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c 15 Liquor Licence Act, 1990

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CHAPTER 15

An Act to revise the Liquor Licence Act and to amend the law relating to Liquor

Assented to June 28th, 1990

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

"alcohol" means a product of fermentation or distillation of grains, fruits or other agricultural products, and includes synthetic ethyl alcohol;

"beer" means any beverage containing alcohol in excess of the prescribed amount obtained by the fermentation of an infusion or decoction of barley, malt and hops or of any similar products in drinkable water;

"Board" means the Liquor Licence Board of Ontario;

"government store" means a government store established under the *Liquor Control Act*;

"licence" means a licence issued under this Act;

"liquor" means spirits, wine and beer or any combination thereof and includes any alcohol in a form appropriate for human consumption as a beverage, alone or in combination with any other matter;

"manufacturer" means a person who produces liquor for sale;

"municipality" means a city, town, village or township;

"Ontario wine" means,

(a) wine produced from grapes, cherries, apples or other fruits grown in Ontario or the concentrated juice thereof and includes Ontario wine to which is added herbs, water, honey, sugar or the distillate of Ontario wine or cereal grains grown in Ontario,

R.S.O. 1980, c. 243
(b) wine produced by the alcoholic fermentation of Ontario honey, with or without the addition of caramel, natural botanical flavours or the distillate of Ontario honey wine, or

(c) wine produced from a combination of,

(i) apples grown in Ontario or the concentrated juice thereof to which is added herbs, water, honey, sugar or the distillate of Ontario wine or cereal grains grown in Ontario, and

(ii) the concentrated juice of apples grown outside of Ontario,

in such proportion as is prescribed;

“permit” means a permit issued under this Act;

“prescribed” means prescribed by the regulations;

“regulations” means the regulations made under this Act;

“sell” means to supply for remuneration, directly or indirectly, in any manner by which the cost is recovered from the person supplied, alone or in combination with others, and “sale” has a corresponding meaning;

“spirits” means any beverage containing alcohol obtained by distillation;

“wine” means any beverage containing alcohol in excess of the prescribed amount obtained by the fermentation of the natural sugar contents of fruits, including grapes, apples and other agricultural products containing sugar, and including honey and milk.

BOARD

2.—(1) The Liquor Licence Board is continued as the Liquor Licence Board of Ontario.

(2) The Board shall consist of not more than nine members appointed by the Lieutenant Governor in Council.

(3) The Lieutenant Governor in Council may designate one member of the Board as chair and one or more members as vice-chairs.

(4) The chair is the chief executive officer of the Board.
(5) If the chair is absent or is unable to act, a vice-chair designated by the chair shall have all the powers and duties of the chair.

(6) The members of the Board shall be appointed to hold office for a term not exceeding five years and may be reappointed for further successive terms not exceeding five years each.

(7) The members of the Board shall be paid such remuneration as may be fixed by the Lieutenant Governor in Council.

(8) The Board is a corporation to which the Corporations Act does not apply.

(9) The Board shall perform such duties as are assigned to it under this and any other Act and shall administer and enforce this Act and the regulations.

(10) The Board may employ such persons as are considered necessary and may, subject to the approval of the Lieutenant Governor in Council, establish job categories, salary ranges and terms and conditions of employment.

(11) The revenues of the Board shall be paid to the Treasurer of Ontario and the money required for the expenditures of the Board shall be paid out of the money appropriated therefor by the Legislature.

3.—(1) A function referred to in this Act or the regulations as being performed by a member of the Board may be performed by one or more members designated by the chair of the Board.

(2) A function referred to in this Act or the regulations as being performed by an employee of the Board may be performed by one or more employees designated by the chair of the Board.

4. For the purposes of the Crown Employees Collective Bargaining Act, and subject to any further designation under that Act,

(a) the persons employed in the work of the Board are designated as a unit of employees that is an appropriate bargaining unit for collective bargaining purposes; and
(b) the Ontario Liquor Boards Employees’ Union is designated as the employee organization that has representation rights in relation to the bargaining unit.

LICENCES AND PERMITS

5.—(1) No person shall keep for sale, offer for sale or sell liquor except under the authority of a licence or permit to sell liquor or under the authority of a manufacturer’s licence.

(2) No person shall canvass for, receive or solicit orders for the sale of liquor unless the person is the holder of a licence or permit to sell liquor or unless the person is the holder of a licence to represent a manufacturer.

(3) No person shall deliver liquor for a fee except under the authority of a licence to deliver liquor.

(4) Subsections (1), (2) and (3) do not apply to the sale or delivery of liquor by or under the authority of the Liquor Control Board of Ontario under the Liquor Control Act.

6.—(1) A person may apply to the Board for a licence to sell liquor.

(2) Subject to subsection (4), an applicant is entitled to be issued a licence to sell liquor except if,

(a) having regard to the applicant’s financial position, the applicant cannot reasonably be expected to be financially responsible in the conduct of the applicant’s business;

(b) the applicant is not a Canadian citizen or a person lawfully admitted to Canada for permanent residence and ordinarily resident in Canada;

(c) the applicant is a corporation and a majority of the members of the board of directors are not Canadian citizens or persons lawfully admitted to Canada for permanent residence and ordinarily resident in Canada;

(d) the past or present conduct of the persons referred to in subsection (3) affords reasonable grounds for belief that the applicant will not carry on business in accordance with the law and with integrity and honesty;
(e) the applicant or an employee or agent of the applicant makes a false statement or provides false information in an application under this Act;

(f) the applicant is carrying on activities that are, or will be, if the applicant is licensed, in contravention of this Act or the regulations;

(g) the premises, accommodation, equipment and facilities in respect of which the licence is to be issued are not, or will not be, if the applicant is licensed, in compliance with this Act and the regulations; or

(h) the licence is not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located.

(3) Clause (2) (d) applies to the following persons:

1. The applicant.

2. An officer or director of the applicant.

3. A person holding more than 10 per cent of the equity shares of the applicant or an officer or director of such person.

4. A person having a beneficial interest in the business of the applicant.

5. A person having responsibility for the management or operation of the business of the applicant.

(4) Except as permitted by the regulations, a licence to sell liquor shall not be issued,

(a) to a person who is under agreement with any person to sell the liquor of any manufacturer;

(b) to a manufacturer or to a person who is so associated or connected therewith or financially interested therein as to be likely to promote the sale of liquor of that manufacturer;

(c) to a person who by reason of an agreement, arrangement or understanding with any person is likely to promote the sale of liquor of any manufacturer;
(d) to a person for premises in which a manufacturer has an interest, whether freehold or leasehold, or by way of mortgage or charge or other encumbrance, or by way of mortgage, lien or charge upon any personal property therein and whether such interest is direct or indirect or contingent or by way of suretyship or guarantee; or

(e) to a person in respect of a business in which a manufacturer has an interest by way of a franchise agreement.

