

Appendix

Offences and Penalties

The Saskatchewan Liquor and Gaming Authority (SLGA) conducted a review of liquor permitting and regulation. One of the primary objectives for changes resulting from the review was to strengthen the socially responsible sale and service of beverage alcohol. As a result, amendments have been made to liquor offence provisions and fine amounts contained in *The Alcohol and Gaming Regulation Act, 1997*, *The Alcohol Control Regulations, 2002* and *The Summary Offences Procedure Regulations, 1991*. The following tables provide a summary of the amendments.

New Offence Provisions in Legislation *The Alcohol and Gaming Regulation Act, 1997*

Offence	New Maximum Court-Imposed Penalty
Permittee allowing patrons to take and consume beverage alcohol off premises when it is sold for on-table consumption(subsection 75(4) – Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment
Person carrying on a u-brew or u-vin operation without a permit (section 107.01 – Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment
Permittee allowing minors to consume beverage alcohol on premises where minors are allowed (clause 113(1)(c) - Act)	\$2,000
Minors using false identification to attempt to gain access to or remain in a permitted premises (clause 115(1)(e) – Act)	\$2,000
Persons bringing their own beverage alcohol onto permitted premises (section 116.1 - Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment

Administrative Penalty Changes*
The Alcohol Control Regulations, 2002

Description of Offence	Previous Minimum Penalty	New Minimum Penalty	Maximum Penalty
Allowing a minor to consume beverage alcohol in premises where the presence of minors is allowed. (clause 113(1)(c) - Act)	N/A (new provision)	\$1,000	\$10,000
Selling or supplying beverage alcohol to a person who appears intoxicated.(section 125 - Act)	\$800	\$1,000	\$10,000
Allowing the entry of persons into a premises to exceed maximum number of persons allowed to be present in the premises (section 120 - Act)	\$300	\$500	\$10,000
Selling beverage alcohol or allowing its consumption on the premises except during hours and days on which it may be lawfully served and consumed. (subsection 71(1) - Act)	\$400	\$500	\$10,000
Selling or supplying beverage alcohol during prohibited hours or days. (clause 129(1)(f) – Act)	\$400	\$500	\$10,000
Failing to ensure that the premises remain open for at least one half-hour but not longer than one hour after lawful sale of beverage alcohol has ceased. (section 44 - Regulations)	\$400	\$500	\$10,000
Failing to open the premises for the sale of beverage alcohol during prescribed hours or the minimum prescribed hours or days. (section 43 - Regulations)	\$200	\$500	\$10,000
Allowing persons to enter or remain in the premises when sale or consumption of beverage alcohol is prohibited. (section 116 - Act)	\$200	\$500	\$10,000
Having on the premises beverage alcohol not supplied by the authority. (clause 129 (1)(b) - Act)	\$200	\$500	\$10,000

Description of Offence	Previous Minimum Penalty	New Minimum Penalty	Maximum Penalty
Selling beverage alcohol without holding a licence required pursuant to <i>The Liquor Consumption Tax Act</i> . (subsection 4(4) - Regulations)	\$200	\$500	\$10,000
Holder of a restaurant permit serving beverage alcohol to a customer other than as part of a meal. (subsection 10(1) – Regulations)	\$300	\$500	\$10,000
Failing to ensure that the food to beverage alcohol sales value ratio in the premises is one dollar of food sales for each dollar of beverage alcohol sales. (subsection 10(2) - Regulations)	\$300	\$500	\$10,000
Failing to maintain a supply of non-alcoholic beverages or food for customers in the permitted premises and in any lounge, patio or banquet room of the permitted premises, or at the location of the special occasion. (section 36 - Regulations)	\$300	\$500	\$10,000
Failing to ensure that each single serving drink containing spirits sold or served contains once ounce or 28.5 ml of spirits in the same form purchased from the authority (clause 58(1)(a) - Regulations) – (amended wording makes it an offence to short-pour and over-pour)	\$500	\$500	\$10,000
Failing to ensure that each sample of beverage alcohol is equal to or less than the prescribed amount. (subsection 56(1) - Regulations)	N/A (new provision)	\$500	\$10,000
Failing to adhere to section 16.5 respecting the maximum number of samples or the maximum sample size (section 16.5 - Regulations)	N/A (new provision)	\$500	\$10,000
Allowing patrons to take and consume alcohol off premises (subsection 75(4) - Act)	N/A (new provision)	\$500	\$10,000

* Administrative penalties are levied by the Saskatchewan Liquor and Gaming Authority or the Liquor and Gaming Licensing Commission to permittees that violate the Act, Regulations or policy.

