

APPLICATION FOR A MANUFACTURER'S LICENCE Winery, Distillery or Brewery

INSTRUCTIONS: To apply, please complete all applicable fields then submit with payment as outlined in Part 9 of this form. You may complete this form online, then print. If you are completing this form by hand, please print clearly using dark ink.

- If you have any questions about completing this application, call the branch toll-free at: **1-866-209-2111**.
- LCLB forms and supporting materials referred to in this document can be found at: **www.pssg.gov.bc.ca/lclb**

PART 1: TYPE OF APPLICATION

Job No.

Office use only _____

1. **Licence Type:** Winery Distillery Brewery

2. **Check** () one of the following boxes to indicate the type of application you are submitting:

- A. New Licence:** Complete this application and provide all required documents listed in Part 7.

An incomplete application package will be held for a maximum of ninety (90) days. If still incomplete after the ninety (90) day period, the application may be terminated.

This type of licence is issued to a manufacturing facility engaged in the production of alcoholic beverages including wine, cider, beer or spirits. A winery licence applicant may also apply for a lounge, tour or special event area, picnic area and/or endorsement using form LCLB049 *Application for a Winery Licence Endorsement*. This form can be found on the LCLB website: www.pssg.gov.bc.ca/lclb

- B. Transfer of Ownership of Existing Licence (Subjob C1-LIC):**

An incomplete application package will be held for a maximum of thirty (30) days. If still incomplete after the thirty (30) day period, the application may be terminated.

This application enables the owner of a licensed manufacturing facility to transfer their liquor licence to another party. All existing terms and conditions of licence carry over with the change of ownership. A change of establishment name and/or licence name is free of charge with a transfer and can be requested below.

Provide the following information:

- Licence number to be transferred: _____
- Expiry date of Licence: March 31, 2 ___ __ __
- Did you hold a brewery licence associated with a liquor primary? yes no

If yes, provide liquor primary licence number: _____

IMPORTANT - An expired licence CANNOT be transferred. To avoid late fees or the licence expiring, ensure that licence renewal fees have been paid in full. There is a 30 day period after the licence expires to submit the licence fee and a \$125 late fee. After 30 days, **the licence will not be renewed or transferred. The applicant must apply for a new licence.** Contact the LCLB if you wish to verify the licence expiry date.

PART 2: APPLICANT (please print clearly)

Applicant name:

(Enter the name of the Public or Private corporation, Partnership, Sole Proprietor (last name, first name, middle name), Society or other entity applying for the licence.)

Mailing address:

(All correspondence will be sent to this address unless otherwise indicated)

City:

Province:

Postal code:

Ph: ()

Fax: ()

Business E-mail:

Office of Record address (if different from above):

Postal code:

Social Services Tax Number (PST):

PART 3: TYPE OF APPLICANT

Please check (☑) one of the following boxes and complete the appropriate section.

- PUBLIC CORPORATION Complete **Section A**
- PRIVATE CORPORATION Complete **Section B**
- PARTNERSHIP Complete **Section C**
- SOLE PROPRIETORSHIP Complete **Section D**
- SOCIETY Complete **Section E**
- OTHER Contact the LCLB to discuss documentation requirements.

Section A: PUBLIC CORPORATION

The following corporate documents must be submitted with this application:

- Certificate of Incorporation
- Extra provincial registration (if applicable)
- Notice of Directors (voting and non-voting), and
- List of Executive Officers

Note: As an alternative to the above corporate documents, applicants may submit a letter from a B.C. lawyer providing the essential information contained within the documents.

Name of resident agent or manager:

LAST NAME / FIRST NAME / MIDDLE NAME

Birth date

MM / DD / YY

Address:

Telephone: ()

Note: The agent or manager must be a British Columbia resident and 19 years or older.

Section B: PRIVATE CORPORATION (Private Corporation section continues on next page)

The following corporate documents must be submitted with this application:

- Certificate of Incorporation
- Extra provincial registration (if applicable)
- Director's Resolution(s) allocating shares or transferring shares
- Current Register of Members (shareholders) or Central Securities Register
- Current Register of Directors and Executive Officers } or Notice of Articles
- Memorandum of Authorized Capital, and }
- Special Rights and Restrictions within the articles of corporation which detail the classes and types of shares and whether or not each class or type of share has voting privileges (if not already included in the Memorandum or Register of Members).