(5) In this section, "equity share" means a share of a class of shares that carries a voting right either under all circumstances or under some circumstances that have occurred and are continuing.

7.—(1) Subject to subsection (2), the Board shall give notice of an application for a licence to sell liquor to the residents of the municipality in which the premises are located by giving notice,

(a) in the prescribed manner in a newspaper having general circulation in the municipality; and

(b) in any other manner that is prescribed.

(2) The Board is not required to give notice under subsection (1) if the applicant for the licence is disentitled under clauses 6 (2) (a) to (g) or subsection 6 (4).

(3) In a notice given under subsection (1), the Board shall request from the residents of the municipality written submissions as to whether the issuance of the licence is in the public interest having regard to the needs and wishes of the residents.

(4) Written submissions concerning an application shall be made in the prescribed manner and within the prescribed time.

8.—(1) A member of the Board shall consider an application for a licence to sell liquor.

(2) If, after giving notice of an application under subsection 7 (1), the Board receives no written objections to the application from the residents of the municipality within the time for making submissions, the member may,
(a) approve the application if the applicant is not disen-titled under subsection 6 (2) or (4); or

(b) direct that a proposal to review the application be issued.

Conditions on consent

(3) A member who approves an application under clause (2) (a) may specify any conditions consented to by the applicant that are to be attached to the licence.

Objections

(4) If, after giving notice of an application under subsection 7 (1), the Board receives one or more written objections to the application from the residents of the municipality within the time for making submissions, the member may,

(a) call a public meeting; or

(b) direct that a proposal to review the application be issued.

No notice

(5) If no notice of an application is given under subsection 7 (1) because the applicant is disen titled under clauses 6 (2) (a) to (g) or subsection 6 (4), the member shall direct that a proposal to review the application be issued.

Public meeting

9.—(1) If a public meeting is called under clause 8 (4) (a), the Board shall give notice in the prescribed manner of a time and place for the meeting.

(2) A member of the Board shall conduct the public meeting.

Member to conduct meeting

(3) The member shall receive representations from the residents of the municipality in which the premises are located as to whether the issuance of the licence is in the public interest having regard to the needs and wishes of the residents.

Idem

(4) The member shall consider the representations of the residents in determining whether to approve the application.

Member to consider application

(5) After the meeting has been held, the member shall consider the application and may,

(a) approve the application if the applicant is not disen-titled under subsection 6 (2) or (4); or

(b) direct that a proposal to review the application be issued.
(6) A member who approves an application under clause (5) (a) may specify any conditions consented to by the applicant that are to be attached to the licence.

10.—(1) A person may apply to the Board for a licence to deliver liquor.

(2) Subject to subsection (5), an applicant for a licence to deliver liquor is entitled to the issuance of the licence unless the applicant is disentitled for any ground under clauses 6 (2) (a) to (g).

(3) An application for a licence shall be considered by a member of the Board and the member may,

(a) approve the application if the applicant is not disentitled under subsection (2); or

(b) direct that a proposal be issued to refuse to issue the licence.

(4) A member who approves an application for a licence under clause (3) (a) may specify any conditions consented to by the applicant that are to be attached to the licence.

(5) A licence to deliver liquor shall not be issued,

(a) to a person who is under agreement with any person to sell or deliver the liquor of any manufacturer;

(b) to a manufacturer or to a person who is so associated or connected therewith or financially interested therein as to be likely to promote the sale or delivery of liquor of that manufacturer; or

(c) to a person who by reason of an agreement, arrangement or understanding with any person is likely to promote the sale or delivery of liquor of any manufacturer.

11.—(1) No person shall directly or indirectly act as or purport to be an agent or representative of a manufacturer in respect of the sale of liquor or canvass for, receive, take or solicit an order for the sale of liquor by a manufacturer unless the person is the holder of a licence to represent that manufacturer.

(2) A person may apply to the Board for a licence to represent a manufacturer.
(3) An applicant for a licence to represent a manufacturer is entitled to the issuance of the licence unless the applicant is disentitled for any ground under clause 6 (2) (d), (e) or (f).

(4) An application for a licence shall be considered by a member or employee of the Board and the member or employee may,

(a) approve the application if the applicant is not disentitled under subsection (3); or

(b) direct that a proposal be issued to refuse to issue the licence.

(5) A member or employee who approves an application for a licence under clause (4) (a) may specify any conditions consented to by the applicant that are to be attached to the licence.

(6) A licence to represent a manufacturer is not transferable.

12.—(1) The Board shall issue a licence to sell liquor, a licence to deliver liquor or a licence to represent a manufacturer to an applicant therefor whose application is approved by a member or employee of the Board or by the Board, who complies with this Act and the regulations and who pays the prescribed fee.

(2) A licence is subject to such conditions as may be consented to by the applicant or licensee, imposed by the Board or prescribed.

(3) If the issuance of a licence to sell liquor is refused on the ground under clause 6 (2) (h), no further application may be made for a licence for the same premises within two years after the date of the refusal.

(4) If a member of the Board is satisfied that there has been a significant change in the circumstances that pertained at the time the application was refused, the Board may permit a re-application within the two-year period referred to in subsection (3).

13. If, within the time prescribed therefor or, if no time is prescribed, before expiry of a licence, the licensee has applied for renewal of the licence and paid the prescribed fee, the licence shall be deemed to continue,

(a) until the renewal is granted; or
(b) if the licensee is served with notice of a proposal to refuse to grant the renewal, until the time for giving notice requiring a hearing has expired and, if a hearing is required, until the order has become final.

14.—(1) A member or employee of the Board may at any time review a licence and may,

(a) attach to the licence any further conditions consented to by the licensee; or

(b) direct that a proposal be issued to attach to the licence such further conditions as the member or employee considers proper to give effect to the purposes of this Act.

(2) A member or employee of the Board may, on the application of a licensee, remove a condition of a licence, other than a prescribed condition, if there is a change in circumstances.

(3) A member or employee of the Board who, upon considering an application for removal of a condition, decides not to remove the condition shall direct that a proposal be issued to refuse to remove the condition.

15.—(1) A member or employee of the Board may direct that a proposal be issued to revoke or suspend a licence to sell liquor or refuse to renew such a licence for any ground under subsection 6 (2) or (4) that would disentitle the licensee to a licence if the licensee were an applicant or if the licensee has contravened this Act, the regulations or a condition of the licence.

