

EXPLANATORY NOTES

BILL

NO. 23

The Liquor Retail Modernization Act

Clause of Bill

- 1 This Act may be cited as *The Liquor Retail Modernization Act*.
- 2 *The Alcohol and Gaming Regulation Act, 1997* is amended in the manner set forth in this act.
- 3 **Existing Provision**

Interpretation

2 In this Act:

...

“exhibition casino operator” means the board of a fair or of an exhibition that is authorized by the authority in accordance with section 207 of the *Criminal Code* to conduct and manage a lottery scheme in Saskatchewan; (« *exploitant de casino d’une exposition* »)

...

“franchise” means a franchise for the sale of beverage alcohol granted by the authority pursuant to section 104; (« *franchise* »)

...

“permitted premises” means the premises for which a permit is issued, except premises mentioned in a permit to:

- (a) sell or consume beverage alcohol at a special occasion;
- (b) manufacture alcohol;
- (c) carry on a u-brew or u-vin operation; or
- (d) operate a catering business that may serve and sell beverage alcohol at catered events; (« *lieu visé par un permis* »)

...

“store” means a store established by the authority; («*magasin*»)

...

1997, c.A-18.011, s.2; 2000, c.36, s.3; 2002, c.42, s.3; 2003, c.15, s.3; 2004, c.67, s.2; 2005, c.21, s.2; 2005, c.3, s.3 and s.4; 2007, c.10, s.3; 2008, c.8, s.3; 2013, c.2, s.3; 2014, c.7, s.3.

Explanation

Amendments to section 2 will repeal the franchise definition, amending the definitions of permitted premises and store and adding definitions for duty free shop and retail store to facilitate the transition to a level playing field for liquor retailers. As part of the changes to Saskatchewan’s liquor retail system to level the playing field among beverage alcohol retailers, a new single permit will be created for retail stores.

Additionally, the definition for exhibition casino operator is being removed to reflect current policy that such operators are not granted licences to operate full casinos. Because the Criminal Code does authorize exhibition associations to operate table games a corresponding amendment to *The Gaming Regulations, 2007* will provide additional clarity about the gaming operations that can be provided by exhibition associations.

4 Existing Provision

Powers respecting sales and stores

14 In accordance with this Act and the regulations, the authority may:

- (a) purchase, import and have in its possession and sell beverage alcohol, and furnish stocks of beverage alcohol to stores, franchises and permittees;
- (b) determine the location, construction, accommodation, furnishings, equipment, operation and management of its stores, franchises and warehouses;
- (c) determine the places in which its stores, franchises and warehouses are to be established and have the general control, management and supervision of those stores and warehouses in Saskatchewan;
- (d) determine the days and hours that stores and franchises are to be kept open for the sale of beverage alcohol;
- (e) where it has established a store or franchise, close the store or revoke the franchise for any reason it considers sufficient;

(f) fix the prices at which any class, variety or brand of beverage alcohol may be sold by the authority and provide for the making and distribution of price lists for each class, variety or brand of beverage alcohol to be kept for sale pursuant to this Act; and

(g) limit the area where a franchise may sell beverage alcohol to a permittee.

1997, c.A-18.011, s.14.

Explanation

Amended section 14 removes references to franchises. Under the new liquor retail model, franchises are being converted to retail store permits. Rather than a franchise relationship, SLGA will assume a regulatory role over franchises.

5 Existing Provision

Powers respecting licences, permits, etc.

19(1) Subject to this Act, the regulations and the rules of horse racing, the authority may:

- (a) grant any application for a licence, permit, horse-racing licence, horseracing registration or certificate of registration on any terms and conditions it considers appropriate;
- (b) grant endorsements to permits on any terms and conditions it considers appropriate;
- (c) refuse any application for a licence, permit, endorsement, horse-racing licence, horse-racing registration or certificate of registration;
- (d) refer an application for a licence, permit, reviewable endorsement, horse-racing licence or certificate of registration to the commission for a hearing pursuant to clause 26(2)(a) if the authority is of the opinion that it is in the public interest to conduct a hearing;
- (e) determine the duration of licences, permits, endorsements, horse-racing licences, horse-racing registrations and certificates of registration;
- (f) suspend or cancel a licence on any terms and conditions it considers appropriate;
- (g) assess a penalty pursuant to section 39.1 against a permittee or registrant;

(h) at the time it assesses a penalty pursuant to clause (g) against a permittee or registrant, determine the date by which the penalty is to be paid in full;

(i) suspend a permit, endorsement or certificate of registration on any terms and conditions it considers appropriate, either alone or in conjunction with assessing a penalty pursuant to clause (g); and

(j) cancel a permit, endorsement or certificate of registration on any terms and conditions it considers appropriate.

(2) Respecting permits, the authority shall:

(a) fix the price at which beverage alcohol may be sold by a permittee;

(b) determine the land or buildings that constitute premises with respect to which a permit may be issued; and

(c) regulate and restrict the nature and conduct of entertainment at any place where a permit is, or is to be, issued.

(3) In exercising its power pursuant to clause (1)(b), the authority may establish a sealed bid process in accordance with the regulations to allocate an endorsement authorizing the sale of beverage alcohol, in closed containers of the type and quantity contained in the endorsement, for consumption off the permitted premises.

1997, c.A-18.011, s.19; 1998, c.16, s.4; 2000, c.36, s.4; 2014, c.7, s.5.

Explanation

Amended clause 2(a) will confirm SLGA's authority to establish a minimum price at which alcohol can be sold at retail.

This section is also amended to repeal subsection 19(3), which was included in the Act to allow SLGA to implement a bid process to issue full off-sale endorsements in communities where one became available. With the changes to the liquor retail industry, full off-sale outlets will be transitioned to retail store permits and no additional full off-sales will be issued. As such, this provision is no longer required.

6 Existing Provision

Subsidiaries

20.1(1) Subject to the approval of the Lieutenant Governor in Council, the authority may incorporate any other companies that it considers will directly or indirectly benefit the authority.

(2) The authority may exercise its powers and may fulfil its purposes through any of its subsidiaries.

(3) For the purposes of this Act and the regulations, any reference to the authority shall include its subsidiaries.

2014, c.7, s.6.

Explanation

Amended section 20.1 clarifies the language regarding subsidiaries.

