amended Dec 2018)*
- c) educational and staffing costs (i.e. wages, benefits and administrative costs to a maximum of \$25/hour).

GUIDELINES

- 7.5.8** A Class D licensee may provide a patron with a sealed 50 ml bottle of spirits for off premises tasting.

SUBJECT: PRODUCT SAMPLING

POLICIES

7.6.1 A liquor agency may provide a licensee with liquor products for sampling, with the following conditions:

- a) Product samples are for consumption by the licensee and cannot be sold to patrons of the licensed premises.
- b) The maximum sample size for each brand of liquor is:
 - beer – 36 X 355 ml bottles, or the smallest keg used by the supplier/agency (approved container), or equivalent
 - refreshment beverages - 36 X 355 ml bottles, or equivalent
 - wine – 4 X 750 ml bottles, or equivalent
 - spirits – 2 X 750 ml bottles, or equivalent
 - liqueurs – 2 X 750 ml bottles, or equivalent
- c) Liquor products for sampling must be purchased from the AGLC to qualify for the wholesale price. Product samples may also be purchased from a Class D licensee at a price that is equivalent to the licensee's cost. (See Section 3.16 of the Liquor Agency Handbook for information on procurement of samples.) *(Amended Apr 2016)*
- d) The liquor agency must keep a written record of sampling activities, including the date, name and location of the licensed premises where the products for sampling were provided, the type, size and quantity of the products and the cost. These records must be provided to the AGLC on request.
- e) A licensee may be provided with samples of a specific product only twice per calendar year. *(Amended Apr 2016)*

7.6.2 A liquor agency or licensee may host a no-sale function for liquor sampling, with the following conditions:

- a) Attendance must be by invitation only.
- b) No public advertising is allowed.
- c) A no-sale function at an unlicensed location requires a Private Non-Sale Special Event licence (see Subsection 8.2).

SECTION: PRODUCT PROMOTION

NUMBER: 7.6

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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SUBJECT: PRODUCT SAMPLING

- d) A no-sale function at a licensee's office premises requires a hospitality licence from the AGLC, unless the host is a liquor manufacturer.

DATE ISSUED: April 8, 2016

AUTHORITY: Original signed by
Susan Green

SUBJECT: GENERAL PRODUCT PROMOTIONS

POLICIES

7.7.1 A product promotion may involve a contest, competition or draw, and may be administered by a licensee on behalf of a liquor agency with the following conditions:

- a) All patrons who enter a contest, competition or draw must be eligible under the conditions set by the liquor agency. Minors are not eligible.
- b) Participation cannot be conditional on the purchase or consumption of liquor.
- c) All promotional items provided to a licensee by a liquor agency must be used only for the specified contest, competition or draw.
- d) The closing date of a contest, competition or draw must be posted in the licensed premises.
- e) All draws must take place in the licensed premises on the date and time advertised (except draws conducted by the liquor agency).

7.7.2 Both the liquor agency and the licensee providing promotional give-away items must ensure the items reach patrons as intended and must meet the following conditions:

- a) both the liquor agency and the licensee must maintain records of every promotional activity in a licensed premises involving a give-away item with an individual wholesale value of more than \$100. The records must include the name of the licensed premises, a description of the give-away item and its wholesale value. The records must be provided to the AGLC on request;
- b) a licensee conducting a promotion on behalf of a liquor agency must keep a written record of the name, address and telephone number of every person who receives a give-away item with a wholesale value of more than \$100. The records must be provided to the AGLC on request; and
- c) all records regarding promotions must be kept for a minimum of two years. *(added Apr 2016)*

SUBJECT: GENERAL PRODUCT PROMOTIONS

7.7.3 A liquor agency may provide a licensee with clothing items with corporate or brand logos for staff to wear during a promotion (e.g., t-shirts, aprons, sweatshirts). The clothing items:

- a) must have a maximum \$50 wholesale cost per item); *(amended Apr 2016)*
- b) cannot become a mandatory “uniform”; and
- c) may be kept by the licensee when the promotion ends.

7.7.4 A licensee may reduce the price of one or more products as part of a promotion, as long as the price complies with the minimum prices specified in Section 5.2 of the Licensee Handbook.