(2) A member or employee of the Board may direct that a proposal be issued to revoke or suspend a licence to deliver liquor or refuse to renew such a licence for any ground under clauses 6 (2) (a) to (g) or subsection 10 (5) that would disentitle the licensee to a licence if the licensee were an applicant or if the licensee has contravened this Act, the regulations or a condition of the licence.

(3) A member or employee of the Board may direct that a proposal be issued to revoke or suspend a licence to represent a manufacturer or refuse to renew such a licence for any ground under clause 6 (2) (d), (e) or (f) that would disentitle the licensee to a licence if the licensee were an applicant or if the licensee has contravened this Act, the regulations or a condition of the licence.
(4) A member or employee of the Board may direct that a proposal be issued to revoke or suspend a manufacturer's licence or refuse to renew such a licence for any ground under clause 6 (2) (d), (e), (f) or (g) or if the licensee has contravened this Act, the regulations or a condition of the licence.

(5) If a proposal is issued to revoke or suspend a licence, the Board may by order suspend the licence prior to a hearing if two members of the Board consider it to be necessary in the public interest.

(6) An order to suspend a licence under subsection (5) takes effect immediately and, if a hearing is required, expires fifteen days after the date of the notice requiring the hearing unless the hearing is commenced, in which case the Board may extend the time of expiration until the hearing is concluded.

(7) The Board may cancel a licence upon the request in writing of the licensee and the surrender of the licence by the licensee.

16.—(1) Except as permitted by the regulations, if there is a prescribed change of ownership of a business carried on under a licence, no person shall keep for sale, offer for sale or sell liquor or deliver liquor for a fee under the authority of the licence unless the licence is transferred by the Board in accordance with this Act and the regulations.

(2) Except as permitted by the regulations, if there is a prescribed change of ownership of a licensee that is a corporation, the licensee shall not keep for sale, offer for sale or sell liquor or deliver liquor for a fee under the authority of the licensee's licence unless the licence is transferred by the Board in accordance with this Act and the regulations.

17.—(1) A person may apply to the Board for the transfer of a licence to sell liquor or a licence to deliver liquor.

(2) An applicant for the transfer of a licence to sell liquor is entitled to the transfer except if the applicant would not be entitled to the issuance of a licence for any ground under clauses 6 (2) (a) to (g) or subsection 6 (4).

(3) An applicant for the transfer of a licence to deliver liquor is entitled to the transfer except if the applicant would not be entitled to the issuance of a licence for any ground under clauses 6 (2) (a) to (g) or subsection 10 (5).
(4) An application for a transfer of a licence shall be considered by a member of the Board and the member may,

(a) approve the application if the applicant is not disentitled under subsection (2) or (3); or

(b) direct that a proposal be issued to refuse to transfer the licence.

(5) A member of the Board who approves an application under clause (4) (a) may specify any conditions consented to by the applicant that are to be attached to the licence.

(6) The Board shall transfer a licence to an applicant whose application is approved by a member of the Board or by the Board, who complies with this Act and the regulations and who pays the prescribed fee.

(7) A licence transferred under this section is subject to such conditions as may be consented to by the applicant, imposed by the Board or prescribed.

18. — (1) The Board, in accordance with the regulations, may transfer a licence to sell liquor for a period of not more than one year to permit the orderly disposition of the business carried on under the licence.

(2) Subsection 17 (2) does not apply to a temporary transfer under this section.

19. — (1) A person may apply to the Board for a permit authorizing the holder thereof to sell or serve liquor on a prescribed special occasion.

(2) An applicant for a permit for a special occasion is entitled to be issued the permit except if,

(a) the applicant would not be entitled to the issuance of a licence to sell liquor for any ground under clauses 6 (2) (d) to (g) or subsection 6 (4); or

(b) the premises for which the permit is applied are disqualified under section 20.

(3) In this section, “authorized person” means a person within a class of persons designated by the regulations.

(4) An application for a permit shall be considered by a member of the Board or an authorized person and the member or authorized person may,
(a) approve the application if the applicant is not disentitled under subsection (2); or

(b) direct that a proposal be issued to refuse to issue the permit.

(5) A member or authorized person who approves an application for a permit may specify any conditions consented to by the applicant that are to be attached to the permit.

(6) The Board shall issue a permit to an applicant therefor whose application is approved by a member of the Board or an authorized person or by the Board, who complies with this Act and the regulations and who pays the prescribed fee.

(7) A permit is subject to such conditions as may be consented to by the applicant or permit holder, imposed by the Board or prescribed.

(8) A member or employee of the Board may at any time review a permit and may,

(a) attach to the permit any further conditions consented to by the permit holder; or

(b) direct that a proposal be issued to attach to the permit such further conditions as the member or employee considers proper to give effect to the purposes of this Act.

(9) A member or employee of the Board may, on the application of a permit holder, remove a condition of a permit, other than a prescribed condition, if there is a change in circumstances.

(10) A member or employee of the Board who, upon considering an application for removal of a condition, decides not to remove the condition shall direct that a proposal be issued to refuse to remove the condition.

(11) A member or employee of the Board may direct that a proposal be issued to revoke a permit for any ground that would disentitle the holder to a permit if the holder were an applicant under subsection (2) or if the holder has contravened this Act, the regulations or a condition of the permit.

(12) If a proposal is issued to revoke a permit, the Board may by order revoke the permit prior to a hearing if two members of the Board,
(a) consider it to be necessary in the public interest;

(b) are satisfied that false information has been furnished in an application for the permit;

(c) are satisfied that the holder has contravened this Act, the regulations or a condition of the permit; or

(d) determine that the premises for which the permit is issued are disqualified under section 20.

(13) An order to revoke a permit under subsection (12) takes effect immediately.

20.—(1) A member or employee of the Board may direct that a proposal be issued to disqualify premises for purposes of issuing permits under section 19 on the grounds of a contravention of the law that has occurred at a previous event held on the premises.

(2) If a proposal is issued to disqualify premises, the Board may by order disqualify the premises prior to a hearing, if two members of the Board consider it to be necessary in the public interest.

(3) An order to disqualify premises under subsection (2) takes effect immediately and, if a hearing is required, expires fifteen days after the date of the notice requiring the hearing unless the hearing is commenced, in which case the Board may extend the period of disqualification until the hearing is concluded.

