

## TERMS AND CONDITIONS

### Delivery Licence

# Delivery of Liquor and/or Cannabis

Licensees are responsible to comply with all terms and conditions when delivering liquor or cannabis on behalf of a licensed supplier.

## 1.0 Definitions

**“Act”** means The Liquor, Gaming and Cannabis Control Act and includes regulations made under the Act.

**“advertisement”** means anything prepared by or on behalf of a regulated person that is intended to promote liquor or cannabis sales, or participation in a lottery.

**“cannabis”** means cannabis as defined in the Cannabis Act (Canada).

**“delivery licence”** means a licence issued under section 151.1 of the Act that authorizes the delivery of liquor or cannabis.

**“executive director”** means the executive director of the LGCA.

**“inspector”** means:

- a) an inspector appointed or designated under section 119 or section 120 of the Act; and
- b) a member of a police service.

**“LGCA”** means the Liquor, Gaming and Cannabis Authority of Manitoba.

**“licensee”** means a person, business entity or association of persons holding a licence issued by the LGCA. In these terms and conditions, it means the holder of a delivery licence.

**“licensed supplier”** means the holder of:

- a) a retail liquor licence;
- b) a liquor service licence;
- c) a liquor manufacturer’s licence with a retail endorsement; or
- d) a retail cannabis licence.

**“liquor”** means beer, wine, spirits and any other product intended for human consumption that contains more than 1% alcohol by volume.

**“remote order”** means an order for the purchase of liquor or cannabis that has been submitted on the Internet, through a software application, or by another method approved by the executive director.

## 2.0 General

### 2.1

The licensee is authorized to deliver liquor and/or cannabis purchased by a customer from a licensed supplier. The licensee must not sell liquor or cannabis.

### 2.2

The licensee must not keep a stock of liquor and/or cannabis.

### 2.3

The licensee must not process remote orders on behalf of a licensed supplier unless:

- a) the order is for liquor sales; and
- b) the processing takes place in a manner approved by the executive director.



## 2.4

Liquor and/or cannabis orders must not be delivered more than 30 minutes after the premises of the licensed supplier is required to be closed under the Act.

## 2.5

Licensees may charge a delivery fee, but must not alter the product price as set by the licensed supplier.

## 2.6

The licensee must:

- a) deliver liquor and/or cannabis to customers only within the province of Manitoba, and only to the address specified on the order; and
- b) transport liquor and/or cannabis in compliance with the Act and The Highway Traffic Act.

## 2.7

The licensee must not deliver liquor and/or cannabis to:

- a) a person under 18 years of age, in the case of liquor;
- b) a person under 19 years of age, in the case of cannabis;
- c) a person who is or appears to be intoxicated;
- d) a person who intends to sell the liquor and/or cannabis in contravention of the Act; or
- e) a place where liquor and/or cannabis may not be lawfully kept or possessed.

## 2.8

All persons delivering liquor must be at least 18 years of age. All persons delivering cannabis must be at least 19 years of age.

## 2.9

All persons delivering liquor and/or cannabis must have successfully completed a training course specified by the executive director and must ensure proof of completion of the course is carried on their person during the course of their duties. Upon request, proof of successful completion of the course must be presented to a licensed supplier or inspector.

## 2.10

If an order is delivered to a person who appears to be under 18 years of age, in the case of liquor, or under 19 years of age, in the case of cannabis, the delivery person must require that person to produce one of the following types of valid identification that belongs to that person:

- a) a passport;
- b) a driver's licence;
- c) an identification card issued by Manitoba Public Insurance;
- d) a Secure Certificate of Indian Status issued by the Government of Canada;
- e) a NEXUS card;
- f) a Canadian Armed Forces identification card;
- g) a possession and acquisition licence issued under the *Firearms Act* (Canada);
- h) a Manitoba Métis Federation citizenship card;
- i) two pieces of government-issued identification, with at least one piece of identification containing a photograph of the person.

## 2.11

If the person is unable to produce the required identification, the licensee must not deliver liquor and/or cannabis to that person.

## 2.12

Any liquor and/or cannabis that is not delivered must be returned by the licensee to the licensed supplier.

## 2.13

The licensee must keep a record of:

- a) the date, time and address of each liquor and/or cannabis delivery; and
- b) the name and address of the licensed supplier.

## 2.14

The licensee must maintain all records for the delivery of liquor and/or cannabis for two years and must make the records available to the LGCA, upon request.

## 2.15

Unless authorized by the LGCA, all liquor and/or cannabis that is delivered must be sealed and in the original bottle, container or package in which it was contained when it was received from the licensed supplier.



## **2.16**

Unless exempted by the executive director, every liquor- and/or cannabis-related advertisement prepared by or on behalf of the licensee must contain a social responsibility message approved by the executive director.

## **2.17**

Every liquor- and/or cannabis-related advertisement prepared by or on behalf of the licensee must comply with the Canadian Code of Advertising Standards established by Advertising Standards Canada and the Cannabis Act (Canada).

## **2.18**

The executive director may, at any time, add, vary, repeal or substitute terms and conditions.

## **2.19**

The licensee must notify the LGCA of any matter which the licensee can reasonably assume to be of consequence to the LGCA.

## **2.20**

The licensee must provide further information as required by the LGCA.

Available in alternate formats, upon request.

