

Guide for Liquor Service Licensees



Introduction

The following guide is a reference for liquor service licence holders. The guide provides an overview of requirements under [The Liquor, Gaming and Cannabis Control Act](#) (the Act) and supporting [regulations](#), but does not include everything you must do as a licence holder.

If available, exemptions apply only with written authorization from the Liquor, Gaming and Cannabis Authority of Manitoba.

The licence holder is responsible to comply with all requirements set out in the legislation, relevant regulations and, if applicable, the terms and conditions specific to their licence. This guide is intended to be used as a reference only. The Act, regulations and terms and conditions have legal authority.



1. General Information

1.1 Authorization and categories of licence

A liquor service licence authorizes the licence holder to sell liquor for consumption in their premises (i.e., licensed area of the business). There are two categories of liquor service licence in Manitoba:

- I. Age-restricted (i.e., minors under 18 years old not allowed), required to:
 - a. Sell liquor for consumption in a casino or gaming centre;
 - b. Operate a stand-alone bar; or
 - c. Operate a nightclub or entertainment venue.
- II. General, for any other type of licensed premises that is appropriate for minors under 18 years old (e.g., restaurant, recreation facility, hair salon).

2. Requirements of Licence Holders

2.1 Purchase through licensed retailer

All liquor sold and served in the licensed premises must be purchased through the Manitoba Liquor and Lotteries Corporation or from a licensed retail premises, such as a retail beer vendor, rural liquor vendor, or wine store.

2.2 Advertising and Promotion

Any ads published by or on behalf of the licence holder must comply with the [Canadian Code of Advertising Standards](#) and contain a social responsibility message, unless authorized by the LGCA. Any promotional agreements between the licence holder and a third party, where the licence holder agrees to sell a specific type, class or brand of liquor, must be in writing and must be provided to the LGCA, upon request.

3. Operations

3.1 Staff and Training

3.1.1 The licence holder is responsible for the conduct of all employees.

3.1.2 The licence holder is responsible for ensuring that employees involved in the sale and service of liquor or providing security complete the LGCA's [Smart Choices Responsible Services Certification](#).

3.1.3 Only on-duty staff may serve or sell liquor. Staff may not consume liquor while on duty.

3.2 Minors

3.2.1 A minor may work in an age-restricted licensed premises, provided they do not serve or sell liquor, verify proof of age, or act as a security.

3.2.2 An employee who is a minor cannot be in the licensed premises any time there is adult entertainment.

3.2.3 A licence holder must not:

- Sell or serve liquor to a minor;
- Allow a minor to possess or consume liquor in the licensed premises;
- Allow a minor to enter an age-restricted premises unless authorized by the LGCA; or
- Allow a minor to provide entertainment in an age-restricted premises unless accompanied by a parent or guardian and only if no adult entertainment is being offered.

3.3 ID Requirements

Staff must ask for [valid ID](#) when customers appear to be younger than 18 years old. If no acceptable ID is shown, staff must refuse entry, refuse liquor service and/or take liquor away from the customer.

3.4 Hours of Service

Liquor must not be sold or served between these hours:

- 2:00 a.m. – 9:00 a.m.; and
- on Remembrance Day,
 - from 2:00 a.m. – 12:00 noon, if the licence holder is a veterans organization; and
 - from 2:00 a.m. – 1:00 p.m. for all other licence holders.

3.5 Capacity

The licence holder must not exceed the maximum number of people allowed in the premises as established by the LGCA and listed on the notice you received with your licence.

3.6 Prohibited Activities

The following activities are prohibited in a licensed premises:

- Anything that contravenes a federal, provincial or municipal law or by-law;
- Drunk or disorderly conduct in or outside the premises;
- Excessive consumption of liquor;
- Games or activities that involve consumption of liquor; and
- Sale of liquor to an intoxicated person.

3.7 Maximum Serving Sizes and Containers

3.7.1 Unless authorized by the LGCA, the licence holder must not serve a customer more than:

- 86 ml of spirits;
- 500 ml of wine; or
- 1,000 ml of beer, cider or coolers.

3.7.2 Customers may not be in possession of more than two containers of liquor, unless authorized by the LGCA.

3.7.3 Unless authorized by the LGCA, liquor must remain in the container in which it was purchased until it is dispensed to a customer.

