

Liquor Regulatory Review – Additional Information

The provincial government announced 77 changes to Saskatchewan's liquor regulations in November 2012.

The changes now in effect appear in darker type. The first 39 of the 77 changes made to policy were announced in May 2013. Numbers marked with * are the newest changes taking effect as a result of SLGA regulatory and legislative changes. The final change (marked in a lighter shade) will take effect Jan. 1, 2014.

New Business Opportunities:

- *1. Allow spas and salons to obtain a permit allowing these businesses to sell and serve alcohol to customers who are purchasing a spa/salon service.
2. Allow movie theatres to sell and serve alcohol in age-restricted areas of theatres (a liquor permit will be required).
3. Allow concert hall and convention centres to sell and serve alcohol during televised or pre-recorded events (previously, liquor could only be served at live performances).
- *4. Extend the eligibility to operate an off-sale to restaurants and all taverns. However, there will be a cap on the number of off-sale outlets that will be allowed. Current caps will be reviewed and any changes required will be determined as the regulatory changes are rolled out.
5. Allow for an increase in the number of off-sale establishments and franchises on a seasonal basis, based on seasonal increases in population in the resort areas. (Seasonal franchises implemented in May 2013; seasonal off-sales will be offered following implementation of regulatory amendments in summer).
- *6. Allow a food catering business to obtain a permit to also provide alcohol at one of their catered events. (Currently, this opportunity is restricted to businesses that already have a tavern or restaurant permit).
- *7. Allow licensed restaurants and taverns to contract with hotel/motel operators to provide room service or mini-bar service.
8. Extend licensing of restaurants to allow for outdoor restaurant areas (no indoor seating required).
- *9. Allow businesses to obtain up to six special occasion permits per year for the sale of alcohol.
- *10. Create an off-sale endorsement for specialty beer.

Increased Flexibility for Business:

- *11. Allow restaurants to offer Bring Your Own Wine (BYOW) to customers. (Restricted to commercially produced wine).
- 12. Allow hotels/motel/guest houses and other types of accommodation businesses to offer all-inclusive packages for overnight guests that includes alcohol (for example, a hotel spa could offer an overnight stay with spa treatments and alcohol included in the price).
- *13. Allow recorking of high alcohol content specialty beer sold in larger containers (currently, recorking only applies to partially finished bottles of wine).
- 14. Allow permittees to offer promotional packages where an identified amount of alcohol is combined with other products or services for a single price (for example, a burger and a beer for \$10 or a limo trip with a bottle of champagne for \$100). Minimum price guidelines for alcohol will continue to apply.
- *15. Allow permittees to open at 9:30 a.m. on Sundays and holidays (Good Friday, Remembrance Day and Christmas Day) consistent with other days of the week.
- 16. Allow strip-tease performances and wet clothing contests in adult-only liquor permitted premises; full frontal nudity will continue to be prohibited.
- *17. Eliminate the requirement that taverns must also operate hotel rooms, a brew pub or provide nightly live entertainment in order to get a liquor permit. Consistent with this change, current nightclub taverns will be able to operate as taverns prior to 5:00 p.m.
- *18. Allow restaurants to serve alcohol to a customer without also serving a meal. (Restaurants will still be required to average \$1 alcohol to \$1 food sales on a monthly basis in the restaurant area).
- *19. Increase the maximum size of restaurant lounges to be equal in size to the restaurant dining area. (Currently, the lounge cannot be greater than 50 per cent of the restaurant space).
- *20. Allow restaurants the option of operating as an adults-only tavern after 8 p.m.
- *21. Increase the maximum production limits for brew pubs from 2,000 hectolitres to 5,000 hectolitres per year.
- *22. Allow off-sale outlets to sell to all special use permittees.
- *23. Increase flexibility in how alcohol is dispensed (e.g., beer 'towers').
- *24. Increase flexibility with respect to hospitality suites so that alcohol manufacturers can locate them indoors, outdoors or a combination of both. Also, minors will be allowed within hospitality suites, subject to existing rules prohibiting the service of alcohol by or to minors.

- *25. Increase flexibility for permittees who want to offer events using temporary areas.
- *26. Increase flexibility for permittees by allowing all types of permittees to provide free samples for promotional purposes. (Guidelines on sample sizes will continue to apply).
- *27. Increase flexibility for hotels/motels by allowing alcohol to be served to guests through room service after their restaurant closes. (Must still comply with the 2 a.m. cut-off for alcohol service).
- *28. Increase flexibility for hotel/motel operators by eliminating the requirement that the tavern and off-sale must be directly joined (as long as the off-sale outlet is still part of the same establishment/property).
- 29. Increase flexibility for alcohol trade shows by allowing a single entry price to be charged that covers the cost of the alcohol samples. Organizers will be able to choose whether or not patrons must use tokens for alcohol samples.
- *30. Direct SLGA to consult with municipalities to determine whether municipalities should have the authority to establish hours of operation for liquor permitted premises.
- 31. Allow permittees to determine how drinks are served, including the ability to serve pre-mixed drinks. (Regulation amendment made in September 2012).