21.—(1) If a member or employee of the Board directs that a proposal be issued with respect to any of the following matters, the Board shall serve notice of the proposal together with written reasons therefor on the applicant or licensee:

1. Review an application for a licence to sell liquor.

2. Refuse to issue a licence to deliver liquor or a licence to represent a manufacturer.

3. Refuse to renew a licence.

4. Refuse to transfer a licence, other than a manufacturer's licence.

5. Suspend or revoke a licence.

6. Attach a condition to a licence.
7. Refuse to remove a condition of a licence.

(2) If a member or employee of the Board or an authorized person under section 19 directs that a proposal be issued with respect to any of the following matters, the Board shall serve notice of the proposal together with written reasons therefor on the applicant or permit holder:

1. Refusing to issue a permit.
2. Revoking a permit.
3. Attaching a condition to a permit.
4. Refusing to remove a condition of a permit.

(3) If a member or employee of the Board directs that a proposal be issued to disqualify premises under section 20, the Board shall serve notice of the proposal together with written reasons therefor on the owner of the premises.

(4) A notice of a proposal shall inform the applicant, licensee, permit holder or owner that the person is entitled to a hearing by the Board if the person mails or delivers to the Board, within fifteen days after the notice is served on the person, notice in writing requiring a hearing by the Board, and the person may so require such a hearing.

(5) If a person to whom a notice is sent under this section does not require a hearing by the Board, the Board may,

(a) in the case of a notice of a proposal to review an application for a licence to sell liquor, refuse to issue the licence; or

(b) in any case other than that referred to in clause (a), carry out the proposal stated in the notice.

22.—(1) A manufacturer of spirits, beer or Ontario wine may apply to the Board for a licence to sell the spirits, beer or Ontario wine to the Liquor Control Board of Ontario under the Liquor Control Act.

(2) The Board may issue a manufacturer’s licence to an applicant under this section.

(3) A manufacturer’s licence is subject to such conditions as may be imposed by the Board or prescribed.
(4) The Board, in accordance with the regulations, may transfer a manufacturer's licence.

(5) The Board's decision to issue or transfer or to refuse to issue or transfer a manufacturer's licence is final.

(6) The Board shall notify the Minister of Consumer and Commercial Relations of every licence issued or transferred under this section.

HEARINGS

23.—(1) If the Board is required to hold a hearing under subsection 21 (4), two members of the Board shall constitute a quorum of the Board for purposes of the hearing and decision.

(2) Despite subsection (1), the chair of the Board may direct that a particular matter be heard and decided by one member of the Board, except for a hearing to consider a proposal that is based on the ground under clause 6 (2) (h).

(3) A member holding a hearing must not have taken part in any consideration of the subject-matter of that particular hearing.

(4) Despite subsection (3), a member holding a hearing may examine prior to the hearing any material required under any Act to be filed with the Board by the parties to the proceeding.

(5) The Board shall fix a time and place for the hearing of the matter and shall at least ten days before the day fixed cause notice of the hearing to be served upon the person who has required the hearing.

(6) Despite subsection (5), the Board may, on the consent of all parties, commence a hearing earlier than ten days after notice of the hearing is served under subsection (5).

(7) The Board may, in such manner as it considers advisable, give notice of a hearing to such other persons as it considers appropriate.

(8) A person upon whom notice of a hearing is served under subsection (5) and any other person added by the Board are parties to the proceeding.
(9) The Board shall hold the hearing and give its decision and reasons therefor in writing to the parties to the proceeding.

(10) Following a hearing to consider a proposal to review an application for a licence to sell liquor, the Board may approve the application or may refuse to issue the licence.

(11) Following a hearing to consider any other proposal referred to in subsection 21 (1), (2) or (3), the Board may decline to carry out the proposal or may carry out the proposal, in whole or in part, and with any changes that the Board considers appropriate, and the Board may approve an application to which the proposal relates.

(12) Following a hearing, the Board may attach to a licence or permit any condition that the Board considers proper to give effect to the purposes of this Act.

(13) An order of the Board takes effect immediately unless otherwise provided in the order but, if an appeal is made to the Divisional Court, the Court may grant a stay until the disposition of the appeal.

(14) Every member of the Board has power to administer oaths and affirmations for the purpose of any of its proceedings.

(15) A member of the Board sitting for a hearing whose term of office expires before the hearing is completed remains a member of the Board for the purpose of completing the hearing in the same manner as if his or her term of office had not expired.

24.—(1) Upon the request of a person to whom a decision or order of the Board relates, the Board may review the decision or order and, if the board considers it appropriate, may vary or rescind the decision or order.

(2) If a decision or order being reviewed under this section was made following a hearing, the Board may vary or rescind it only upon the consent of all parties to the hearing.

(3) A request may not be made to review a decision or order refusing the issuance of a licence to sell liquor or revoking, suspending or refusing to renew such a licence, if the decision or order is based on the ground under clause 6 (2) (h).
25.—(1) A party to a proceeding before the Board under section 23 may appeal from the decision of the Board to the Divisional Court in accordance with the rules of court.

(2) An appeal under this section may be made on a question of law only.

(3) The Board is a party to an appeal under this section.

(4) The Minister of Consumer and Commercial Relations is entitled to be heard, by counsel or otherwise, upon the argument of an appeal under this section.

26.—(1) A notice, order or other document that is required or permitted under this Act to be given or delivered to or served on a person is sufficiently given, delivered or served if it is,

(a) delivered personally;

(b) sent by first class mail addressed to the person at the person's last known address; or

(c) served in a prescribed manner.

(2) A notice, order or other document sent by first class mail in accordance with clause (1) (b) shall be deemed to be given, served or delivered on the fifth day after the day of mailing, unless the person to whom it is sent establishes that it was not received on or before that date because of absence, accident, illness or other cause beyond the person's control.

RESPONSIBLE USE

27. No person shall purchase liquor except from a government store or from a person authorized by licence or permit to sell liquor.

28. No manufacturer or employee, agent or licensed representative of a manufacturer shall give any liquor to any person, except as permitted by the regulations.

29. No person shall sell or supply liquor or permit liquor to be sold or supplied to any person who is or appears to be intoxicated.

30.—(1) No person shall knowingly sell or supply liquor to a person under nineteen years of age.
(2) No person shall sell or supply liquor to a person who appears to be under nineteen years of age.

(3) No licensee or employee or agent of a licensee shall knowingly permit a person under nineteen years of age to have or consume liquor in the licensee’s licensed premises.

(4) No licensee or employee or agent of a licensee shall permit a person who appears to be under nineteen years of age to have or consume liquor in the licensee’s licensed premises.