3.7.4 Liquor must not be adulterated or diluted (i.e., unless authorized by the LGCA, nothing can be added to liquor until it is dispensed for service to a patron).

3.8 Minimum Pricing

Unless authorized by the LGCA, liquor prices, including taxes, must not be lower than \$2.25 for:

- 43 ml of spirits;
- 142 ml of wine; or
- 341 ml of beer, cider or coolers.

3.9 Food and Non-Alcoholic Beverages

Unless authorized by the LGCA, the licence holder must ensure there are a variety of food and non-alcoholic beverages available. Food may be packaged or, if approved by the LGCA, from outside the premises.

3.10 Liquor with Food Takeout and Delivery

The licence holder may offer beer, wine, cider and coolers for takeout and delivery only if:

- The liquor is ordered with food prepared by the licence holder in their kitchen;
- The liquor is sold only while the premises is open and operating; and
- The liquor remains in its original sealed container.

3.11 Customer's own wine

A licence holder allowing a customer to bring their own wine to consume in the licensed premises must ensure that:

- The wine is commercially made and in an unopened bottle; and
- All the same rules for liquor sold in the premises are followed.

3.12 Unfinished Liquor

3.12.1 A customer may remove an unfinished bottle of wine if the licence holder recorks the bottle so the top of the cork is flush with the opening of the bottle.

3.12.2 Unfinished liquor left by the customer must be disposed of when the customer leaves the premises.

3.12.3 All unfinished liquor must be disposed of within one hour of the end of liquor service for the day.

3.13 Samples

3.13.1 Complimentary samples of liquor may only be provided by liquor manufacturers, liquor distributors, or adult agents, employees, or representatives of liquor manufacturers or distributors:

- To adults in a licensed premises; or
- To the licence holder and its adult employees for informational and training purposes.

3.13.2 A complimentary sample must not exceed:

- 15 ml of spirits;
- 60 ml of wine; or
- 120 ml of beer, cider or coolers.

3.14 Catered Events

With authorization from the LGCA, licence holders may serve and sell liquor with meals prepared by the licence holder for an event at a private residence, business premises or other location with the following conditions:

- Employees of the licensee must serve all food and liquor at the event;
- All guests must be invited by the event organizer and not the licensee; and
- All the same rules for liquor sold at the licensee's premises apply.

3.15 Video Lottery Terminals

If a general liquor licence holder has video lottery terminals, minors may not enter the area of the licensed premises where they are located.

3.16 End of day

3.16.1 Customers must leave an age-restricted premises within one hour after the end of liquor service, with the exception of casinos and gaming centres.

3.16.2 A patron may consume liquor in licensed premises for one hour after the time when the sale of liquor in the premises must end.

4. Inspection

4.1 An inspector may do the following without a warrant:

- Enter any business premises of a licence holder; and
- Enter any building or area other than the licence holder's home if they have reason to believe records or items relevant to the enforcement of the Act are kept there.

4.2 A licence holder must:

- Provide all records or other materials requested by the inspector;
- Provide any assistance or information required by the inspector; and
- Answer questions related to the purpose of the inspection.

4.3 A licence holder must not obstruct, hinder or make a false or misleading statement to the inspector who is exercising powers or performing duties under the Act.

5. Compliance and Penalties

5.1 Compliance Orders

5.1.1 A licence holder who is the subject of a compliance order must comply with the order.

5.1.2 The executive director can suspend or cancel a licence if the licence holder does not comply with the order.

5.2 Penalties for Offences

5.2.1 Individuals guilty of an offence can be fined up to \$100,000 and imprisoned for up to one year.

5.2.2 Corporations guilty of an offence can be fined up to \$500,000.

6. Change in Control and Notification Obligations

6.1 Licence holders must inform the LGCA of any significant changes to their business. Unless approved by the executive director, certain changes will invalidate the licence, including:

- Selling the business, assets or more than 10% of company shares;
- Changing of partnership(s);
- Transferring the licence; and
- Taking a loan from someone other than a financial institution.

6.2 A licence holder must notify the executive director of the LGCA in writing if:

- Any change in ownership or partnership takes place;
- The licence holder wishes to reduce or enlarge the area of the licensed premises (e.g., a renovation); or
- There is a change in activities or measures at the premises that could impact the licence category (e.g., start/stop serving meals).