7.7.5 A liquor agency may provide the general public with liquor vouchers redeemable only at Class D licensed premises for the purpose of promoting a specific brand, with the following conditions:

- a) The maximum amount of liquor that can be exchanged for a voucher is as follows:
 - Beer – 6 x 355 ml bottles, or equivalent;
 - Coolers – 4 x 355 ml bottles, or equivalent;
 - Wine – 1 x 750 ml bottle, or equivalent;
 - Refreshment Beverages – 1 x 750 ml bottle, or equivalent;
 - Spirits – 1 x 375 ml bottle, or equivalent; and
 - Liqueurs – 1 x 375 ml bottle, or equivalent.
- b) A liquor agency may not provide a licensee with a redemption fee.
- c) Vouchers may not be distributed on-pack, in-pack or near-pack as an added-value item (see Subsection 6.8).
- d) Receipt of a voucher must not be conditional on the purchase of a liquor agency's product.
- e) Voucher recipients must not be directed to a specific licensee or to a specific chain of retail liquor stores to redeem their vouchers.

GUIDELINES

7.7.6 There is no limit to prize value.



Choices Albertans can trust.

SECTION: PRODUCT PROMOTION

NUMBER: 7.7

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

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SUBJECT: GENERAL PRODUCT PROMOTIONS

- 7.7.7 The liquor agency is not required to be present during voucher product promotions.
- 7.7.8 A licensee has the right to decide whether or not to participate in a voucher promotion.

DATE ISSUED: April 8, 2016

AUTHORITY: Original signed by Susan Green

SUBJECT: ADDED-VALUE PRODUCT PROMOTIONS

POLICIES

7.8.1 An "added-value promotion" promotes a specific brand of liquor by offering consumers who purchase the brand at a retail liquor outlet a second item at no charge.

7.8.2 Acceptable added-value items include:

- a) Liquor
 - i) A liquor agency may provide liquor added-value items to Class D licensees only. The liquor agency must maintain a record of all added-value liquor provided.
 - ii) The words "SAMPLE" or "NOT FOR RESALE" must be clearly and permanently marked on the container of the added-value item, either in non-removable ink on the label or on a non-removable tag affixed to the container, in a type size the same or larger than the largest type used on the product label. A licensee may not deface, remove or attempt to remove the label or tag.
 - iii) The quantity of liquor provided as an added-value item must normally be no more than a single serving (i.e., 50 ml of distilled spirits, 200 ml of wine, or 355 ml of beer), and its value may not exceed the 15% maximum value allowed under Subsection 7.8.4b), unless otherwise approved in writing by the AGLC.
 - iv) Added-value liquor items are subject to regular provincial mark-ups.
- b) Money-off coupons for:
 - i) a liquor product, redeemable only by the liquor agency or a third party (i.e., coupon clearing house); or
 - ii) a non-liquor product, redeemable by the liquor agency or by non-liquor retailer of the product.
- c) Non-perishable food items (e.g., packaged snack food, food seasoning, powdered drink mix)
- d) Objects of nominal value, either:

SUBJECT: ADDED-VALUE PRODUCT PROMOTIONS

- i) liquor-related (e.g., corkscrew, bottle opener, wine glass, beer mug or shot glass); or
- ii) not liquor-related (e.g., key ring, golf ball decal, figurine, CD, etc.).

7.8.3 An added-value promotion may be conducted as an on-pack, in-pack or near-pack promotion:

a) On-Pack

- i) A liquor on-pack item must be attached to the liquor product with a plastic ring, elastic band, shrink wrap or similar by:
 - the liquor agency, at its plant;
 - the liquor agency's employee; or
 - Connect Logistics Services Inc., at the Liquor Distribution Centre in St. Albert (a fee is charged for this service).
- ii) A non-liquor on-pack item may be attached to the liquor product by the staff of a retail liquor store by arrangement with the liquor agency.

b) In-Pack

An in-pack item must be placed within the packaging of the liquor product (e.g., a case of beer or wine box) by the liquor agency at its plant.

c) Near-Pack

- i) A near-pack item must be purchased, supplied and delivered to the retail liquor outlet by the liquor agency or the supplier of the item.
- ii) The item must be offered only with the purchase of the specified product. *(Amended Apr 2016)*

7.8.4 A liquor agency may conduct an added-value promotion in a retail liquor outlet (i.e. a Class D licensed premises or Duty Free Store), with the following conditions:

- a) The promotion must be directed at consumers.