(5) Subsections (3) and (4) do not prohibit a licensee or employee or agent of a licensee from permitting a person eighteen years of age to be in possession of liquor during the course of the person’s employment on the licensee’s licensed premises.

(6) A person who sells or supplies liquor to another person or permits another person to have or consume liquor in licensed premises on the basis of documentation of a prescribed type is not in contravention of subsection (2) or (4) if there is no apparent reason to doubt the authenticity of the documentation or that it was issued to the person producing it.

(7) In a prosecution for a contravention of subsection (2) or (4), the court may determine, from the appearance of the person and from other relevant circumstances, whether a person to whom liquor was served or supplied or a person who was permitted to have or consume liquor appears to be under nineteen years of age.

(8) No person under nineteen years of age shall have, consume, attempt to purchase, purchase or otherwise obtain liquor.

(9) Subsection (8) does not prohibit a person eighteen years of age from being in possession of liquor during the course of the person’s employment on premises in which the sale of liquor is authorized.

(10) No person under nineteen years of age shall enter or remain on premises in which the sale of liquor is authorized if the person knows that a condition of the licence or permit for the premises prohibits the entry of persons under nineteen years of age.

(11) Subsection (10) does not apply to a person eighteen years of age who is employed on premises in which the sale of
liquor is authorized while the person is on the premises during the course of his or her employment.

(12) No person shall present as evidence of his or her age any documentation other than documentation that was lawfully issued to him or her.

(13) This section does not apply,

(a) to the supplying of liquor to a person under nineteen years of age in a residence as defined in section 31 or in a private place as defined in the regulations by a parent of the person or a person having lawful custody of the person; or

(b) to the consumption of liquor by a person who is supplied liquor in a manner described in clause (a), if the liquor is consumed at the place where it is supplied.

31.—(1) In this section, “residence” means a place that is actually occupied and used as a dwelling, whether or not in common with other persons, including all premises used in conjunction with the place to which the general public is not invited or permitted access, and, if the place occupied and used as a dwelling is a tent, includes the land immediately adjacent to and used in conjunction with the tent.

(2) No person shall have or consume liquor in any place other than,

(a) a residence;

(b) premises in respect of which a licence or permit is issued; or

(c) a private place as defined in the regulations.

(3) Subsection (2) does not apply to the possession of liquor that is in a closed container.

(4) No person shall be in an intoxicated condition,

(a) in a place to which the general public is invited or permitted access; or

(b) in any part of a residence that is used in common by persons occupying more than one dwelling in the residence.
(5) A police officer may arrest without warrant any person whom he or she finds contravening subsection (4) if, in the opinion of the police officer, to do so is necessary for the safety of any person.

32.—(1) No person shall drive or have the care or control of a motor vehicle as defined in the *Highway Traffic Act* or a motorized snow vehicle, whether it is in motion or not, while there is contained in the vehicle any liquor, except under the authority of a licence or permit.

(2) Subsection (1) does not apply if the liquor in the vehicle,

(a) is in a container that is unopened and the seal unbroken; or

(b) is packed in baggage that is fastened closed or is not otherwise readily available to any person in the vehicle.

(3) No person shall operate or have the care or control of a boat that is underway while there is contained in the boat any liquor, except under the authority of a licence or permit.

(4) Subsection (3) does not apply if the liquor in the boat,

(a) is in a container that is unopened and the seal unbroken; or

(b) is stored in a closed compartment.

(5) A police officer who has reasonable grounds to believe that liquor is being unlawfully kept in a vehicle or boat may at any time, without a warrant, enter and search the vehicle or boat and search any person found in it.

(6) In this section, "boat" includes any ship or boat or any other description of vessel used or designed to be used in the navigation of water.

33. No person shall,

(a) drink alcohol in a form that is not a liquor; or

(b) supply alcohol in a form that is not a liquor to another person, if the person supplying the alcohol knows or ought to know that the other person intends it to be used as a drink.
34.—(1) The holder of a licence or permit issued in respect of premises shall ensure that a person does not remain on the premises if the holder has reasonable grounds to believe that the person,

(a) is unlawfully on the premises;

(b) is on the premises for an unlawful purpose; or

(c) is contravening the law on the premises.

(2) The holder of a licence or permit may request a person referred to in subsection (1) to leave the premises immediately and if the request is not forthwith complied with may remove the person or cause the person to be removed by the use of no more force than is necessary.

(3) If there are reasonable grounds to believe that a disturbance or breach of the peace sufficient to constitute a threat to the public safety is being caused on premises for which a licence or permit is issued, a police officer may require that all persons vacate the premises.

(4) The holder of the licence or permit for premises that are required to be vacated under subsection (3) shall take all reasonable steps to ensure that the premises are vacated.

(5) A licensee or employee of a licensee who has reason to believe that the presence of a person on the licensee’s licensed premises is undesirable may,

(a) request the person to leave; or

(b) forbid the person to enter the licensed premises.

(6) No person shall,

(a) remain on licensed premises after he or she is requested to leave by the licensee or an employee of the licensee; or

(b) re-enter the licensed premises on the same day he or she is requested to leave.

35.—(1) The council of a municipality may by by-law designate a recreational area within the municipality that is owned or controlled by the municipality as a place where the possession of liquor is prohibited.
(2) A designation under subsection (1) does not prevent the Board from issuing any licence or permit under this Act.

(3) No person shall have liquor in a place designated under subsection (1).

(4) Subsection (3) does not apply to a person in possession of liquor under the authority of a licence or permit or in possession of liquor purchased on a premises in respect of which a licence or permit is issued.

(5) In this section, "municipality" includes a regional, metropolitan or district municipality and the County of Oxford.

36.—(1) A police officer who finds a person apparently in contravention of subsection 31 (4) may take the person into custody and, in lieu of laying an information in respect of the contravention, may escort the person to a hospital designated by the regulations.

(2) No action or other proceeding for damages shall be instituted against any physician or any hospital or officer or employee of a hospital on the grounds only that the person examines or treats without consent a person who is brought to the hospital under subsection (1).

37.—(1) If it appears that a person in contravention of subsection 31 (4) may benefit therefrom, the court making the conviction may order the person to be detained for treatment for a period of ninety days or such lesser period as the court thinks advisable in an institution designated by the regulations.

(2) If, at any time during a person’s period of detention ordered under subsection (1), the superintendent of the institution is of the opinion that further detention in the institution will not benefit the person, the superintendent may release the person.

38.—(1) No person shall advertise liquor except in accordance with the regulations.