7 Existing Provision

Commission hearings

26(1) The commission shall hold a hearing in each of the following circumstances if the applicant applies for a review in accordance with section 30:

(a) if the authority:

(i) imposes terms and conditions on a licence, horse-racing licence, horse-racing registration, permit, reviewable endorsement or certificate of registration that are unsatisfactory to the applicant; or

(ii) refuses an application for a licence, horse-racing licence, horse-racing registration, permit, reviewable endorsement or certificate of registration;

(b) if a First Nation gaming licensing authority:

(i) imposes terms and conditions on an on-reserve certificate of registration that are unsatisfactory to the applicant; or

(ii) refuses an application for an on-reserve certificate of registration;

(c) if a horse-racing licence is suspended or cancelled or a fine or other sanction is imposed on any person who contravened the rules of horse racing or acted in a manner that was prejudicial to the best interests of horse racing.

(2) Subject to subsection (3), the commission shall hold an oral hearing in each of the following circumstances:

(a) if the authority receives an application for a licence, horse-racing licence, permit, reviewable endorsement or certificate of registration, and, in the opinion of the authority, it is in the public interest to conduct an oral hearing;

(b) if a First Nation gaming licensing authority receives an application for an on-reserve charitable gaming licence or for an on-reserve certificate of registration,

and in the opinion of that First Nation gaming licensing authority, it is in the public interest to conduct an oral hearing;

(c) if the authority receives a written objection pursuant to section 63;

(d) if the authority proposes to suspend or cancel a licence, permit, reviewable endorsement or certificate of registration, and the licensee, permittee or registrant, as the case may be, applies for a hearing in accordance with section 33;

(e) if a First Nation gaming licensing authority proposes to suspend or cancel an on-reserve charitable gaming licence or on-reserve certificate of registration, and the on-reserve charitable gaming licensee or on-reserve registrant, as the case may be, applies for a hearing in accordance with section 34.1;

(f) in accordance with section 37, if the authority has suspended a licence, permit, reviewable endorsement or certificate of registration pursuant to that section;

(g) in accordance with section 37.1, if a First Nation gaming licensing authority has suspended an on-reserve certificate of registration pursuant to that section;

(h) if the Saskatchewan Gaming Corporation, the Saskatchewan Indian Gaming Authority or an exhibition casino operator has forbidden any person from entering any casino in Saskatchewan for a specified period pursuant to clause 147.2(1)(b), and the person applies for a review in accordance with section 147.3;

(i) if a permittee or registrant applies for a hearing in accordance with section 39.1;

(j) if a First Nation gaming licensing authority assesses a penalty against an on-reserve registrant pursuant to section 147.07, and the on-reserve registrant applies for an oral hearing in accordance with that section.

(3) Notwithstanding clause (2)(c), the commission shall not hold an oral hearing if a person has filed a written objection within the meaning of section 63 and the commission, after considering the grounds for the objection, determines, in its absolute discretion, that those grounds:

(a) are frivolous or vexatious; or

(b) are prescribed in the regulations as grounds for which a hearing is not to be held.

(4) The commission may rehear any application respecting:

(a) the imposition of terms and conditions on, or the issuance, suspension or cancellation of, a licence, on-reserve charitable gaming licence, horseracing licence, permit, certificate of registration or on-reserve certificate of registration;
or

(b) the imposition of any sanction for contravention of the rules of horse racing or acting in a manner that is prejudicial to the best interests of horse racing.

2014, c.7, s.8.

Explanation

The amended section 26 removes the reference to “exhibition casino operator.” Because the *Criminal Code* does authorize exhibition associations to operate table games a corresponding amendment to *The Gaming Regulations, 2007* will provide additional clarity about the gaming operations that can be provided by exhibition associations.

8 Existing Provision

Applying for review

31(1) An application for a review pursuant to section 30, subsection 146(9), subsection 147.04(12) or section 147.3 is to be commenced by:

- (a) filing an application for review with the commission;
- (b) where the applicant wishes an oral hearing, requesting a date and time for the oral hearing; and
- (c) paying the fee prescribed in the regulations

(2) The application for review mentioned in subsection (1):

- (a) is to be substantially in the form prescribed in the regulations; and
- (b) may be accompanied by any other information that the applicant wishes the commission to consider.

1997, c.A-18.011, s.31; 2003, c.15, s.9; 2005, c.3,
s.8; 2014, c.7, s.12.

Explanation

The amended section 31 is necessary because of a subsequent amendment that changes to the numbering of section 146. Once implemented, the amended subsection 31(1) will refer to the same provision in the new section 146.

9 Existing Provision

Powers of commission

35(1) On holding a hearing pursuant to clause 26(1)(a) or (c) or clause 26(2)(a), (c), (d), (f) or (i) or subsection 26(2), the commission may:

(a) direct the authority to:

(i) issue, on any terms that the commission considers appropriate, a licence, horse-racing licence or permit; or

(ii) grant, on any terms that the commission considers appropriate, a certificate of registration, reviewable endorsement or horse-racing registration;

(b) direct the authority to refuse:

(i) to issue a licence, horse-racing licence or permit; or

(ii) to grant a certificate of registration, reviewable endorsement or horse-racing registration;

(c) direct the authority to suspend a licence, permit, reviewable endorsement or certificate of registration for any period the commission considers appropriate;

(d) direct a refund of any fees paid for:

(i) a review pursuant to section 31; or

(ii) a hearing pursuant to section 33;

(e) direct the authority to revoke the suspension of a licence, permit, reviewable endorsement or certificate of registration on those terms that the commission considers appropriate;

(f) direct the authority to cancel a licence, permit, reviewable endorsement or certificate of registration;

(g) direct the authority to renew a licence, permit, reviewable endorsement or certificate of registration for any period the commission considers appropriate;

(h) direct the authority to amend, vary or repeal and substitute any terms imposed or impose new terms on a licence, horse-racing licence, permit, reviewable endorsement or certificate of registration;

(i) confirm the decision to cancel or suspend a horse-racing licence or to impose a fine or other sanction on a person who has contravened the rules of horse racing

or acted in a manner that is prejudicial to the best interests of horse racing, or substitute the commission's own decision;

(j) on a rehearing pursuant to subsection 26(2), review, rescind, change, alter or vary any order made by the commission; or

(k) in the case of a hearing pursuant to section 39.1:

(i) assess a penalty in accordance with section 39.1 up to the amount proposed in the written notice provided pursuant to subsection 39.1(3) or in any other amount subject to the limits prescribed by the regulations; and

(ii) at the time the commission assesses a penalty pursuant to subclause (i):

(A) determine the date by which the penalty is to be paid in full; and

(B) order that the permit or certificate of registration, as the case may be, be suspended for the period proposed in the written notice provided pursuant to subsection 39.1(3) or for any period that the commission considers appropriate if the permittee or registrant fails to pay the penalty in full by the date determined pursuant to paragraph (A).

