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Le texte figurant ci-dessous constitue la codification la plus récente en date du 2017-05-22. Son contenu était à jour pendant la période indiquée en bas de page. Il s'agit de la première version; elle n'a fait l'objet d'aucune modification.

THE LIQUOR AND GAMING CONTROL ACT
(C.C.S.M. c. L153)

Social Occasion and Special Sale Permits Regulation

Regulation 66/2014
Registered March 13, 2014

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INTERPRETATION

Definitions

1 The following definitions apply in this regulation.

"**Act**" means *The Liquor and Gaming Control Act*.

"**applicant**" means a party applying for a social occasion permit or a special sale permit.

"**charitable fundraiser**" means a social occasion designated as a charitable fundraiser under section 5.

"**community event**" means a social occasion designated as a community event under section 6.

"**non-profit organization**" means a society, association, club or other unincorporated body whose board and members are not permitted to personally benefit from the income or property of the organization.

"**no-sale permit**" means a social occasion permit that authorizes liquor to be served to guests at the social occasion at no charge.

"**sale permit**" means a social occasion permit that authorizes liquor to be sold to guests at the social occasion.

"**social occasion**" means a gathering of persons for a social purpose.

"**special sale permit**" means a permit issued under section 50 of the Act.

SOCIAL OCCASIONS
AND LIMITS ON ISSUING PERMITS**No-sale permits**

2 The executive director may issue a no-sale permit to an individual, corporation, partnership or non-profit organization for any legitimate social occasion.

Social occasions eligible for sale permit

3(1) The executive director may issue a sale permit to an individual for the following social occasions:

- (a) a wedding reception;
- (b) a wedding social;
- (c) a bridal shower;
- (d) a family reunion;

(e) a charitable fundraiser.

3(2) The executive director may issue a sale permit to a non-profit organization for the following social occasions:

(a) an organization function;

(b) a convention;

(c) a graduation party;

(d) a charitable fundraiser;

(e) a tournament, festival, concert, cultural event or exhibition.

3(3) A sale permit may be issued to an individual, corporation, partnership or non-profit organization for a social occasion not permitted under this section if the executive director is satisfied that it is appropriate to do so.

Restriction on number of social occasion permits

4(1) Subject to subsection (2),

(a) no more than two social occasion permits may be issued to an individual, corporation or partnership in a year; and

(b) no more than twelve social occasion permits may be issued to a non-profit organization in a year.

4(2) The executive director may issue additional social occasion permits than permitted under subsection (1) if he or she is satisfied that

(a) there is a legitimate need for the additional permits;

(b) all other social occasions for which the person was issued a social occasion permit were conducted properly and in accordance with the requirements of the Act and this regulation; and

(c) it is in the public interest to issue additional permits.

CHARITABLE FUNDRAISERS AND COMMUNITY EVENTS

Designating charitable fundraisers

5(1) The authority may designate a social occasion that is held to raise funds for the advancement of educational, religious, philanthropic or community objects as a charitable fundraiser.

5(2) The authority may require an applicant seeking to conduct a charitable fundraiser to provide financial projections regarding the proposed charitable fundraiser and any additional information or documentation that it considers necessary.

5(3) The holder of an occasional permit to conduct a charitable fundraiser must provide the authority with a financial statement setting out the expenses and revenue from the fundraiser no later than 14 days after the fundraiser has been held.

Designating community events

6(1) The authority may designate a social occasion as a community event if the social occasion involves a significant portion of a community.

6(2) An applicant seeking a community event designation for a social occasion must provide the authority with

(a) an estimate of the number of persons anticipated to attend the social occasion; and

(b) information respecting attendance at previous versions of the social occasion.

PREMISES

Requirements

7(1) The premises in which a social occasion is held must

(a) be in a clean, sanitary and safe condition;

(b) have appropriate facilities to store and serve liquor; and

(c) be suitable for the nature of the social occasion in question.

7(2) Unless otherwise authorized by the authority, premises in which a social occasion is held must have reasonable access to washrooms containing washing and toilet facilities for each sex that meet the standards set out in the *Manitoba Building Code*, Manitoba Regulation 31/2011, for the maximum capacity of the premises.

Maximum capacity of premises

8(1) The social occasion permit must specify the maximum number of persons who can be present at the social occasion.

8(2) The holder of the social occasion permit must ensure that no more persons are present in the premises where the social occasion is held at any one time than the maximum capacity specified in the permit.

ISSUING SOCIAL OCCASION PERMITS

Decision on application

9(1) The executive director may issue a social occasion permit if he or she is satisfied that

- (a) the issuance of the permit to the applicant for the social occasion in question is permitted under section 2 or 3;
- (b) the applicant has provided the authority with all requested information and documentation;
- (c) the social occasion is a legitimate event;
- (d) the premises in which the social occasion is held are suitable and satisfy the requirements of this regulation; and
- (e) the applicant will take reasonable measures to ensure that the provisions of the Act and this regulation are complied with during the social occasion.