(2) If two members of the Board are of the opinion that an advertisement contravenes this Act or the regulations, the Board may order the cessation of the use of the advertisement.
(3) The Board shall serve notice of an order under subsection (2), together with reasons therefor, on the person to whom the order is directed.

(4) A notice of an order shall inform the person to whom the order is directed that the person is entitled to a hearing by the Board if the person mails or delivers to the Board, within fifteen days after the notice is served on the person, notice in writing requiring a hearing by the Board, and the person may so require such a hearing.

(5) Unless otherwise provided in the order, an order under subsection (2) takes effect immediately.

(6) If a hearing is required, an order under subsection (2) expires fifteen days after the date of the notice requiring the hearing unless the hearing is commenced, in which case the Board may extend the time of expiration until the hearing is concluded.

(7) If the Board is required to hold a hearing under subsection (4), the provisions of section 23 apply with necessary modifications to the hearing.

(8) Following a hearing to consider an order under subsection (2), the Board may confirm, vary or rescind the order.

39. The following rules apply if a person or an agent or employee of a person sells liquor to or for a person whose condition is such that the consumption of liquor would apparently intoxicate the person or increase the person's intoxication so that he or she would be in danger of causing injury to himself or herself or injury or damage to another person or the property of another person:

1. If the person to or for whom the liquor is sold commits suicide or meets death by accident while so intoxicated, an action under Part V of the Family Law Act, 1986 lies against the person who or whose employee or agent sold the liquor.

2. If the person to or for whom the liquor is sold causes injury or damage to another person or the property of another person while so intoxicated, the other person is entitled to recover an amount as compensation for the injury or damage from the person who or whose employee or agent sold the liquor.

40.—(1) This Act does not prevent,
(a) the sale of a drug dispensed as a medicine by a person authorized to do so under the Health Disciplines Act;

(b) the sale of a drug compounded, dispensed or supplied in and by a hospital or a health or custodial institution approved or licensed under any general or special Act under the authority of a prescriber as defined in Part VI of the Health Disciplines Act for a person under health care provided by the hospital or institution;

(c) the sale of a medicine registered under the Food and Drugs Act (Canada), except a sale that contravenes clause 33 (b); or

(d) the sale of a drug to a person authorized under the Health Disciplines Act to dispense, prescribe or administer drugs.

(2) This Act does not prevent the purchase of a drug or medicine pursuant to a sale described in subsection (1).

41. This Act does not prevent the possession, service or consumption of liquor for research or educational purposes as approved by the Board in accordance with the regulations.

42. Liquor shall be deemed to be an intoxicating liquor for purposes of the Importation of Intoxicating Liquors Act (Canada).

COMPLIANCE

43.—(1) The chair of the Board may designate persons employed by the Board as persons who may carry out inspections for the purpose of determining whether there is compliance with this Act and the regulations.

Certificate of designation

(2) A person designated under subsection (1) who is exercising a power under this Act shall, on request, produce his or her certificate of designation.

Inspections

44.—(1) For the purpose of ensuring compliance with this Act and the regulations, a person designated under subsection 43 (1) may,

(a) enter any place at any reasonable time;

(b) request the production for inspection of documents or things that may be relevant to the inspection;
(c) inspect and, upon giving a receipt therefor, remove, for the purpose of making copies or extracts, documents or things relevant to the inspection;

(d) inquire into negotiations, transactions, loans or borrowings of a licensee or permit holder and into assets owned, held in trust, acquired or disposed of by a licensee or permit holder that are relevant to an inspection;

(e) conduct such tests as are reasonably necessary; and

(f) remove materials or substances for examination or test purposes subject to the licensee, permit holder or other occupant of the premises being notified thereof.

(2) Subsection (1) does not apply to confer a power of entry to a room actually used as a dwelling without the consent of the occupier.

(3) A justice of the peace may issue a warrant authorizing the person named in the warrant,

(a) to do anything set out in clause (1) (a), (c), (e) or (f);

(b) to search for and seize any document or thing relevant to the inspection; or

(c) to enter and search a room actually used as a dwelling.

(4) A warrant may be issued under subsection (3) if the justice of the peace is satisfied on information under oath that,

(a) in the case of a warrant to be issued under clause (3) (a), a person designated under subsection 43 (1) has been prevented from doing anything permitted under clause (1) (a), (c), (e) or (f) or there are reasonable grounds to believe that such a person may be prevented from doing any of those things;

(b) in the case of a warrant to be issued under clause (3) (b), it is necessary to search for and seize a document or thing that there are reasonable grounds to believe will afford evidence relevant to a contravention of this Act or the regulations; or
(c) in the case of a warrant to be issued under clause (3) (c), it is necessary that a room actually used as a dwelling be entered for the purposes of carrying out an inspection or there is, in such a room, a document or thing that there are reasonable grounds to believe is relevant to an inspection under this Act.

Execution of warrant

(5) A warrant issued under this section shall specify the hours and days during which it may be executed.

Expiry

(6) Unless renewed, a warrant under this section expires not later than thirty days after the date on which it is made.

Notice not required

(7) A warrant under this section may be issued or renewed before or after expiry upon application without notice.

Renewal of warrant

(8) A warrant under this section may be renewed for any reason for which it may be issued.

Experts

(9) A person carrying out an inspection under this Act is entitled to call upon such experts as are necessary to assist the person in carrying out the inspection.

Assistance

(10) A person doing anything under the authority of a warrant issued under this section is authorized to call on such police officers to assist and to use such force as is necessary in the execution of the warrant.

Copies

(11) A person carrying out an inspection under this Act who takes material in order to copy it shall make the copy with reasonable dispatch and shall promptly return the material taken.

Admissibility of copies

(12) Copies of, or extracts from, documents and things removed under this section and certified as being true copies of, or extracts from, the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the documents or things of which they are copies or extracts.

Obstruction

45.-(1) No person shall obstruct a person carrying out an inspection under this Act or withhold, destroy, conceal or refuse to provide any relevant information or thing required for the purpose of the inspection.

Facilitating inspection

(2) It is a condition of each licence and permit issued under this Act that the licensee or permit holder facilitate an inspection relevant to the licence or permit.
46. Liquor kept for sale or offered for sale in contravention of subsection 5 (1) and liquor purchased in contravention of section 27 is forfeited to the Crown.

47.—(1) If liquor is found by a police officer under circumstances where the liquor constitutes evidence necessary to prove a contravention of this Act, or if an offence appears to have been committed under this Act and a police officer, on reasonable grounds, in view of the offence apparently committed and the presence of liquor, believes that a further offence is likely to be committed, the police officer may seize and take away the liquor and the packages in which it is kept.