(2) On holding a hearing pursuant to clause 26(1)(b) or clause 26(2)(b), (e), (g), (h) or (j) respecting an on-reserve charitable gaming licence or an on-reserve certificate of registration, the commission may:

(a) direct the First Nation gaming licensing authority to do any of the following:

(i) issue, on those terms and conditions that the commission considers appropriate, an on-reserve charitable gaming licence or on-reserve certificate of registration;

(ii) refuse to issue an on-reserve charitable gaming licence or on-reserve certificate of registration;

(iii) suspend an on-reserve charitable gaming licence or on-reserve certificate of registration for any period that the commission considers appropriate;

(iv) revoke the suspension of an on-reserve charitable gaming licence or on-reserve certificate of registration, on those terms and conditions that the commission considers appropriate;

(v) cancel an on-reserve charitable gaming licence or an on-reserve certificate of registration;

(vi) renew an on-reserve charitable gaming licence or on-reserve certificate of registration for any period that the commission considers appropriate;

(vii) amend, vary, repeal and substitute any terms and conditions imposed, or impose any new terms and conditions, on an on-reserve charitable gaming licence or on-reserve certificate of registration; and

(b) direct a refund of any fees paid for:

(i) a review pursuant to section 31; or

(ii) a hearing pursuant to section 34.1.

(3) **Repealed.** 2014, c.7, s.16.

(4) If the commission revokes a decision to deny a person access to a casino pursuant to clause 147.2(1)(b), or varies the period during which a person is forbidden to enter a casino, the commission shall notify the following of the decision:

(a) the Saskatchewan Gaming Corporation;

(b) the Saskatchewan Indian Gaming Authority;

(c) all exhibition casino operators operating a casino in Saskatchewan.

2008, c.8, s.5; 2014, c.7, s.16.

Explanation

This amended section 35 removes the reference to “exhibition casino operators.” Because the *Criminal Code* does authorize exhibition associations to operate table games a corresponding amendment to *The Gaming Regulations, 2007* will provide additional clarity about the gaming operations that can be provided by exhibition associations.

10 Existing Provision

Franchise may issue special occasion permits

47.1 A franchise may issue special occasion permits if authorized to do so pursuant to an agreement entered into by the authority and the franchisee.

2014, c.7, s.23.

Where prohibited

48(1) Subject to subsection (2) and section 50, the authority shall not consider any application for any type of permit, other than a permit allowing the sale and

consumption of beverage alcohol at a special occasion, for any premises located in a municipality that has passed a bylaw prohibiting the operation of permitted premises in that municipality pursuant to section 49.

(2) The authority, on any terms it considers advisable, may issue or renew a permit respecting any premises situated in:

- (a) the Northern Saskatchewan Administration District;
- (b) a provincial park established pursuant to *The Parks Act* or a regional park established or continued pursuant to *The Regional Parks Act, 2013*;
- (c) an area that, in the opinion of the authority, is a summer or winter resort area;
- (d) a national park of Canada, subject to any regulations made pursuant to the *National Parks Act* (Canada); or
- (e) a reserve.

1997, c.A-18.011, s.48; 2010, c.25, s.2; 2013, c.29, s.2; 2014, c.7, s.24.

Municipal bylaws

49(1) If the authority receives an application for a permit respecting premises located in a municipality in which, for at least one year, there have been no permitted premises, stores or franchises, and a bylaw has not been adopted in accordance with subsection (2), the authority shall:

- (a) give written notice to the municipality that it has received the application; and
- (b) direct the applicant to publish a notice in accordance with section 62 with respect to the application.

(2) Following the notice, the council of the municipality may elect to adopt a bylaw prohibiting the operation of permitted premises in the municipality or may be required to do so pursuant to:

- (a) *The Municipalities Act* in the case of a municipality other than a city or northern municipality.
- (b) **Repealed.** 2005, c.21, s.2.
- (c) *The Northern Municipalities Act, 2010* in the case of a northern municipality;
- (d) *The Cities Act* in the case of a city that is incorporated or continued pursuant to that Act.

(3) Where the council of the municipality elects or is required to refer the bylaw to a vote of electors or voters, as the case may be, the council shall give notice of that election or requirement to the authority.

(4) **Repealed.** 2005, c.21, s.2.

(5) Where the authority receives notice pursuant to subsection (3), it shall not issue any permits in the municipality until it has determined that the bylaw was not adopted.

1997, c.A-18.011, s.49; 2002, c.27, s.2; 2005, c.21, s.2; 2008, c.8, s.8; 2010, c.25, s.2; 2013, c.2, s.4.

Explanation

The amended section 47.1 will allow SLGA to enter into agreements with those retail store permittees that wish to issue special occasion permits (SOP) for family and community events. As is currently the case, some SOPs, such as those for large outdoor events, will continue to require SLGA head office approval. By entering into agreements with those retail store permittees that wish to issue SOPs, SLGA can ensure that appropriate training is provided and that issues, such as obligations to protect private information of SOP holders, are addressed.

The amended sections 48 and 49 combine the municipal notice requirements for permitted premises and retail stores, making the same requirements apply to both permitted premises and retail stores. Previously, separate municipal notice requirements were required for permitted premises and circumstances where SLGA intended to open a new SLGA store or franchise.

This amended section 48 also adds the requirement that SLGA provide notice to a reserve, the Northern Administrative District, a provincial park, a resort area, or a national park if a permit is being considered within the boundaries of such an entity. This formalizes SLGA's longstanding practice of providing notice in such circumstances.

11 Existing Provision

Application for permit

57(1) An application for a permit must be made in the manner prescribed in the regulations.

(2) Before a permit is issued, the authority may require the applicant to pay any liquor consumption tax not paid by the preceding permittee of the premises that are the subject of the application.

2014, c.7, s.25.

Explanation

The amended section 57 allows SLGA to determine the form and information that are required as part of the application process for a liquor permit, consistent with the approach taken for gaming registrations. This change will provide SLGA the required flexibility to ensure the appropriate information is being collected on which to make decisions respecting different types of permits.

12 Existing Provision

Certain interests prohibited

61(1) Subject to subsections (2) to (5), no permit shall be issued respecting any premises:

(a) in which a manufacturer, or any of its directors, officers, shareholders, employees or agents has:

(i) acquired any direct, indirect or contingent interest in the ownership or management of the business to which the application relates or in its property, chattels or equipment; or

(ii) assisted the applicant financially in any way; and

(b) where, in the opinion of the authority, the involvement of the manufacturer would cause the permittee to unduly discourage the sale or consumption of the products of other manufacturers.