SUBJECT: ADDED-VALUE PRODUCT PROMOTIONS

- b) The cost of an added-value item must not exceed 15 per cent of the wholesale price of the liquor product being promoted, whether provided by the liquor agency or by a third party. A redemption rate may not be factored in when calculating cost.
- c) Only one added-value item may be offered with the purchase of each bottle or unit (e.g., case of beer) of the liquor being promoted.
- d) Added-value items cannot be changed based on the amount of liquor purchased. For example, if an added-value item associated with a particular liquor product is a bottle opener and a customer buys 3 bottles of the product, a customer is entitled to three bottle openers, not another value-added item of a higher value. *(Amended Apr 2016)*
- e) Added-value items provided by an agency may not be:
 - i) removed from a liquor product by a licensee;
 - ii) offered for sale separately; or
 - iii) provided to a licensee or licensee staff for their personal use or benefit (see Subsection 7.8.10).
- f) A liquor agency may not purchase, order or obtain any item to be used in an added-value promotion from any business in which a participating Class D licensee has a direct or indirect interest.

7.8.5 A Class D licensee may conduct their own added-value promotion, independent of a liquor agency, with the following additional conditions:

- a) The items provided are of nominal value;
- b) The items are those included on the list of acceptable non-liquor products approved for sale in the retail outlet (see Subsection 4.3.4);
- c) The items may identify the licensee's premises; and.
- d) Money-off coupons for liquor purchases are acceptable.

7.8.6 Tobacco products are prohibited as an added-value item.

SUBJECT: ADDED-VALUE PRODUCT PROMOTIONS

- 7.8.7 No aspect of a licensee's business may be used as an added-value item, either directly or indirectly, without the prior approval of the Board (e.g., coupon for money off a purchase at a licensed premises operated by the licensee; coupon for money off a ski lift ticket at a ski hill operated by the licensee).
- 7.8.8 Added-value promotions which do not comply with all of the policies in this section require the prior approval of the AGLC.
- 7.8.9 The Board reserves the right to set limits on the quantity of liquor provided to a licensee for an added-value promotion.
- 7.8.10 Added-value items may not be taken by a licensee for their personal use or provided to staff.

SECTION: SPECIAL EVENT LICENCES

NUMBER: 8.1

GENERAL MERCHANDISE LIQUOR STORE HANDBOOK

PAGE 1 OF 1

SUBJECT: GENERAL INFORMATION

(Deleted May 2018)

PLEASE SEE AGLC.CA FOR INFORMATION REGARDING SPECIAL EVENT LICENCES

DATE ISSUED: May 15, 2018

AUTHORITY: Original signed by
Gael MacLeod

SUBJECT: GENERAL INFORMATION

POLICIES

- 9.1.1 A licensee must give AGLC Inspectors full and unrestricted access to the licensed premises at any reasonable time (i.e. during regular business hours or at another time when people are present).
- 9.1.2 A licensee and their staff must not interfere in any way with AGLC Inspectors performing their duties. The licensee is required to cooperate fully, including answering all reasonable questions regarding the management and operation of the licensed premises.
- 9.1.3 A licensee must allow AGLC Inspectors and officials to examine and make copies of all liquor records, and if necessary, to remove records from the licensed premises for further review.
- 9.1.4 When an AGLC Inspector finds a licensee in contravention of the GLA, the GLR or Board policy, the Inspector may request the licensee to take appropriate steps to comply with the legislation or policy.
- 9.1.5 Any alleged violation observed by an AGLC Inspector or a report of potential problems received from police, fire, health, other government official or the general public will be investigated and may result in an Incident Report (see Subsection 10.1).