(2) A provincial offences court may, upon the application of any person made within thirty days of a seizure under subsection (1), order that the things seized be restored forthwith to the applicant if the court is satisfied that,

(a) the applicant is entitled to possession of the things seized; and

(b) the things seized are not required as evidence in any proceeding.

(3) If the court is satisfied that an applicant under subsection (2) is entitled to possession of the things seized but is not satisfied as to the matter mentioned in clause (2) (b), it shall order that the things seized be restored to the applicant,

(a) upon the expiration of three months from the date of the seizure, if no proceeding in respect of an offence has been commenced; or

(b) upon the final conclusion of any such proceeding.

(4) If no application has been made for the return of a thing seized under subsection (1) or an application has been made but upon the hearing of the application no order of restoration has been made, the thing seized is forfeited to the Crown.

(5) If a person is convicted of an offence under this Act, any thing seized under subsection (1) by means of which the offence was committed is forfeited to the Crown.

48. If a police officer finds a person apparently in contravention of this Act and the person refuses to give his or her name and address or there are reasonable grounds to believe that the name or address given is false, the police officer may arrest the person without warrant.
49.—(1) Every person engaged in the administration of this Act shall preserve confidentiality in respect of all matters that come to his or her knowledge in the course of his or her duties and shall not communicate any such matter to any other person except,

(a) as may be required in connection with the administration of this Act and the regulations or any proceeding under this Act;

(b) to his or her counsel; or

(c) with the consent of the person to whom the matter relates.

(2) No person engaged in the administration of this Act shall be required to give testimony in any civil proceeding with regard to information obtained by the person in the course of the person's duties except in a proceeding under this Act.

50. A statement as to any of the following matters purporting to be certified by the chair of the Board is admissible in evidence in any proceeding without proof of the office or signature of the chair and is proof, in the absence of evidence to the contrary, of the information set out in the statement:

1. The issuance or non-issuance of a licence or permit.

2. The filing or non-filing of any document or material required or permitted to be filed with the Board.

3. Any matter in addition to those referred to in paragraphs 1 and 2 that pertains to licences or permits or filing or non-filing.

4. The time when the facts upon which a proceeding is based first came to the knowledge of the Board.

51. A certificate or report purporting to be signed by a federal or provincial analyst as to the composition of any liquor or any other substance is admissible in any proceeding under this Act as evidence of the information set out in the certificate or report and of the authority of the person giving it or making it, without proof of the appointment or signature of the person.
52.—(1) Subject to section 53 and the regulations, no licence to sell liquor may be issued for premises in a municipality or part thereof in which the sale of liquor under a licence was prohibited under the law as it existed immediately before the date this Act comes into force.

(2) Subject to section 53 and the regulations, no government store may be established in a municipality or part thereof in which the sale of liquor in a government store was prohibited under the law as it existed immediately before the date this Act comes into force.

(3) Despite subsection (2), government stores may be established in a municipality or part thereof in which it is lawful to issue licences to sell liquor.

(4) Despite subsections (1) and (2),

(a) a government store established before the 1st day of January, 1990 shall be deemed to have been lawfully established; and

(b) a licence to sell liquor issued before the 1st day of January, 1990 shall be deemed to have been lawfully issued.

(5) Subject to section 53 and the regulations, in a municipality or part thereof in which, under the law as it existed immediately before the date this Act comes into force, the sale of beer and wine only was permitted in licensed premises, a licence to sell liquor shall be deemed to contain a condition that beer and wine only may be sold in the licensed premises.

53.—(1) The council of a municipality may submit to a vote one or more of the prescribed questions respecting the authorization of the sale of liquor in the municipality.

(2) The council of a municipality shall submit to a vote such prescribed questions respecting the authorization of the sale of liquor in the municipality as are requested by a petition signed by at least 25 per cent of the persons appearing on the list of electors, as revised, prepared for the previous municipal election.

(3) Government stores may be established in a municipality in which 60 per cent of the electors voting on a question vote in favour of the sale of liquor in government stores.
(4) Licences to sell liquor may be issued for premises in a municipality in which 60 per cent of the electors voting on a question vote in favour of the sale of liquor in licensed premises.

**54.**—(1) The council of a municipality in which a government store is established or liquor is authorized to be sold under a licence may submit to a vote one or more of the prescribed questions respecting the prohibition of the sale of liquor in the municipality.

(2) The council of a municipality shall submit to a vote such prescribed questions respecting the prohibition of the sale of liquor in the municipality as are requested by a petition signed by at least 25 per cent of the persons appearing on the list of electors, as revised, prepared for the previous municipal election.

(3) If 60 per cent of the electors voting on a question vote in favour of prohibiting the sale of liquor in government stores, all government stores established in the municipality shall be closed as of the 31st day of March in the following year.

(4) If 60 per cent of the electors voting on a question vote in favour of prohibiting the sale of liquor in licensed premises, all licences to sell liquor issued for premises in the municipality shall be deemed to be revoked as of the 31st day of March in the following year.

(5) Sections 15 and 21 do not apply where a licence is deemed to be revoked under subsection (4).

**55.—** (1) Subject to subsection (2), the day fixed for taking a vote on any question under section 53 or 54 shall be the polling day of the next regular election under the *Municipal Elections Act*, unless the council of the municipality, with the approval of the Board, fixes some other day and so notifies the clerk of the municipality.

(2) A poll shall not be held on any question until after sixty days from,

(a) the filing of the petition requiring the question to be submitted; or

(b) the date the council approves the submission of the question, if the council submits the question without a petition.
56. The persons eligible to vote on a question under section 53 or 54 are the persons who would be eligible to vote at an election held under the Municipal Elections Act on the day fixed for taking the vote on the question.

57. The provisions of the Municipal Elections Act apply to the taking of a vote under this Act.

58. —(1) The returning officer shall make a return to the Board showing the number of votes polled for the affirmative and negative on each question submitted.

(2) Upon receiving the return, the Board shall give notice of the return in The Ontario Gazette, showing the total number of votes polled in the municipality for the affirmative and negative on each question.

59. If a question under section 53 or 54 is submitted for a vote in a municipality or part thereof, no further vote may be held in the municipality or part on any question under section 53 or 54 until after thirty-five months from the date of the vote on the question.

60. —(1) The status under this Act of a municipality that is amalgamated with another municipality that has a different status,

(a) is not affected by the amalgamation; and

(b) may be changed only by a vote under this Act in the municipality amalgamated.

(2) The status under this Act of a municipality or part of a municipality that is annexed to another municipality that has a different status,

(a) is not affected by the annexation; and

(b) may be changed only by a vote under this Act in the municipality or part annexed.