(2) This section does not apply to trains or premises owned and operated by a railway company incorporated prior to January 2, 1989.

(3) This section does not apply to any brew pub, cottage winery, micro brewery or micro distillery, all as defined in the regulations, for which a manufacturer permit has been issued.

(4) Subclause (1)(a)(ii) and clause (1)(b) do not apply to special use permits that are prescribed in the regulations.

(5) No permittee shall use a manufacturer's name or logo in the name of the permittee's permitted premises.

1997, c.A-18.011, s.61; 2005, c.3, s.12; 2008, c.8, s.11; 2014, c.7, s.28.

Explanation

The amended section 61 will allow for rules regarding inducements to be made through regulation rather than legislation. This will give SLGA flexibility to respond to changes in the industry more quickly.

13 Existing Provision

Publication of notice

62(1) When an application for a permit or reviewable endorsement is received by the authority, the applicant shall publish a notice in a form acceptable to the authority that written objections to the granting of a permit or reviewable endorsement may be filed with the authority not more than two weeks from the date of publication of the notice.

(2) Subsection (1) does not apply to:

- (a) a permit allowing the service of beverage alcohol at a special occasion;
- (b) a permit allowing the sale and service of beverage alcohol at a special occasion;
- (b.1) a permit issued to a u-brew or u-vin operation;
- (b.2) a permit allowing a catering business to serve and sell beverage alcohol at catered events;
- (c) an application for an endorsement other than a reviewable endorsement;
- (d) an application to transfer a permit and any existing endorsement to the permit, including a reviewable endorsement; or
- (e) an application to renew a permit or reviewable endorsement.

(3) Where an applicant applies for a permit, the notice is to be published:

- (a) at least once each week for two successive weeks in a daily or weekly newspaper published:
 - (i) in the municipality in which the proposed permitted premises are to be situated; or
 - (ii) in Saskatchewan and circulating in the municipality in which the proposed permitted premises are to be situated, if no daily or weekly newspaper is published in that municipality; or
- (b) in any other manner prescribed in the regulations.

(4) The applicant shall provide the authority with a copy of the newspaper containing the notice.

(5) Where an applicant applies for a reviewable endorsement, the notice is to be published at least once each week for two successive weeks in a daily or weekly newspaper published:

(a) in the municipality in which the premises or proposed premises respecting the reviewable endorsement are or are proposed to be situated; or

(b) in Saskatchewan and circulating in the municipality in which the premises or proposed premises respecting the reviewable endorsement are or are proposed to be situated, if no daily or weekly newspaper is published in that municipality.

1997, c.A-18.011, s.62; 2000, c.36, s.18; 2002, c.42, s.19; 2008, c.8, s.12; 2013, c.2, s.7.

Explanation

The amended section 62 clarifies the process for applicants to give notice of their intentions to open a permitted premises in a community and extends the requirements to First Nations where applicable.

14 Existing Provision

Authority of permittee

67 A permittee may purchase beverage alcohol from the authority and keep beverage alcohol and, if authorized by the regulations, may sell beverage alcohol to persons who are not minors, subject to the restrictions and specifications in this Act and the regulations.

1997, c.A-18.011, s.67.

Explanation

The amended section 67 clarifies and expands the sources from which permittees may source beverage alcohol. This amendment will result in commercial permittees being able to buy beverage alcohol from a variety of sources, including from any retail store. The amendment also clarifies that the alcohol purchased from approved sources may be kept and sold to individuals other than minors.

15 Existing Provision

Medical use

77(1) In accordance with this Act and the regulations, a physician, pharmacist, dentist or veterinarian registered pursuant to The Veterinarians Act, 1987 may

purchase beverage alcohol from the authority for use in the practice of his or her profession.

(2) The governing body of a hospital, without a permit, may purchase from the authority and keep on hand beverage alcohol, in an amount that is not greater than the maximum amount prescribed in the regulations, for the purposes of mixing and compounding or for medicinal purposes.

1997, c.A-18.011, s.77; 2014, c.7, s.34.

Explanation

The amended section 77, in conjunction with amendments to sections 80 and 82, allows physicians, pharmacists, dentists, veterinarians, or hospitals to purchase alcohol from any retail store in the province rather than just SLGA stores.

16 Existing Provision

Pharmacists, compounding purposes

80 Any pharmacist may purchase from the authority and keep on hand and use beverage alcohol, of a kind and in a quantity that is prescribed in the regulations, for compounding purposes.

1997, c.A-18.011, s.80.

Explanation

The amended section 80, in conjunction with amendments to sections 77 and 82, allows pharmacists to purchase beverage alcohol for compounding purposes from any retail store in the province rather than just SLGA stores.

17 Existing Provision

Purchase of beverage alcohol for medicinal purposes

82 Any person who administers, sells or dispenses beverage alcohol in accordance with section 78 or 79 shall purchase the beverage alcohol only from the authority, by written order specifying the kinds and quantities of beverage alcohol required.

2014, c.7, s.36.

Explanation

Section 82 is being repealed. In conjunction with amendments to sections 77 and 80, this reduces the record keeping burden for physicians, pharmacists, dentists, veterinarians, or hospitals purchasing beverage alcohol as they are no longer required to provide written orders to purchase beverage alcohol.

18 Existing Provision

Educational use

84(1) The governing authorities of educational institutions may purchase from the authority and keep on hand beverage alcohol, in an amount not greater than the maximum amount prescribed in the regulations, for the purposes of heating, testing, mixing, compounding and experimenting.

(2) A permit is not required for a post-secondary educational institution to allow the serving of beverage alcohol in connection with mixology or bartending courses conducted by the post-secondary educational institution.

2014, c.7, s.38.

Explanation

The amended section 84 allows educational institutions to purchase beverage alcohol from any retail store, rather than just SLGA stores.

19 Existing Provision

Brewers association

91(1) In this section, “brewers association” includes:

- (a) the Saskatchewan Brewers Association Limited; and
- (b) any corporation that is owned by one or more brewers and is designated, for the purposes of this section, by the Lieutenant Governor in Council. (*«association de brasseurs»*)

(2) Subject to the other provisions of this Act and the regulations, the Lieutenant Governor in Council may authorize the authority to enter into a contract authorizing the brewers association to sell on behalf of the authority and deliver beer to:

- (a) a permittee for the purpose of sale by the permittee pursuant to the permittee’s permit;
- (b) the holder of a franchise; or
- (c) a store.

(3) On the granting of the authorization, the brewers association shall sell or deliver beer only in accordance with this Act and the regulations and the standards set by the authority.