GUIDELINES

- 9.1.6 AGLC Inspectors visit licensed premises to:
- a) check for compliance with the GLA, GLR and Board policies;
 - b) confirm no structural changes have been made to the premises affecting compliance with the licence;
 - c) advise licensees who want to apply for a new class of licence, a licence endorsement or a licence extension;
 - d) investigate complaints;
 - e) conduct audits on licensee books and records;
 - f) conduct training seminars; and
 - g) respond to licensee concerns about the operation of the licensed premises.
- 9.1.7 Inspections provide licensees with an opportunity to discuss with AGLC Inspectors:

SUBJECT: GENERAL INFORMATION

- a) proposed structural changes;
- b) sale of the licensed premises;
- c) change in shareholders or management; and/or
- d) any questions they might have about the GLA, the GLR and Board policies.

9.1.8 All AGLC Inspectors carry photo identification while on duty. A licensee may ask to see an Inspector's identification before providing any information.

9.1.9 AGLC Inspectors are available to meet with licensees to assist them in the interpretation of legislation and Board policies; however, Inspectors may report any violations they observe to the Board.

9.1.10 The AGLC supports and encourages police "walk through" programs. Every police officer is considered an Inspector under the GLA, and licensees and their staff are required to cooperate fully with police officers who enter the licensed premises.

SUBJECT: LIQUOR SEIZURE AND ANALYSIS

POLICIES

- 9.2.1 Unauthorized or illegal liquor is not permitted in a licensed premise.
- 9.2.2 Unauthorized or illegal liquor includes, but is not limited to, liquor that has been:
- a) obtained from an unauthorized source;
 - b) adulterated (diluted with water or mixed with another liquor product or substance not requested by a patron);
 - c) re-labelled by a licensee; or
 - d) provided to a licensee as an added-value item then offered for sale.
- 9.2.3 Any unauthorized or illegal liquor products found in a licensed premise will be seized immediately.
- 9.2.4 An Inspector will submit an Incident Report (see Subsection 10.1) which may result in disciplinary action up to and including suspension or cancellation of licence.

GUIDELINES

- 9.2.5 Seized liquor is noted by the Inspector on a Liquor Seizure Receipt form and removed from the licensed premises. The licensee is required to witness the form.
- 9.2.6 The liquor may be analyzed to confirm it has not been adulterated.

SUBJECT: INCIDENT REPORTS

GUIDELINES

- 10.1.1 An AGLC Inspector who observes an alleged violation may prepare an Incident Report detailing the circumstances.
- a) The Incident Report will be dated when all evidence has been obtained and the investigation is finalized.
 - b) A copy of the Incident Report will be hand delivered or mailed to the licensee within 17 working days of the date it is finalized.
 - c) If a licensee or manager is not on the licensed premises when an Inspector observes the alleged violation or when a covert undercover (secret) inspection is carried out, the Inspector will attempt to notify the licensee, manager or employee in charge within two (2) working days of completing the Incident Report.
- 10.1.2 The Chief Executive Officer or delegate may propose a penalty or refer the Incident Report to the Board for review and decision where circumstances warrant (see Subsection 10.2).
- 10.1.3 On reviewing an Incident Report, the Board may decide to impose a penalty with or without a hearing (see Subsections 10.2 and 10.3).

SUBJECT: NOTICE OF ADMINISTRATIVE SANCTION

POLICIES

Board-Imposed Administrative Sanctions

10.2.1 The Board may discipline a licensee for alleged violation(s) by imposing administrative sanctions. Under Section 91(2) of the GLA, the Board may do any of the following without a Board hearing:

- a) issue a warning;
- b) impose conditions on a licence or remove or change the existing conditions on a licence;
- c) impose a fine on a licensee of up to \$200,000 and refuse to issue or reinstate a licence until the fine is paid; and/or
- d) suspend or cancel a licence.

10.2.2 Where the Board imposes administrative sanctions without a hearing, the licensee will receive written notice and related documentation including, but not limited to:

- a) copy of the Incident Report;
- b) Administrative Sanctions Guidelines; and
- c) Waiver of Board Hearing Witnesses form.

10.2.3 Where the Board imposes administrative sanctions without a hearing and the licensee requests a hearing, the hearing will be scheduled within sixty (60) days.

10.2.4 Where the Board determines a hearing is warranted, the licensee will receive written notice and related documentation including, but not limited to:

- a) Notice of Hearing letter;
- b) copy of the Incident Report;
- c) Administrative Sanctions Guidelines; and
- d) Waiver of Board Hearing Witnesses form.