(3) In a municipality amalgamated or municipality or part annexed to which subsection (1) or (2) applies, the persons qualified to sign a petition under section 53 or 54 are the persons whose names appear on the list of electors, as revised, prepared for the previous municipal election held in the municipality amalgamated or municipality or part annexed, as the case may be.
(4) In a municipality amalgamated or municipality or part annexed to which subsection (1) or (2) applies, the persons eligible to vote on a question under section 53 or 54 are the persons who would be eligible to vote at an election held under the Municipal Elections Act in the municipality amalgamated or municipality or part annexed, as the case may be.

OFFENCES

Offences

61.—(1) A person is guilty of an offence if the person,

(a) knowingly furnishes false information in any application under this Act or in any statement or return required to be furnished under this Act;

(b) knowingly fails to comply with an order under subsection 38 (2); or

(c) contravenes any provision of this Act or the regulations.

(2) A director or officer of a corporation who caused, authorized, permitted or participated in an offence under this Act by the corporation is guilty of an offence.

Penalties

(3) An individual who is convicted of an offence under this Act is liable to a fine of not more than $25,000 or to imprisonment for a term of not more than one year or both.

(4) A corporation that is convicted of an offence under this Act is liable to a fine of not more than $100,000.

Additional penalty

(5) In addition to any other penalty or action under this Act, the licence of a licensee who contravenes subsection 30 (1) or (2) shall be suspended for a period of not less than seven days.

Minimum fine

(6) If a licensee contravenes subsection 30 (1), (2), (3) or (4), the fine imposed under this section shall be not less than $500.

(7) If a person who is not a licensee contravenes subsection 30 (1), (2), (3) or (4), the fine imposed under this section shall be not less than $100.

Limitation

(8) Subject to subsection (9), no proceeding under this section shall be commenced more than two years after the offence was committed.
(9) No proceeding under clause (1) (a) and no proceeding under subsection (2) that relates to a matter referred to in clause (1) (a) shall be commenced more than one year after the facts upon which the proceeding is based first came to the knowledge of the Board.

REGULATIONS

62.—(1) The Lieutenant Governor in Council may make regulations,

1. prescribing anything that is referred to in this Act as being prescribed;

2. governing the issuance, renewal, transfer and expiry of licences;

3. governing the issuance and expiry of permits;

4. prescribing conditions that attach to licences and permits;

5. prescribing the special occasions for which permits may be issued;

6. prescribing fees for the purposes of this Act and the regulations, including fees payable in respect of late applications and late payment of fees;

7. requiring the payment of fees;

8. exempting any person, product or premises from any provision of this Act or the regulations;

9. requiring licensees and permit holders to provide the Board with such information and returns respecting the sale of liquor and the premises, methods and practices connected therewith as is prescribed and requiring any information provided to be verified by oath;

10. controlling the advertising of liquor or its availability for sale and requiring that advertisements be subject to the approval of the Board;

11. prescribing standards for licensed premises and premises used by permit holders for the sale and service of liquor;
12. prescribing or prohibiting methods and practices in connection with the serving of liquor;

13. prohibiting licensees and permit holders from permitting any person to engage in prescribed activities on their premises;

14. governing the sale and service of liquor by a holder of a licence to sell liquor in a place other than licensed premises;

15. prescribing classes of premises on which a person under the age of nineteen years may not enter;

16. prescribing rules for proceedings before the Board;

17. governing the issuance of documentation for proof of age;

18. prescribing hours of sale of liquor;

19. authorizing the Board to extend the hours of sale of liquor during events of municipal, provincial, national or international significance;

20. prohibiting manufacturers and employees, agents and licensed representatives of manufacturers from offering or giving inducements or engaging in prescribed practices with respect to the sale or promotion of liquor;

21. prescribing the circumstances in which a manufacturer or employee, agent or licensed representative of a manufacturer may give liquor as a gift;

22. prescribing the circumstances in which a manufacturer may obtain a licence to sell liquor despite subsection 6 (4);

23. regulating and controlling the possession and delivery of liquor sold under a licence or permit;

24. authorizing the Board to approve training courses for the service or delivery of liquor;

25. authorizing the Board to approve a temporary physical extension of licensed premises;
26. authorizing the Board to exempt any person from the requirement to provide information in respect of an application for a licence or permit;

27. governing the approval by the Board of the possession, service or consumption of liquor for research or educational purposes;

28. prescribing the circumstances in which, following a prescribed change of ownership in respect of a licence, liquor may be kept for sale, offered for sale or sold or delivered for a fee under the authority of the licence despite subsection 16 (1) or (2);

29. designating classes of persons for the purpose of section 19;

30. defining “private place” for purposes of sections 30 and 31;

31. designating hospitals for purposes of section 36;

32. designating institutions for purposes of section 37, governing the transfer and admission of persons to and detention of persons in such institutions and providing for the management of such institutions;

33. prescribing licences that may be issued in a municipality despite section 52;

34. prohibiting or regulating and controlling the possession of liquor in provincial parks, in a park managed or controlled by The Niagara Parks Commission, The St. Lawrence Parks Commission, The St. Clair Parkway Commission or on lands owned or controlled by a conservation authority established or continued under the Conservation Authorities Act.

(2) A regulation may be general or particular in its application.

(3) Any provision of a regulation may be subject to such conditions, qualifications or requirements as are specified in the regulation.
63.—(1) A licence under a predecessor to this Act continues in force until it expires or is earlier revoked or suspended.

(2) A permit under a predecessor to this Act continues in force until it expires or is earlier revoked.

(3) A registration as an agent or representative of a manufacturer under a predecessor to this Act continues in force until it expires or is earlier revoked or suspended.

(4) A decision of the Board under section 12 of the Liquor Licence Act, being chapter 244 of the Revised Statutes of Ontario, 1980, that is issued before the date this Act comes into force may be appealed to The Commercial Registration Appeal Tribunal in accordance with section 14 of that Act.

64. The following are repealed:


5. The Liquor Licence Amendment Act, 1986, being chapter 60.

65. Section 19 of the Human Rights Code, 1981, as amended by the Statutes of Ontario, 1986, chapter 64, section 18, is further amended by adding the following subsection:

(2) The right under section 1 to equal treatment with respect to services, goods and facilities without discrimination because of age is not infringed by the provisions of the Liquor Licence Act, 1990 and the regulations under it relating to providing for and enforcing a minimum drinking age of nineteen years.
66. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

67. The short title of this Act is the Liquor Licence Act, 1990.