1997, c.A-18.011, s.91.

Explanation

The amended section 91 removes a reference to franchises and SLGA stores and replaces it with a reference to retail stores. Under the new liquor retail model, franchises are being converted to retail store permits.

20 Existing Provision

PART IV

Liquor Stores and Franchises

Explanation

The repealed Part IV heading removes a reference to franchises. Under the new liquor retail model, franchises are being converted to retail store permits.

21 Existing Provision

References

97 In this Part, a reference to a store includes a reference to a franchise and, for greater certainty, a bylaw respecting the establishment of a store is deemed to be a bylaw respecting the establishment of a franchise, as the case may be.

1997, c.A-18.011, s.97.

Authority may establish stores

98 Subject to section 99, the authority may establish and operate stores for the sale of beverage alcohol in accordance with this Act.

1997, c.A-18.011, s.98.

Establishment of stores

99(1) When the authority intends to establish there has not been a store in operation for the previous 180 days or more, the authority shall:

- (a) give notice to the municipality of its intention to establish a store; and

(b) publish in the Gazette, and in a newspaper published or having general circulation in the municipality, a notice in the form prescribed in the regulations of its intention to establish a store.

(2) Following the notice, the council of the municipality may elect to adopt a bylaw prohibiting the establishment of stores in the municipality or may be required to do so pursuant to:

(a) (a) *The Municipalities Act* in the case of a municipality other than a city or northern municipality;

(b) **Repealed.** 2005, c.21, s.2.

(c) *The Northern Municipalities Act, 2010*, in the case of a northern municipality;

(d) *The Cities Act* in the case of a city that is incorporated or continued pursuant to that Act.

(3) Where the council of the municipality elects or is required to refer the bylaw to a vote of electors or voters, as the case may be, the council shall give notice of that election or requirement to the authority.

(4) **Repealed.** 2005, c.21, s.2.

(5) Where the authority receives notice pursuant to subsection (3), it shall not proceed with the establishment of the store until it has determined that the bylaw was not adopted.

1997, c.A-18.011, s.99; 2002, c.27, s.2; 2005, c.21, s.2; 2010, c.25, s.2; 2014, c.7, s.40.

Establishment where no vote necessary

100 The authority, on any terms it considers advisable, and without conducting a vote of the electors as required by this section, may establish a store in:

(a) the Northern Saskatchewan Administration District;

(b) a provincial park established pursuant to *The Parks Act* or a regional park established or continued pursuant to *The Regional Parks Act, 2013*;

(c) an area that, in the opinion of the authority, is a summer or winter resort area;
or

(d) a national park of Canada, subject to any regulations made pursuant to the *National Parks Act* (Canada).

1997, c.A-18.011, s.100; 2010, c.25, s.2; 2013, c.29, s.2.

Establishment where no bylaw

101 Where the authority has not received a bylaw made pursuant to subsection 99(2) or a notice pursuant to subsection 99(3) within 60 days of giving notice pursuant to subsection 99(1), it may proceed with the establishment of the store with respect to which the notice was given.

1997, c.A-18.011, s.101.

Explanation

The portions of Part IV which currently relates to the establishment of SLGA retail stores and franchises are being repealed. Going forward, SLGA retail stores will be permitted consistent with all retail stores and there will be no need for provisions specific to SLGA stores.

22 Existing Provision

None

Explanation

The additional Part IV.I heading addresses the new status of duty free shops, which will continue to be established via agreements with SLGA.

23 Existing Provision

Duty-free stores

102(1) The authority may establish and operate or authorize any person to establish and operate a duty-free store for the sale of beverage alcohol to persons who are not minors who are leaving Canada.

(2) The operation of stores established pursuant to subsection (1) is subject to this Act and to any terms prescribed in the regulations or set by the authority.

1997, c.A-18.011, s.102.

Duty-free purchases

103 A person who purchases beverage alcohol at a duty-free store shall transport the beverage alcohol out of Canada immediately without opening the package in which the beverage alcohol was received from the store.

1997, c.A-18.011, s.103.

Explanation

The amended sections 102 and 103 change the reference to duty free “shops” to reflect the language used in the *Customs Act* (Canada).

24 Existing Provision

Franchises

104(1) The authority, subject to this Act, may grant franchises to persons for the purpose of keeping for sale and selling beverage alcohol.

(2) The authority shall not grant a franchise if the municipality in which the franchise is to be located has adopted a bylaw pursuant to subsection 99(2).

(3) Subject to this Act and the regulations, the authority may enter into an agreement with any person for the establishment, maintenance or operation of a franchise.

(4) A holder of a franchise may purchase from the authority and sell beverage alcohol subject to any terms that may be prescribed in the regulations.

(5) A franchise is subject to the provisions of this Act, and the regulations relating to stores apply with any necessary modifications.

1997, c.A-18.011, s.104.

Return of beverage alcohol

105 A franchise may be revoked by the authority on those terms that the authority, in its discretion, may determine, and the authority may require the person who held the franchise to return to the authority, or to deliver to a place to be specified by the authority, all beverage alcohol in that person’s possession as holder of a franchise.

1997, c.A-18.011, s.105.

Explanation

The repealed sections 104 and 105 are no longer necessary because under the new liquor retail framework all liquor retail outlets will be permitted, rather than operate under contract with SLGA as franchises. Existing franchises will be converted to retail stores, with the same rights and obligations as all other retail stores.

25 Existing Provision

Public places

107(1) No person shall have, consume or give beverage alcohol in a public place or any place other than a private place or permitted premises except as allowed pursuant to this Act and the regulations.

(2) A person who is not a minor may:

- (a) purchase beverage alcohol from a permittee or a store, duty-free store or franchise established by the authority;
- (b) keep, consume or sell beverage alcohol pursuant to the authority of a permit issued pursuant to this Act and the regulations;
- (c) make and have in his or her own residence homemade wine or beer;
- (c.1) make and have beer or wine at a u-brew or u-vin operation;
- (d) import into Saskatchewan from outside Canada, on any occasion, beverage alcohol of a kind and amount permitted pursuant to an Act of the Parliament of Canada without payment of duty or tax;
- (e) subject to the regulations, bring or import into Saskatchewan, for personal consumption, beverage alcohol legally purchased or acquired from another part of Canada; and
- (f) carry or transport beverage alcohol from the place at which it was lawfully obtained to a place where it may lawfully be had, kept or consumed or from that place to another place where beverage alcohol may be lawfully had, kept or consumed.

(3) A person who has been lawfully prescribed beverage alcohol by a physician may have or consume beverage alcohol in any place where it is necessary for him or her to have or consume the beverage alcohol.