Administrative Sanctions Imposed by the CEO

10.2.5 Under Section 17(1) of the GLA, the Board may delegate the Chief Executive Officer (CEO) to:

- a) issue a warning;

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AUTHORITY: Original signed by Marguerite Trussler

SUBJECT: NOTICE OF ADMINISTRATIVE SANCTION

- b) impose conditions on a licence or remove or change the existing conditions on a licence; or
- c) impose administrative sanctions, including fines and suspensions.

10.2.6 The CEO may sub-delegate authority to:

- a) issue a warning;
- b) impose conditions; or
- c) impose administrative sanctions.

10.2.7 Where the CEO imposes an administrative sanction, the licensee will receive:

- a) Notice of Administrative Sanction including, as applicable, the amount of a fine and payment due date(s);
- b) Consent to Administrative Sanction form;
- c) copy of the Incident Report;
- d) Administrative Sanctions Guidelines (attached); and
- e) Waiver of Board Hearing Witnesses.

10.2.8 On receiving a Notice of Administrative Sanction and supporting materials, a licensee may respond in one of the following ways.

- a) Accept the Incident Report as written and the administrative sanction. The licensee must return the completed Consent form [see Subsection 10.2.7b)] to the AGLC within fourteen (14) calendar days of the date on the Notice (no Board hearing will be held).
- b) Accept the Incident Report, but proceed with a Board hearing to dispute the administrative sanction (see Subsection 10.3). The licensee must sign and return the Waiver of Board Hearing Witnesses form.
- c) Dispute the Incident Report and proceed with a Board hearing (see Subsection 10.3).

SUBJECT: NOTICE OF ADMINISTRATIVE SANCTION

Seized Liquor

- 10.2.9 A licensee who consents to administrative sanctions imposed by the Board or the CEO forfeits any seized liquor to the AGLC for destruction.
- 10.2.10 The Board has established Administrative Sanction Guidelines for specific violations. Administrative sanctions may vary from the guidelines at the discretion of the Board, depending on the circumstances of the violation.

SUBJECT: BOARD HEARINGS

POLICIES

10.3.1 A Board will schedule a hearing when:

- a) the Board decides to convene a hearing rather than proceeding to consider the matter without a hearing;
- b) a licensee receives notice of a penalty imposed by the Board or the CEO, and the licensee requests a hearing; or
- c) a licensee receives notice of a proposed administrative sanction from the CEO and the licensee does not return a completed Consent to Proposed Specified Penalty form within 14 calendar days.

10.3.2 A licensee may waive a requirement for AGLC witnesses by completing a Waiver of Hearing Witnesses form.

- a) By signing the Waiver form, the licensee accepts the Incident Report as written and waives the need to call AGLC witnesses (see Subsection 10.2.7). After a waiver is signed, the licensee may not call any witnesses with respect to facts in the Incident Report. The licensee may, however, call witnesses on the subject of the penalty.
- b) A licensee who signs the Waiver form is not required to personally attend the Board hearing. They may submit a written presentation to the Board if they wish.
- c) Whether or not the licensee signs the Waiver form, witnesses may be called by the Hearing Panel, licensee and/or the Regulatory Division on matters not covered in the Incident Report.

10.3.3 As a result of a hearing, the Board may decide to:

- a) find the alleged infraction occurred and impose a penalty;
- b) dismiss the allegation;
- c) confirm a previous imposed penalty;
- d) amend or alter the original decision with a new decision; or
- e) cancel the original decision.

SUBJECT: BOARD HEARINGS

10.3.4 The Hearing Panel must provide the licensee with a written copy of the hearing results and its reasons for confirming, changing or cancelling the original decision.

Non-Disciplinary Matters

10.3.5 Under Section 94(1) of the GLA, any licensee who disagrees with a Board decision has the right to request a hearing before the Board. This includes a Board decision unrelated to a disciplinary matter, such as an application for a licence extension or conditions imposed on a licence. The licensee must apply for the hearing in writing within 30 days of receiving notice of the Board's decision. The application must describe the issue and provide the licensee's reasons for requesting the hearing. A Board hearing will be scheduled within 60 days of receiving a licensee's application. The licensee may attend the hearing and make representations to the Hearing Panel.