Section B: PRIVATE CORPORATION... continued

'Holding' companies or other companies with an interest in the application must provide copies of each company's:

- Certificate of Incorporation
 - Current Register of Members (shareholders) or Central Securities Register
 - Current Register of Directors and Executive Officers
 - Memorandum of Authorized Capital
- } or Notice of Articles

Note: As an alternative to the above corporate documents, applicants may submit a letter from a B.C. lawyer providing the essential information contained within the documents.

Name of resident agent or manager: LAST NAME / FIRST NAME / MIDDLE NAME Birth date: MM / DD / YY

Address: Telephone: ()

Note: The agent or manager must be a British Columbia resident and 19 years or older.

Section C: PARTNERSHIP:

The following information and corporate documents must be submitted with this application [complete section (a) OR (b)]:

(a) Registered Partnerships: If more than three individuals or corporations are involved in the partnership, please provide the same information for the others as a separate attachment. If partners are private or public corporations, the corporate documentation described in Section A or B is required from each corporation.

Name of partner: LAST NAME / FIRST NAME / MIDDLE NAME Phone: () Birth date: MM / DD / YY

Address: Postal code:

Name of partner: LAST NAME / FIRST NAME / MIDDLE NAME Phone: () Birth date: MM / DD / YY

Address: Postal code:

Name of partner: LAST NAME / FIRST NAME / MIDDLE NAME Phone: () Birth date: MM / DD / YY

Address: Postal code:

AND attach:

- Registration of Partnership **OR** Partnership Agreement or Joint Venture Agreement

(b) If the partnership is **not** registered under the *Partnership Act*, indicate the percentage of interest held by each partner. If additional space is required, attach a separate sheet.

Name: LAST NAME / FIRST NAME / MIDDLE NAME Percentage: Name: LAST NAME / FIRST NAME / MIDDLE NAME Percentage:

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Name: LAST NAME / FIRST NAME / MIDDLE NAME Percentage: Name: LAST NAME / FIRST NAME / MIDDLE NAME Percentage:

Name: LAST NAME / FIRST NAME / MIDDLE NAME Percentage: Name: LAST NAME / FIRST NAME / MIDDLE NAME Percentage:

Note: Each partner must be a British Columbia resident and 19 years or older.

Name of resident agent or manager: LAST NAME / FIRST NAME / MIDDLE NAME Birth date: MM / DD / YY

Address: Telephone: ()

Note: The agent or manager must be a British Columbia resident and 19 years or older.

Section D: SOLE PROPRIETORSHIP:

Provide the following information:

Name of individual: LAST NAME / FIRST NAME / MIDDLE NAME Telephone: () Birth date: MM / DD / YY

Address: Postal code:

Note: The applicant must be a British Columbia resident and 19 years or older.

Name of resident agent or manager: LAST NAME / FIRST NAME / MIDDLE NAME Birth date: MM / DD / YY

Address: Telephone: ()

Note: The agent or manager must be a British Columbia resident and 19 years or older.

Section E: SOCIETY

The following information and corporate documents must be submitted with this application:

- Certificate of Incorporation under the *Society Act*
- Constitution and Bylaws
- Current List of Officers and Directors
- Membership list

Annual membership fee: \$

Number of members:

Name of resident agent or manager:

LAST NAME / FIRST NAME / MIDDLE NAME

Birth date:

MM / DD / YY

Address:

Telephone: ()

Note: *The agent or manager must be a British Columbia resident and 19 years or older.*

PART 4: APPLICANT INFORMATION

The applicant, as identified in Part 2 of this application must answer the following questions:

1. Does the applicant currently hold, or has applicant ever held or ever previously applied for, a liquor licence in British Columbia (including an Agent's Licence)? Yes No

If yes, provide details of current or previous licence, or previous applications (date held, location, type of licence and name of establishment).

2. Does the applicant currently hold a Rural Agency Store appointment from the Liquor Distribution Branch (LDB)?

Yes No

If yes, provide details and attach a letter from LDB acknowledging they are aware of this application.

3. Does the applicant have any connection, financial or otherwise, direct or indirect, with any UBrew/UVin, Liquor Primary, Food Primary or Licensee Retail Store, distillery, brewery or winery?