9(2) The executive director may consider premises to be suitable only if he or she is satisfied that the owner or operator of the premises in which the social occasion is held will take reasonable measures to ensure that the provisions of the Act and this regulation are complied with during the social occasion.

9(3) A social occasion permit will be issued only after the applicable fee for the permit has been paid to the authority.

Contents of social occasion permit

10 A social occasion permit must specify the following:

- (a) the name of the permit holder;
- (b) in the case of a permit issued to a non-profit organization, corporation or partnership, the individuals who are responsible for conducting the social occasion on behalf of the organization or corporation;
- (c) the premises where the social occasion is to be held;
- (d) the maximum number of persons who are authorized to attend the social occasion;
- (e) the date of the social occasion and the hours when liquor may be served;
- (f) in the case of a sale permit, the price at which liquor is to be sold at the social occasion;

(g) all terms and conditions imposed on the permit.

CONDUCT OF THE SOCIAL OCCASION

Restricted attendance at social occasions

11(1) If the holder of a social occasional permit is a non-profit organization, attendance at the social occasion is restricted to persons who are members of the organization and guests who have been personally invited by a member of the organization before the start of the social occasion.

11(2) If the holder of a social occasion permit is an individual, attendance at the social occasion is restricted to guests who, before the start of the social occasion, have received a personal invitation from

(a) the holder of the permit; or

(b) an individual who has been personally selected by the holder to invite guests to the social occasion.

11(3) If the holder of an occasional permit is a corporation or partnership, attendance at the social occasion is restricted to employees and officers of the corporation or partnership and guests who, prior to the start of the social occasion, received an invitation to the social occasion from an employee or officer of the corporation or partnership.

11(4) Despite subsections (1) to (3), attendance at a community event or charitable fundraiser is open to the public and no prior invitation is required.

Proof of purchase from retail premises

12 The holder of a social occasion permit must

(a) have receipts in his or her possession during the social occasion that confirm that all liquor served at the social occasion was purchased from retail premises; and

(b) produce those receipts when requested by an inspector.

No liquor sales at social occasion held under no-sale permit

13 The holder of a no-sale permit must not allow any liquor to be sold at the social occasion.

Liquor service requirements

14 The holder of a social occasion permit must ensure that the sale and service of liquor at the social occasion complies with all applicable requirements of the *Liquor Licensing Regulation*.

Consumption after closing time

15(1) Liquor may be consumed at a social occasion for

(a) 60 minutes; or

(b) a shorter period specified by the permit holder;

after the end of the period when liquor is permitted to be sold or served under the social occasion permit.

15(2) The holder of a social occasion permit must ensure that liquor that is sold or served at the social occasion is either consumed by guests or removed at the end of the applicable period set out in subsection (1).

Obligations of permit holder

16 The holder of a social occasion permit must not

- (a) allow disorderly persons to be in or about the premises for which the permit was issued;
- (b) permit the sale or service of liquor, or knowingly sell or serve liquor, to any person who is or appears to be intoxicated;
- (c) allow any person engaged in serving or selling liquor or providing security at a social occasion to consume liquor at the social occasion; or
- (d) allow any other unlawful conduct to occur at the social occasion.

Adult entertainment prohibited

17 The holder of a social occasion permit must not allow "adult entertainment", as that term is defined in the *Liquor Licensing Regulation*, to take place during the social occasion.

Seizure of liquor and permit

18 If a social occasion permit is cancelled, an inspector may seize the permit and any liquor remaining in the premises.

SPECIAL SALE PERMITS

Applications

19 A person applying for a special sale permit must

- (a) apply in writing to the authority on a form approved by the executive director;
- (b) provide details respecting the liquor to be sold under authority of the permit; and
- (c) pay the applicable fee for the permit prescribed under section 21.

FEEES

Social occasion permit fees

20(1) The fees payable for social occasion permits are as follows:

- (a) no-sale permit \$25;
- (b) sale permit to individuals (except for charitable fundraisers) \$50;
- (c) sale permit to recognized non-profit organizations, corporations or partnerships: \$100;
- (d) sale permit for a charitable fundraiser \$100;
- (e) sale permit for a social occasions designated as a community event
 - (i) where the anticipated attendance at the event is under 1,000 persons: \$250.
 - (ii) where the anticipated attendance at the event is at least 1,000 persons but not more than 2,000 persons: \$500.
 - (iii) where the anticipated attendance at the event is over 2,000 persons : \$1,000.

20(2) The executive director may reduce the fee payable for a social occasion permit if he or she is satisfied that the social occasion in question will involve a significantly smaller amount of liquor than is normally consumed at other social occasions.

Special sale permit fees

21 The fees payable for a special sale permit are as follows:

- (a) charitable sale or auction permit \$25;
- (b) estate sale permit \$50;
- (c) sale permit issued under clause 50(1)(c) of the Act \$50.

Coming into force

22 This regulation comes into force on the same day that Schedule B of *The Manitoba Liquor and Lotteries Corporation Act and Liquor and Gaming Control Act*, S.M. 2013, c. 51, comes into force.

February 28, 2014

Liquor and Gaming Authority of Manitoba:

Donna Roed
Vice-chairperson