

Marketing Representatives

A Marketing Representative is an individual who acts as a representative or agent of a liquor manufacturer or liquor distributor. An individual cannot act as a representative or agent until they have registered with the Liquor, Gaming and Cannabis Authority of Manitoba (LGCA) (section 73 of The Liquor, Gaming and Cannabis Control Act (the Act)).

Responsibilities

Marketing Representatives must:

- Comply with the provisions of The Liquor, Gaming and Cannabis Control Act, Regulations and requirements.
- Purchase all liquor used for sampling or promotional purposes from a retail premises licensed by the LGCA.
- Take responsibility for any person whom he or she has delegated any of his or her duties, functions or responsibilities.

Marketing Representatives must **not**:

- Take or solicit orders for the purchase or sale of liquor, unless he or she has registered with the authority; or
- Advance or lend money to pay for liquor purchased by or on behalf of a licensee or any other person.
- Be in possession of any liquor not purchased from a retail premises licensed by the LGCA.
- Supply or give liquor to a minor (subsection 62(1) of the Act).
- Supply or give liquor to a person who is or who appears to be intoxicated (section 58 of the Act).

Promotional Agreements

Promotional agreements are written agreements 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 licence under which the holder agrees to sell a specific type, class or brand of liquor.

The holder of a liquor service licence or retail liquor licence must, on request, provide the LGCA with a copy of any promotional agreement that the holder has entered into with another person. No promotional agreement can provide any benefit to the holder of a liquor service licence based on the amount of liquor purchased or sold.

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

Registration Process

The registration process is as follows:

1. To be registered with the LGCA, the applicant must first be a representative or agent of a manufacturer or liquor distributor (section 7 of Miscellaneous Liquor Provisions Regulation).
 - The manufacturer or liquor distributor must notify the LGCA in writing of the new representative.



- The marketing representative must submit an application and the \$60 registration fee to the LGCA.
 - The marketing representative must provide the LGCA with any additional information upon request.
2. The LGCA reviews the application once the documentation is received.
 3. If approval is given, the LGCA notifies the marketing representative, in writing, of the approved registration.
 - No card will be issued from the LGCA.
 4. The approved marketing representative must contact the Manitoba Liquor and Lotteries purchasing department at (204) 957-2500.

Registration Renewal

The registration is valid for three years from the registration or renewal date. On expiry, the marketing representative must complete a renewal application and submit the \$60 fee (subsection 7(2) of Miscellaneous Liquor Provisions Regulation).

Donations of Liquor

A marketing representative may give liquor purchased from Manitoba Liquor and Lotteries (section 4 of Miscellaneous Liquor Provisions Regulation):

- 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;
- 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
- To be used as a prize in a gaming event.

Sampling

- Marketing Representatives may provide samples in retail premises, licensed premises, and premises with a social occasion permit.
- Samples of liquor cannot exceed the following serving sizes:
 - a) 15 ml of spirits:
 - b) 60 ml of wine:
 - c) 120 ml of beer, cider or coolers.

Offences

Marketing representatives may face the following consequences for breach of the Act, regulations or requirements of a Marketing Representative:

- Cancellation of the marketing representative's registration.
- Letter of warning that forms part of the marketing representative's record of operation with the LGCA.
- A fine up to \$100,000 and/or imprisonment for up to one year (clause 149(1)(a) of the Act).

This document is available in alternate formats, upon request.