Yes No

If yes, provide details:

PART 5: ESTABLISHMENT INFORMATION

A. New Applicants for a Manufacturer's Licence (to be completed by new applicants only):

Note: *Signs should not be ordered prior to approval of the establishment's name by the Liquor Control and Licensing Branch.*

Proposed establishment name:

Street address:

City:

Province:

Postal code:

Ph: ()

Fax: ()

Business E-mail:

Legal description of site:

(Legal description and parcel identifier (PID) or Strata Plan number of the establishment site, found on property tax notice or from Land Titles office)

Local government or First Nation:

Local police jurisdiction:

PART 5: ESTABLISHMENT INFORMATION ... continued from page 4

B. Transfer of Ownership Applicants:

Note: Signs should not be ordered prior to approval of the establishment's name by the Liquor Control and Licensing Branch.

Proposed new owners may request a change of establishment name at this time. If a request is made at a later date, an application fee will be charged.

No change of name requested

Change of name requested:

Proposed establishment name:

Note: LCLB policy permits a new owner to use the previous owner's liquor licence for up to six (6) weeks while the documentation to officially transfer the licence is processed.

Current Licensee and Establishment Information (as shown on licence):

Establishment name:

Licencee name:

Street address:

City:

Province:

Postal code:

Business phone: ())

Business fax: ())

Business e-mail:

Establishment address (if different from street address):

City:

Province:

Postal code:

Licence number(s) affected:

Agreement to Transfer Licence(s):

I (we) hereby agree that I (we) will relinquish all rights, title and interest in the above licence(s) when the general manager transfers the licence(s) to the applicant. Until that time I (we) acknowledge that I (we) remain responsible as the licensee.

NAME OF CURRENT OWNER

SIGNATURE

DATE

LAST NAME /FIRST NAME/MIDDLE NAME

MM / DD / YY

LAST NAME /FIRST NAME/MIDDLE NAME

MM / DD / YY

LAST NAME /FIRST NAME/MIDDLE NAME

MM / DD / YY

LAST NAME /FIRST NAME/MIDDLE NAME

MM / DD / YY

NAME OF PROPOSED OWNER

SIGNATURE

DATE

LAST NAME /FIRST NAME/MIDDLE NAME

MM / DD / YY

LAST NAME /FIRST NAME/MIDDLE NAME

MM / DD / YY

LAST NAME /FIRST NAME/MIDDLE NAME

MM / DD / YY

LAST NAME /FIRST NAME/MIDDLE NAME

MM / DD / YY

PART 6: AGENT LICENCE ELIGIBILITY

If your manufacturer application is approved, you will also be eligible to hold an Agent's licence which permits you to conduct sales, promote and market your product away from the manufacturing site.

Yes, product will be promoted off site.

No, product will not be promoted off site.

PART 7: APPLICATION CHECKLIST ... an application must be complete before it can be processed.

To be considered a "complete application", the following documents must be provided:

- 1. Completed *Application for a Manufacturer's Licence – Winery, Distillery or Brewery* (LCLB014)
- 2. Application fee. See Part 9, page 8 of this form for current application fees.
- 3. Completed *Consent for Disclosure of Criminal Record Information* (RCMP GRC3584) for all required individuals. *(Please note: You must complete Part 1, 4 and 5 of the Consent for Disclosure form and all category boxes must be initialled in section 5)* Refer to the LCLB web page for information on criminal record searches – www.pssg.gov.bc.ca/lclb/licensing/criminal-records.htm
- 4. Completed *Personal History Summary and Consent for Criminal Record Search* (LCLB004) forms for all required individuals.
- 5. *Statutory Declaration* must be completed by all individuals that answered "yes" to 2, 3 or 9 in the *Personal History Summary and Consent for Criminal Record Search* form.
- 6. Photocopy of primary proof of identity for each of the above individuals. Acceptable photo identification includes a driver's licence from a Canadian jurisdiction, passport or BCID card.
- 7. Relevant business documents as identified in Part 3 of this application form. These documents will vary according to applicant type: public corporation, private corporation, partnership, sole proprietorship or society.
- 8. General prospectus or business plan which has been reviewed by the Liquor Distribution Branch including (not required for transfer of ownership application):
 - Financial statements outlining production and sales forecasts for a three year period
 - Statement of assets and liabilities
 - Statement of proposed operations
 - Schedule of production and equipment costs
 - Expertise of the persons associated with the manufacturer's licence application.
- 9. Proof of valid interest in the site proposed for licensing. Provide a copy of the necessary documentation listed below for the type of valid interest relevant to your application:
 - *If the Applicant owns the property:* a Certificate of Title in the Applicant's name.
 - *If the Applicant is renting or leasing:* a fully executed lease or assignment/offer of lease which does not expire for at least 12 months from the date the licence is issued. The document must bear the same name as the Applicant for the licence. An offer for rent/lease must show rent paid, have a term and an expiry date and be signed by both the Applicant and the property owner.
 - *If the Applicant is buying the land and the building(s):* a copy of the offer or option to purchase the property and building(s) in the Applicant's name. An offer or option must show price paid, have a term and expiry date, and be signed by both the Applicant and the property owner.
- 10. A detailed site plan of the property, drawn to scale, indicating where the proposed manufacturing facility will be located. Site plan should identify legal property descriptors, road access/egress, vineyard (if applicable), parking, etc. (not required for transfer of ownership application).
- 11. a) Two large (11" x 17"), scaled floor plans (not required for transfer of ownership application) for the proposed manufacturing facility indicating where the fermentation tanks, brewery kettles, filtering equipment, any other manufacturing equipment, and storage areas will be positioned within the secured structure, **and**
b) One reduced 8 1/2" x 11" photocopy of the large floor plan.
- 12. A sketch of all proposed exterior signs. Signage is subject to LCLB approval.
- 13. Before a licence will be issued, applicants must provide a Provincial Sales Tax (PST) number in the same name as the applicant for the liquor licence. For information on applying for a PST number, call Consumer Taxation Branch, Ministry of Provincial Revenue or visit <http://www.rev.gov.bc.ca/ctb/>.

Winery, brewery and distillery applicants must provide a copy of a Federal Excise Tax number in the same name as the applicant for the liquor licence; and winery applicants must provide a copy of a Federal Excise Winery Licence in the same name as the applicant for the liquor licence. For information on applying for a Federal Excise Tax number, visit the Canada Revenue Agency (CRA) Web site at <http://www.cra-arc.gc.ca/tax/business/menu-e.html> or phone the CRA at 604 587-2100.

Transfer of ownership applications: In addition to the above items, be sure to submit:

- 14. Copy of Excise Licence in new applicant's name.
- 15. A completed *Application for Permanent Change* (LCLB012), *Application for Structural Change* (LCLB012a) or *Application for a Third Party Operator or Resident Manager* (LCLB012b) for any permanent change requests (change of hours, structural alterations/additions), using the appropriate request form.

Please ensure that you advise the Liquor Distribution Branch, Canada Revenue Agency (CRA) and any other relevant external agencies of your intention to transfer the licence.

Winery Lounge, Special Events Area, Picnic or Tour Area Endorsement

- 16. If applying for a lounge, special event, picnic or tour area endorsement at a licensed winery facility, complete form LCLB049 *Application for Winery Licence Endorsement*, provide all required documentation noted on that form, and submit with this application.

Questions about completing this application? Call the branch toll free at 1-866-209-2111

PART 8: DECLARATION

Section 15(2) of the Liquor Control and Licensing Act states: "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence."

My signature, as the Applicant, indicates that I understand and acknowledge:

- All of the information given is true and complete to the best of my knowledge.
- I have read the document "Brewer, Distiller and Agent Licences: Terms and Conditions - A Guide for Liquor Licensees in British Columbia" or the "Winery Licence: Terms and Conditions - A Guide fo Liquor Licensees in British Columbia" as amended from time to time and appearing on the LCLB website.
- I am the owner of the business to be carried on at the establishment or the portion of the establishment to be licensed.
- I am the owner of the establishment or portion of the establishment to be licensed.
- **OR** I have an option/offer to lease the establishment, or portion of the establishment to be licensed, and prior to a license being issued, I will obtain a completed lease that will not expire for a minimum of 12 months after the date of the licence is issued.
- As the licensee I will be accountable for the overall operation of the premise of which the licensed area is part.
- As the licensee I will be responsible for all activities within the licensed establishment.
- As the licensee I will not allow another person to use the licence without having first obtained written approval of the general manager.
- I understand that a licence cannot be renewed if, as the licensee, I am not the owner of the business carried on at the establishment or the portion of the establishment to be licensed and/or, as the licensee, I am not the owner or lessee of the establishment or the portion of the establishment to be licenced.