Liquor Offences - Voluntary Fine Payment Option
The Summary Offences Procedure Regulations, 1991

Description of Offence	Maximum Court-Imposed Fine	Previous Voluntary Fine	New Voluntary Fine
Having, consuming or giving beverage alcohol in a place other than a private place (section 107 - Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$100	\$200
Possessing or consuming beverage alcohol in a campground when alcohol ban in effect. (section 107.1 - Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$150	\$200
Having, keeping, consuming or giving beverage alcohol in a vehicle (subsection 109(1) - Act)	Previous: \$1,000 and/or imprisonment for a term of two months New: \$2,000 and/or imprisonment for a term of two months	\$150 Officer may require Court appearance.	\$300 Officer may require Court appearance.
Selling or giving beverage alcohol to a minor (subsection 110(1) - Act)	Previous: \$2,500 or two months imprisonment or both New: \$10,000 or two months imprisonment or both	\$250 Officer may require Court appearance.	\$750 Officer may require Court appearance.
Failure on the part of the licensee to demand proof of age (subsection 111(1) - Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$150	\$450
Failure by minor to leave the premises after failing or refusing to supply proof of age (subsection 111(2) - Act)	Previous: \$1,000 New: \$2,000	\$100	\$200

Description of Offence	Maximum Court-Imposed Fine	Previous Voluntary Fine	New Voluntary Fine
Minor acting in any way in the sale, handling or serving of beverage alcohol (clause 113(1)(a) - Act)	Previous: \$1,000 New: \$2,000	\$100	\$200
Permittee or employee of permittee allowing a minor to act in the sale, handling or serving of beverage alcohol (clause 113(1)(b) - Act)	Previous: \$1,000 New: \$2,000	\$100	\$300
Permittee allowing a minor to consume beverage alcohol on premises where minors are allowed (new offence, May 14, 2008) (clause 113(1)(c) - Act)	Previous: N/A New: \$2,000	None	\$750 Officer may require Court appearance.
Minor purchasing or attempting to purchase alcohol (clause 115(1)(a) - Act)	Previous: \$1,000 New: \$2,000	\$150	\$300
Minor possessing or consuming any beverage alcohol (clause 115(1)(b) - Act)	Previous: \$1,000 New: \$2,000	\$150	\$300
Minor being in or remaining in a permitted premises (clause 115(1)(c) - Act)	Previous: \$1,000 New: \$2,000	\$150	\$300
Minor presenting false identification when attempting to purchase beverage alcohol (clause 115(1)(d) - Act)	Previous: \$1,000 New: \$2,000	None	\$300
Minor presenting false identification when attempting to gain access to or remain in a permitted premises (new offence, May 14, 2008) (clause 115(1)(e) - Act)	Previous: N/A New: \$2,000	None	\$300

Description of Offence	Maximum Court-Imposed Fine	Previous Voluntary Fine	New Voluntary Fine
Having, giving or consuming beverage alcohol in a premises that has not been sold or served by the permittee. (new offence, May 14, 2008) (section 116.1 – Act)	Previous: N/A New: \$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	None	\$200
Remaining in a permitted premises after being requested to leave (section 122(2)(a) – Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$150	\$300
Re-entering a permitted premises after being requested to leave (clause 122(2)(b) – Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$150	\$300
Selling or supplying alcohol to an intoxicated person (section 125 – Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	None	\$750 Officer may require Court appearance.
Being intoxicated in a public place (section 126 – Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$50	\$150
Selling or providing beverage alcohol to a person who is apparently a minor unless the person is not a minor (clause 129(1)(e) - Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$250	\$750
Opening a container on store premises for the purpose of testing, tasting, sampling or drinking beverage alcohol (section 131 - Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$50	\$150

Description of Offence	Maximum Court-Imposed Fine	Previous Voluntary Fine	New Voluntary Fine
Making an improper application for a licence or permit. (section 136 – Act)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	\$150	\$300
Serving beverage alcohol to a customer by a holder of a restaurant permit other than as part of a meal (subsection 10(1) - Regulations)	\$10,000 for an individual, \$50,000 for a corporation, 6 months imprisonment, or both fine and imprisonment	None	\$300 Officer may require Court appearance.