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

Miscellaneous Liquor Provisions Regulation

Regulation 64/2014
Registered March 13, 2014

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Definitions

1 The following definitions apply in this regulation.

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

"promotional agreement" means an agreement between a liquor manufacturer, a liquor distributor, or any of their agents, employees or representatives, and the holder of a liquor service licence or retail liquor licence under which the holder agrees to sell a specific type, class or brand of liquor.

Meaning of "private place"

2(1) For the purpose of clause 57(2)(c) of the Act, **"private place"** means a private, enclosed area of a business, organization, school or other institution to which the public is not ordinarily invited or permitted, except at any time when the public is invited or permitted access to it.

2(2) An area described in subsection (1) is not a private place if it is available for public rental.

Promotional event

3(1) A liquor manufacturer or liquor distributor, the holder of a retail liquor licence, or any of their agents, employees or representatives, may provide complimentary samples of liquor, by the glass or bottle, at an event authorized by the authority that is intended to promote specific products produced by a liquor manufacturer.

3(2) The authority may impose such terms or conditions on an authorization for a promotional event that it considers appropriate.

Permitted donations of liquor

4 A liquor manufacturer or liquor distributor, the holder of a retail liquor licence or a liquor service licence, or any of their agents, employees or representatives, may give liquor purchased from MLLC

(a) to a charitable organization to enable the organization to sell or auction it under authority of a special sale permit issued under clause 50(1)(a) of the Act;

(b) to the organizer of a charitable fundraising event for consumption at the event, if the authority has authorized the donation of liquor in advance of the event; and

(c) to be used as a prize in a gaming event.

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Promotional agreements with liquor manufacturers and distributors

5(1) All promotional agreements must be in writing.

5(2) The holder of a liquor service licence or retail liquor licence must, on request, provide the authority with a copy of any promotional agreement that the holder has entered into with another person.

5(3) The holder of a liquor service licence must not enter into any promotional agreement under which any benefit provided to the holder under the agreement is based on the amount of liquor purchased or sold.

5(4) If a promotional agreement provides free items or items at a discount to the holder of a liquor service licence, the items must be provided for patrons or be provided for the principal benefit of patrons.

Notice of marketing representatives

6 If a liquor manufacturer or liquor distributor employs or retains a person to promote the sales of its products in Manitoba, the manufacturer or distributor must provide the authority with the person's name and provide any additional information about the person requested by the authority.

Marketing representatives and agents

7(1) A person employed or retained as a marketing representative or agent for a liquor manufacturer or liquor distributor must register with the authority and pay a registration fee of \$60.

7(2) A registration is valid for three years. The registration may be renewed for a further three-year period upon payment of a \$60 renewal fee.

7(3) A marketing representative or agent must provide the authority with any additional information upon request.

7(4) A marketing representative or agent must not

(a) take or solicit orders for the purchase or sale of liquor, unless he or she has registered with the authority; or

(b) advance or lend money to pay for liquor purchased by or on behalf of a licensee or any other person.

7(5) A marketing representative or agent is responsible for any person to whom he or she has delegated any of his or duties, functions or responsibilities.

Restriction on amount of homemade wine or beer

8 A person must not make more than 227 L of home-made beer or 227 L of home-made wine at any time.

Production of homemade beer and wine in authorized places

8.1 The executive director may authorize the homemade production of beer or wine in premises other than a residence if he or she is satisfied that

(a) the premises comply with all applicable municipal zoning requirements;

(b) all licences, permits and approvals required for the premises have been obtained or will be obtained from the appropriate authority; and

(c) the area where beer or wine is produced is not accessible to the general public.

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Coming into force

9 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:

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