NOTE: An agent or lawyer acting on behalf of the applicant may not sign the declaration on behalf of the applicant.

Signature of Applicants (Signature of signing officer of a company or society, sole proprietor or all individuals in a partnership):

Name (printed)	Signature	Position held	Date
LAST NAME /FIRST NAME/MIDDLE NAME	_____	_____	MM / DD / YY
LAST NAME /FIRST NAME/MIDDLE NAME	_____	_____	MM / DD / YY
LAST NAME /FIRST NAME/MIDDLE NAME	_____	_____	MM / DD / YY
LAST NAME /FIRST NAME/MIDDLE NAME	_____	_____	MM / DD / YY

DUE NOW:**New Manufacturer Application Fee****\$550.00***(licence fee will be due at the time of licensing)***Transfer of Ownership Application Fee****\$330 per licence****PART 9: APPLICATION FEES – Payment Options**

Fees may be paid by cheque, money order, debit or credit card and are non-refundable. Debit transactions can only be made in person at the Victoria Head Office. See contact information on page one. Submit the payment with the application form. Do not mail cash.

Enclosed payment is by (check one):

- cheque, payable to the Minister of Finance (a \$20.00 NSF fee will be charged for NSF cheques).
 money order, payable to the Minister of Finance.
 VISA MasterCard

Credit card number: _____ - _____ - _____ - _____ Expiry date: /

Name of cardholder (as it appears on card): _____

Signature of cardholder: _____

If paying by credit card, the applicant may MAIL this application form, and TELEPHONE LCLB Head Office directly to provide the credit card number and expiry date.

- I am paying by credit card and will call LCLB with my card number.

TOTAL FEE SUBMITTED \$ _____

SUBMIT FEE AND APPLICATION FORM TO VICTORIA OFFICE ONLY:**Mailing address:**

Liquor Control and Licensing Branch
 PO Box 9292 Stn Prov Govt
 Victoria, BC V8W 9J8

Drop off location

Liquor Control and Licensing Branch
 Second Floor, 1019 Wharf Street
 Victoria, BC V8W 2Y9

PART 10: What happens next?**The Winery, Distillery or Brewery Licence application and approval process****New applications:**

1. The applicant must submit a complete application package and application fee to Victoria Liquor Control and Licensing Branch Head Office.
2. The Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant by phone or mail, of any information/documentation required before the application can be considered complete.
3. The LCLB will verify that the Liquor Distribution Branch has reviewed the business prospectus of Winery applications
4. When construction has been completed, the applicant will contact the local liquor inspector for a final inspection. If the facility passes the inspection, the applicant will be asked to submit a licence fee to the Victoria Head Office and a licence will be issued. Once the licence has been issued, the licensee may begin manufacturing.

Please Note: All manufacturer licences expire March 31st.

Transfer of Ownership applications:

1. The applicant must submit a complete application package and application fee to Victoria Liquor Control and Licensing Branch Head Office.
2. The Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant by phone or mail, of any information/documentation required before the application can be considered complete.
3. When all documents are received, LCLB staff will review the application for eligibility. If application requirements have been met, the applicant will be asked to contact the inspector for an interview/final inspection.
4. When Victoria Head Office receives confirmation from the inspector that the interview/final inspection was passed, a licence and a copy of the approved redlined floor plan will be issued from the Head Office and sent by mail to the applicant.

Please Note: All manufacturer licences expire March 31st.

IMPORTANT NOTE: This information for a liquor licence is collected under the authority of the Liquor Control and Licensing Act (RSBC 1996, c.267, s.15). The information is collected for the purpose of determining your eligibility for a liquor licence. Information may also be used by the Liquor Distribution Branch to determine your eligibility to purchase liquor. If you have any questions about the collection, use or disclosure of this information, please call the Liquor Control and Licensing Branch.