1997, c.A-18.011, s.107; 2008, c.8, s.17; 2014, c.7, s.41; 2015, c.1, s.4.

Explanation

The amended clause 107(2)(a) reflects the new regulatory framework for liquor retailing in Saskatchewan by removing references to stores and franchises and instead referring to retail stores.

26 Existing Provision

Proof of age – premises

111(1) A permittee or an employee of a permittee shall demand proof that a person is not a minor where it appears or should reasonably appear that the person present in the premises is a minor and the premises are premises where a minor:

- (a) is not entitled to be; or
 - (b) may be entitled to be and the person is attempting to purchase beverage alcohol.
- (2) If the person fails or refuses to produce proof satisfactory to the permittee that he or she is not a minor, the permittee or employee shall request the person to leave the premises immediately and that person shall do so.
- (3) Any person who fails to leave the premises on being requested to do so pursuant to subsection (2) is guilty of an offence and liable on summary conviction to a fine of not more than \$2,000.
- (4) Any person who is required pursuant to this section to demand proof of age and fails to do so is guilty of an offence.
- (5) Any person who knowingly provides a minor with false identification for the purpose of gaining entry to permitted premises is guilty of an offence.
- (6) No permittee shall allow minors in permitted premises unless authorized by this Act, the regulations or the terms of the permit.

1997, c.A-18.011, s.111; 2008, c.8, s.22.

Explanation

The amended section 111 consolidates the provisions of the current sections 111 and 112, both of which dealt with proof of age, into a single section applicable to all permittees. This amendment removes references to franchises and provides all permittees with a uniform obligation to obtain proof of age. Under the new liquor retail system, existing franchises are being converted to retail store permits and franchises will no longer exist.

27 Existing Provision

Proof of age – stores

112(1) Where a person wishing to purchase beverage alcohol from a store, franchise or duty-free store appears to be a minor, the manager or an employee may demand proof that the person is not a minor.

(2) Where a person is requested to provide proof of age pursuant to subsection (1) and the person fails or refuses to provide that proof, the manager or an employee shall refuse to sell any beverage alcohol to that person.

1997, c.A-18.011, s.112.

Explanation

The provisions in the repealed section 112 are being consolidated with provisions relating to proof of age in section 111. This amendment removes references to franchises and provides all permittees with a uniform obligation to obtain proof of age. Under the new liquor retail system, existing franchises are being converted to retail store permits and franchises will no longer exist.

28 Existing Provision

Minors restricted in permitted premises

113(1) Subject to section 114:

(a) no person who is a minor shall act in any way in the sale, handling or serving of beverage alcohol on or about any franchise premises, permitted premises, or premises for which a special occasion permit has been issued;

(b) no franchisee, permittee, or employee of a franchisee or permittee shall allow any minor to act in the manner described in clause (a); and

(c) no franchisee or permittee that is authorized by this Act, the regulations, a franchise agreement or a permit to allow minors on the franchise premises, permitted premises, or premises for which a special occasion permit has been issued shall allow minors to consume beverage alcohol on those premises.

(2) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$2,000.

1997, c.A-18.011, s.113; 2008, c.8, s.23; 2014, c.7, s.42.

Explanation

The amended section 113 removes references to franchises and franchise premises and adds references to retail stores. Under the new liquor retail system, existing franchises are being converted to retail store permits and franchises will no longer exist. In addition, the amendment clarifies that minors are not allowed to handle beverage alcohol in any premises for which a permit has been issued.

29 Existing Provision

Prohibitions affecting stores, etc.

129(1) Subject to subsections (2) and (3), no manager of a store or franchise or his or her employee, and no permittee or an employee of a permittee, shall:

- (a) purchase beverage alcohol for sale except:
 - (i) from the authority; or
 - (ii) in the case of a permittee, from a franchise designated by the authority for the purpose of selling beverage alcohol to permittees;
- (b) have on the premises beverage alcohol not supplied by the authority;
- (c) sell beverage alcohol not supplied by the authority;
- (d) adulterate or dilute beverage alcohol, or offer for sale adulterated or diluted beverage alcohol, except where the beverage alcohol has been mixed with other beverage alcohol supplied by the authority, or with water or mix of a kind and quantity approved by the authority;
- (e) sell or provide beverage alcohol to a person who is apparently a minor unless the person is in fact not a minor; or
- (f) sell or supply beverage alcohol during prohibited hours or days.

(2) A permittee, at the time of purchasing or leasing permitted premises, may purchase from the vendor or former lessee of the permitted premises any beverage alcohol that the vendor or former lessee has for the purpose of sale pursuant to the vendor's or former lessee's permit at the date of termination of that permit.

(3) A permittee prescribed in the regulations may purchase beverage alcohol from permittees prescribed in the regulations.

1997, c.A-18.011, s.129; 1998, c.16, s.9; 2003, c.15, s.13.

Explanation

The amended section 129 reflects a change in policy that will allow all retail stores to sell to any other commercial permittee. Currently, permittees, franchises and private stores must all purchase their beverage alcohol from either an SLGA store or its warehouse. There is an exception for commercial permittees that could purchase alcohol from a franchise in an area determined by SLGA.

30 Existing Provision

Breaking open container or tasting on store premises

131(1) No person, or store, franchise or permitted premises except where permitted by the regulations and the authority, shall:

- (a) open any bottle, box, carton or any other container or item containing beverage alcohol for the purposes of testing, tasting, sampling or drinking; or
- (b) test, taste, sample or drink beverage alcohol.

(2) Nothing in this section permits the consumption of beverage alcohol by a minor.

1997, c.A-18.011, s.131.

Explanation

The amended section 131 removes references to franchises. Under the new liquor retail system, existing franchises are being converted to retail store permits and franchises will no longer exist.

31 Existing Provision

Restrictions re advertising

134(1) Subject to subsection (3), no person shall make any representation to the public for the purpose of promoting the sale or consumption of beverage alcohol that is inconsistent with the advertising standards established by the authority.

(2) For the purposes of this section, the authority may establish advertising standards.

(3) Nothing in this section prevents:

- (a) the authority, a franchisee or a permittee from displaying products and the names of products offered for sale within their places of business; or
- (b) a manufacturer from displaying the manufacturer's name or trade mark on any building owned or leased by that manufacturer.

2008, c.8, s.27.

Explanation

Section 134 is being amended to remove references to franchises. Under the new liquor retail system, existing franchises are being converted to retail store permits and franchises will no longer exist.