Reduction in Regulatory Requirements:

- *32. Reduce the complexity of the application process for a tavern, restaurant or other establishment by eliminating the requirement to provide to SLGA proof of compliance with fire, health and safety standards. (Municipal authorities continue to be responsible for these areas).
 - *33. Remove specific requirement that permittees provide lists to customers showing the types and amounts of alcohol in each drink, as well as the price, and replace it with a general requirement to make information about the alcohol content of each drink readily available to customers.
- Increase flexibility for special use permittees by:
- 34. Allowing golf courses to determine the number of carts or kiosks on a golf course and the number of drinks to be served to patrons (currently, restricted to one cart/kiosk per nine holes and two drinks/player/sale);
 - *35. Allowing golf courses to provide beer to golfers without opening it first (for consumption on the course only);
 - 36. Allowing sports stadiums to determine the number of drinks to be served to customers, the type of alcohol available and the types of containers used;

37. Eliminate requirement for sports stadiums to use disposable utensils and dishware when serving food to patrons.
- *38. Require home delivery operators to request proper identification from every customer while reducing the current record keeping requirements for home delivery permittees.
- *39. The maximum size of patios will be determined by the fire code and building code requirements, not SLGA.
- *40. Permittee to determine method they will use to ensure minors do not have access to hotel/motel mini-bars (instead of SLGA prescribing how access will be restricted).
41. Remove provisions around charitable gaming events from liquor regulatory framework (will be regulated through SLGA's charitable gaming branch).
42. Allowing minors to be present at Texas Hold'em poker tournaments, as long as the premises is not adult-only (e.g., restaurants);
43. Eliminate limit on number of Texas Hold'em poker tournaments permittees can hold (currently limited to one/week);
44. Allow restaurants to host Texas Hold'em poker tournaments outside the hours of alcohol service as long as alcohol is not served.
45. Remove restrictions on the types of payment a permittee can use to purchase alcohol from SLGA, a franchise or off-sale.
- *46. Allow customers to carry alcohol between adjoining premises as long as the adjoining businesses agree and alcohol does not pass through a non-permitted area.
47. Remove the requirement for permittees to post the hours of operation, except for off-sale outlets.
48. Remove SLGA advertising standards that are not consistent with the Canadian Radio-television Telecommunications Commission (CRTC) standards.
49. Allowing a karaoke booth to be used as DJ booths for public events taking place in the restaurant lounge common area;
50. Allowing Sunday Brunch to be offered in a karaoke lounge area with minors present (minors will continue to not be allowed in karaoke booth).
51. Increase flexibility for restaurants by allowing banquet rooms to operate during any hours that alcohol may be legally sold, even if the restaurant area is closed. (Currently, banquet rooms are only allowed to operate during the hours that the restaurant is open).
52. Establish guidelines to allow permittees to offer "beer nights" while maintaining permittees' responsibilities to ensure customers are not over-served.

53. Eliminate separate record keeping retention requirement and rely only on the Canada Revenue Agency's retention period.
54. Allow special occasion permittees to charge guests indirectly for alcohol (through the cost of the ticket) where the host permittee is also selling alcohol to the guests.
55. Allow customers on permitted tour buses and boats to self-serve alcohol (under the supervision of an employee other than the driver).
56. Allow permitted limousine and tour bus operators to serve alcohol where passengers are transported between permittees.
57. Increase flexibility for permitted bingo halls by allowing alcohol sales throughout the hall (currently, adult-only areas must be specified).

Simplify requirements for u-brew/u-vin operators by:

- *58. Reducing record keeping requirements;
- *59. Allowing u-brew/u-vin operators to deliver finished product to a customer's home;
60. Allowing u-brew/u-vin operators to facilitate group batches of product;
61. Removing the restrictions against customers topping up wine with spirits;
62. Removing the requirement to operate a retail store front and other requirements around the layout of u-brew/u-vin facilities;
63. Removing requirements for a minimum quality of furnishings and equipment at u-brew/u-vin facilities;
64. Allowing u-brew/u-vin to determine their own policy with respect to customers reuse of commercial bottles and corks;
65. Eliminate advertising restrictions regarding u-brew/u-vin products, subject to standards established by the Canadian Radio-television Telecommunications Commission (CRTC);
- *66. Reducing requirements with respect to customer's sampling their product.

Simplified Procedures:

67. Implement three year permits for commercial permittees, with an option to pay fees annually or every three years. (Implemented in March 2013).
- *68. Simplify the permit process by making some endorsements automatic (currently, additional approval is required).

69. Coordinate SLGA reporting requirements for alcohol manufacturers with other Government reporting requirements to minimize number of forms and reports manufacturers must complete (such as excise tax).
- *70. Simplify the application process by removing the requirement to publish a notice in the Gazette when there has not been a tavern or licensed restaurant in a community for more than 60 days. Only require notification to the municipality when there has not been a tavern or licensed restaurant for more than one year.
- *71. Reduce application requirements for outdoor special occasion permits by limiting the circumstances in which fully detailed site plan and security information is required.

Other Changes:

- *72. Clarify that permittees may allow an intoxicated individual to remain within the permitted premises until safe transportation has been arranged for that individual.
- *73. Increased accountability for permittees respecting illegal activity taking place on their premises.
74. Clarify the policies around the operation of patios and sidewalk cafes, including food service requirements, to ensure consistent and appropriate standards.
75. Amend the maximum hours for Daily Family Dining and Sunday Family Dining in taverns to 9:30 a.m. to midnight. (Amended after feedback from commercial permittees).
76. Expand licensing policy to allow the option to provide alcohol service in any part of sports facilities, with the exception of the playing surface (e.g., ice in a hockey or curling rink) and subject to municipal approval.
77. Increase the amount of alcohol an individual can bring into Saskatchewan from another province for personal use (Regulation amendment made in September 2012). The new limits are:
 - four – 750 ml bottles of spirits;
 - 12 – 750 ml bottles of wine; and
 - six dozen beer or coolers, or a combination thereon.