32 Existing Provision

None

Explanation

New section 135.1 creates offences for permittees and suppliers that contravene SLGA's standards respecting business relationships. Currently, only permittees are subject to penalty if they have entered into a business relationship with a supplier that is contrary to terms and conditions. The new provision creates equal potential for sanctions between suppliers and permittees.

33 Existing Provision

Interpretation re section 146

145.1(1) For the purposes of this section and section 146:

“affiliate” means an affiliate within the meaning of *The Business Corporations Act*; (« *affilié* »)

“applicant” means an applicant who applies for a certificate of registration as a supplier; (« *demandeur* »)

“principal” means, with respect to an applicant or registered supplier:

- (a) every partner of the partnership, if the applicant or registered supplier is a partnership;
- (b) every officer and director of the corporation, if the applicant or registered supplier is a corporation;
- (c) every employee of the applicant or registered supplier who has the authority to set management policies, enter into contracts or exercise authority on behalf of the applicant or registered supplier with respect to the operations, finances or sales of the applicant or registered supplier or with respect to the applicant's or registered supplier's compliance with gaming laws; and
- (d) every affiliate of the applicant or registered supplier, including:
 - (i) every officer and director of the affiliate; and
 - (ii) every employee of the affiliate who has the authority to set management policies, enter into contracts or exercise authority on behalf of the affiliate with respect to the operations, finances or sales of the affiliate or with respect to the affiliate's compliance with gaming laws; (« *mandant* »)

“registered supplier” means a person to whom a certificate of registration has been granted for the purpose of acting as a supplier. (« *fournisseur inscrit* »)

(2) For the purposes of this section and section 146, a person is interested in an applicant, registered supplier or principal if, in the authority’s opinion, the person:

- (a) has a beneficial interest in the applicant, registered supplier or principal or in the applicant’s or registered supplier’s business;
- (b) has the power to influence, directly or indirectly, the applicant, registered supplier or principal or the applicant’s or registered supplier’s business; or
- (c) has provided financing, directly or indirectly, to the applicant, registered supplier or principal or to the applicant’s or registered supplier’s business.

2002, c.42, s.25.

Requirements for registration

146(1) If a person applies:

(a) to be registered as a gaming employee, the authority shall not grant a certificate of registration to that person unless, in the authority’s opinion, the applicant:

- (i) is of good character; and
- (ii) has suitable training or experience;

(b) to be registered as a gaming regulator, the authority shall not grant a certificate of registration to that person unless, in the authority’s opinion, the applicant:

- (i) is of good character; and
- (ii) has suitable training or experience;

(c) to be registered as a supplier, the authority shall not grant a certificate of registration to that person unless, in the authority’s opinion:

- (i) the applicant:
 - (A) is of good character;
 - (B) has demonstrated financial responsibility; and
 - (C) is capable of supplying gaming supplies or services or nongaming supplies or services that are suitable for the purpose for which those supplies or services are to be provided; and

(ii) the principal and every person interested in the applicant or the principal:

(A) are of good character; and

(B) have demonstrated financial responsibility; or

(d) to be registered as a gaming director, the authority shall not grant a certificate of registration to that person unless, in the authority's opinion, the applicant:

(i) is of good character; and

(ii) has suitable training or experience.

(1.1) The authority may make inquiries and conduct investigations with respect to the character, financial responsibility and capability of any or all of the following persons:

(a) an applicant, principal or person interested in an applicant or principal;

(b) a registered supplier, principal or person interested in a registered supplier or principal;

(c) an associate or employee of any person mentioned in clause (a) or (b).

(1.2) Subject to the regulations, an applicant or registered supplier shall pay to the authority the reasonable costs of any inquiry or investigation that the authority makes or conducts in accordance with subsection (1.1).

(2) If the regulations require that a person be bonded, the authority shall not issue a certificate of registration to that person until he or she is bonded in accordance with the regulations.

(3) Subject to subsections (1) and (2), the authority may:

(a) register and grant certificates of registration in the form provided by the authority to persons who have applied to be registered and set the terms of the registration of those persons; or

(b) if the application is for a renewal, renew a certificate of registration granted pursuant to clause (a) and set the terms of that renewal.

(4) No registered gaming employee shall fail to comply with the conditions set out in clause (1)(a) for the term for which his or her certificate of registration is granted.

(5) No registered gaming regulator shall fail to comply with the conditions set out in clause (1)(b) for the term for which his or her certificate of registration is granted.

- (6) No registered supplier shall fail to comply with the conditions set out in clause (1)(c) for the term for which his or her certificate of registration is granted.
- (7) No registered gaming director shall fail to comply with the conditions set out in clause (1)(d) for the term for which his or her certificate of registration is granted.
- (8) The authority may amend, vary, or repeal and substitute any terms imposed pursuant to clause (3)(a) or (b) or impose new terms after a certificate of registration is granted or renewed, as the case may be.
- (9) Within 15 days after being notified of a decision by the authority to impose terms on a certificate of registration pursuant to subsection (8), a registrant may apply for a review of those terms by the commission.
- (10) Sections 30 and 31 apply, with any necessary modification, to an application for review pursuant to subsection (9).

2005, c.3, s.19 and s.20; 2014, c.7, s.51.

Explanation

Amended sections 145.1 and 146 include more accurate translations of terms for use in the French translation of the Act. No substantive amendments are being proposed. The terms being changed are the French translations for ‘affiliate,’ ‘applicant’ and ‘principal.’

34 Existing Provision

Requirements for on-reserve certificate of registration

147.04(1) For the purposes of this section:

“affiliate” means an affiliate within the meaning of *The Business Corporations Act*; (« *affilié* »)

“applicant” means an applicant who applies for an on-reserve certificate of registration pursuant to this Part; (« *demandeur* »)

“principal” means, with respect to an applicant:

- (a) every partner of the partnership, if the applicant is a partnership;
- (b) every officer and director of the corporation, if the applicant is a corporation;
- (c) every employee of the applicant who has the authority to set management policies, enter into contracts or exercise authority on behalf of the applicant with respect to the operations, finances or sales of the applicant or with respect to the applicant’s compliance with gaming laws; and

(d) every affiliate of the applicant, including:

(i) every officer and director of the affiliate; and

(ii) every employee of the affiliate who has the authority to set management policies, enter into contracts or exercise authority on behalf of the affiliate with respect to the operations, finances or sales of the affiliate or with respect to the affiliate's compliance with gaming laws. (« *mandant* »)

(2) For the purposes of this section, a person is interested in an applicant or a principal if, in the opinion of the First Nation gaming licensing authority, the person:

(a) has a beneficial interest in the applicant or principal or in the applicant's business;

(b) has the power to influence, directly or indirectly, the applicant or principal or the applicant's business; or

(c) has provided financing, directly or indirectly, to the applicant or principal or to the applicant's business.

(3) If a person applies to a First Nation gaming licensing authority to be registered as an on-reserve employee, the First Nation gaming licensing authority shall not grant an on-reserve certificate of registration to that person unless, in the opinion of the First Nation gaming licensing authority, the applicant:

(a) is of good character; and

(b) has suitable training or experience.

(4) If a person applies to a First Nation gaming licensing authority to be registered as an on-reserve supplier, the First Nation gaming licensing authority shall not grant an on-reserve certificate of registration to that person unless, in the opinion of the First Nation gaming licensing authority:

(a) the applicant:

(i) is of good character;

(ii) has demonstrated financial responsibility; and

(iii) is capable of supplying gaming supplies or services or non-gaming supplies or services that are suitable for the purpose for which those supplies or services are to be provided; and

(b) the principal and every person interested in the applicant or the principal:

(i) are of good character; and

(ii) have demonstrated financial responsibility.

(5) The First Nation gaming licensing authority may make inquiries and conduct investigations with respect to the character, financial responsibility and capability of:

- (a) an applicant, principal or person interested in an applicant or principal; and
- (b) an associate or employee of any person mentioned in clause (a).

(6) Subject to the regulations, an applicant shall pay to the First Nation gaming licensing authority the reasonable costs of any inquiry or investigation that the First Nation gaming licensing authority makes or conducts in accordance with subsection (5).

(7) If the regulations require that a person be bonded, the First Nation gaming licensing authority shall not issue an on-reserve certificate of registration to that person until he or she is bonded in accordance with the regulations.

(8) Subject to subsections (3), (4) and (7), a First Nation gaming licensing authority may:

- (a) register and grant on-reserve certificates of registration in the form provided by the First Nation gaming licensing authority to persons who have applied to be registered and set the terms and conditions of the registration of those persons; or
- (b) if the application is for a renewal, renew an on-reserve certificate of registration granted pursuant to clause (a) and set the terms and conditions of that renewal.

(9) No on-reserve employee shall fail to comply with the conditions set out in subsection (3) for the term for which his or her on-reserve certificate of registration is granted.

(10) No on-reserve supplier shall fail to comply with the conditions set out in subsection (4) for the term for which his or her on-reserve certificate of registration is granted.

(11) A First Nation gaming licensing authority may amend, vary, or repeal and substitute any terms and conditions imposed pursuant to clause (8)(a) or (b) or impose new terms and conditions after it has granted or renewed an on-reserve certificate of registration.

(12) Within 15 days after being notified of a decision by the First Nation gaming licensing authority to impose terms and conditions on an on-reserve certificate of registration pursuant to subsection (11), the on-reserve employee or on-reserve supplier, as the case may be, may apply for a review of those terms and conditions by the commission.

(13) Sections 30 and 31 apply, with any necessary modification, to an application for review pursuant to subsection (12).

2014, c.7, s.52.

Explanation

The amended section 147.04 provides more accurate translations of terms for use in the French translation of the Act. The terms being changed are the French translations for ‘affiliate,’ ‘applicant,’ and ‘principal.’ No substantive amendments are being proposed.

35 Existing Provision

Interpretation of Part

147.1 In this Part:

“operator” means the Saskatchewan Gaming Corporation, the Saskatchewan Indian Gaming Authority or an exhibition casino operator, and includes an employee of any of them; (« *exploitant* »)

“self-exclusion program” means a program offered by an operator pursuant to which a person participating in the program may instruct the operator to refuse the person access to any casino operated by that operator. (« *programme d’autoexclusion* »)

2005, c.3, s.23.

Explanation

The amended section 147.1 removes references to exhibition casino operators.

36 Existing Provision

Regulations

185(1) The Lieutenant Governor in Council may make regulations:

...

(e.1) for the purposes of subsection 19(3), prescribing the procedures to be followed and the conditions pursuant to which the authority may establish a sealed bid process in the allocation of off-sale endorsements;

...

(y) for the purposes of sections 78 to 82, prescribing the types and maximum amounts of beverage alcohol that may be kept, dispensed, used, sold or prescribed for use;

...

(z) prescribing terms respecting the purchase of beverage alcohol from the authority and sale of beverage alcohol by franchises;

...

(ff) prescribing the amounts of beverage alcohol permitted to be kept by the governing body of a hospital without a permit;

...

(nn.2) respecting the costs that the authority may charge for any inquiry or investigation that the authority makes or conducts in accordance with subsection 146(1.1);

...

(rr) respecting individuals participating in lottery schemes conducted and managed by the Saskatchewan Gaming Corporation, the Saskatchewan Indian Gaming Authority or an exhibition casino operator, including prohibiting classes of individuals from participating in lottery schemes or from being in any place where lottery schemes or any class of lottery schemes are being conducted;

...

1997, c.A-18.011, s.185; 1998, c.16, s.11; 2000, c.36, s.20; 2002, c.42, s.28; 2003, c.15, s. 14; 2005, c.3, s.24; 2008, c.8, s.29; 2013, c.2, s.14; 2014, c.7, s.59; 2015, c.1, s.5.

Explanation

The amended subsection 185(1)(y) and the addition of subsection 185(1)(y.01) flow from earlier amendments allowing medical professionals to purchase beverage alcohol from all retail stores, not just SLGA stores. Complementary changes to *The Alcohol Control Regulations, 2013* will address the record keeping requirements for medical professionals purchasing beverage alcohol.

The amended subsection 185(1)(z) removes all references to franchises. Under the new liquor retail model, franchises are being converted to retail store permits. Rather than a franchise relationship, SLGA will assume a regulatory role over franchises.

The repealed subsection 185(1)(ff) is no longer necessary because permits are not issued to hospitals for purchasing beverage alcohol.

The amended subsection 185(1)(nn.2) is required because of a change made to the numbering of section 146 by a previous amendment.

The amended subsection 185(1)(rr) removes a reference to exhibition casino operators.

37 Existing Provision

None

Explanation

This section allows franchises, off-sales, and private stores to be converted to retail stores and issued a common retail store permit.

38 Existing Provision

None

Explanation

This section allows SLGA stores not identified for closure to be issued retail store permits. Stores identified for closure will not be issued retail store permits and, instead, will continue to operate under the provisions of the Act as it existed before this amendment.

39 Existing Provision

None

Explanation

Changes to specified sections and subsections will come into force on proclamation since their implementation will require regulatory changes.

Prepared by the Saskatchewan Liquor and Gaming Authority