



PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4291
Email: legislation@gov.pe.ca

CHAPTER L-14
LIQUOR CONTROL ACT
REGULATIONS

Made by the Prince Edward Island Liquor Control Commission and approved by the Lieutenant Governor in Council under the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14

- 1.** In these regulations
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| | Definitions |
| (a) "Act" means the <i>Liquor Control Act</i> R.S.P.E.I. 1988, Cap. L-14; | Act |
| (b) "Commission" means the Prince Edward Island Liquor Control Commission; | Commission |
| (c) "inspector" means an inspector appointed under the Act or these regulations; | inspector |
| (d) "licensed premises" means any premises for or in respect of which a liquor license has been issued and is in force; | licensed premises |
| (e) "member of a club" means a person who, whether as a charter member or admitted in accordance with the bylaws of the club, has become a member thereof and maintains his membership by the payment of his periodic dues in a manner established by the rules and bylaws of the club and whose name and address is entered on the list of members supplied to the Commission at the time of the application for a license under the Act, or if admitted thereafter, in the registry of membership of the club; | member of a club |
| (f) "non-alcoholic operation" means any operation or activity permitted to be carried on at, or upon a licensed premises at which a person who is not of legal drinking age may attend and where liquor may not be served to any person; | non-alcoholic operation |
| (g) "regulations" means regulations made by the Commission and approved by the Lieutenant Governor in Council under the Act. (EC704/75; 327/87) | regulations |

PERMITS

- 2.** An application for a permit for a druggist, physician, dentist, veterinarian, or a person engaged in mechanical or manufacturing business or in scientific pursuits shall be in Form 1 and the permit shall
- Druggists

be in Form 2 and the fee for such permit shall be five dollars. (EC704/75)

Sacramental wine

3. An application for a permit for a clergyman to purchase wine for sacramental purposes shall be in Form 3 and the permit shall be in Form 4 and there shall be no fee for such permit. (EC704/75)

Special permits

4. Permits under clause 22(2)(c) of the Act may be granted to authorized applicants for

- (a) hospitals;
- (b) special conferences, banquets, receptions or organizations; or
- (c) any other event where the Commission is satisfied that it is appropriate to do so. (EC704/75; 134/04)

Forms

5. An application for a permit under clause 4(a) shall be in Form 5 and the permit shall be in Form 6 and there shall be no fee for such permit. (EC704/75; 134/04)

Conferences and
receptions

6. (1) A permit granted under clause 4(b) or (c) shall be one of the following classes, namely:

- (a) CLASS I, that authorizes the applicant to purchase from the Commission and keep in his possession, liquor, beer or wine, and to give the liquor away by the glass, or beer and wine by the glass or open bottle, for consumption at any event of a private nature, held in the premises specified in the permit, to persons who are invited to attend the event;
- (b) CLASS II, that authorizes the applicant to purchase from the Commission and keep in his possession, liquor, beer or wine, and to sell the liquor by the glass, or beer and wine by the glass or open bottle, for consumption at an event of a private nature, held in the premises specified in the permit, to persons who are invited to attend the event.

Idem

(2) The Commission may grant a permit under clause 4(b) or (c) to any person or association, whether incorporated or unincorporated, that is operated for purposes other than commercial or financial gain, when

- (a) the person or organization files with the Commission an application in the prescribed form and pays the prescribed fee;
- (b) the permit is issued
 - (i) in respect of an event taking place on premises that are owned or occupied by a school board, a church, municipality or public authority, and the consent of an appropriate officer of the school board, church, municipality or public authority is filed with the Commission, or

(ii) in respect of an event taking place on any other premises where the Commission is satisfied that the premises are appropriate for holding the event specified in the application; and
(c) the premises in respect of which the permit is to be issued conforms to standards specified in these regulations. (EC704/75; 134/04)

7. (1) An application for a permit under clause 4(b) or (c) shall be in Form 7 and the permit shall be in Form 8 and shall be issued in accordance with the class granted. Forms

(2) The fee for a Class I permit shall be five dollars and the fee for a Class II permit shall be twenty-five dollars. (EC704/75; 142/91; 248/91; 110/92; 539/92; 131/93; 121/97; 134/04; 243/07) Fees

8. No permit under clause 4(b) or (c) shall be issued in respect of any function to be held on licensed premises. (EC704/75; 134/04) Licensed premises

9. Permits may be issued upon application to the Commission by the chairman of the Commission or such other persons as the Commission may authorize. (EC704/75) Issue of permits

9.1 The Commission may impose terms and conditions on a permit. (EC134/04) Terms and conditions

PREPARATIONS CONTAINING ALCOHOL

10. (1) In this section “preparation” includes antifreeze, shellac, embalming fluid, ink, polish, perfume, bay rum, and cologne water, in addition to those preparations described in section 30 of the Act. “preparation”, defined

(2) The Commission being of the opinion that all proprietary or patent medicines, extracts, essences, lotions, tinctures and preparations which contain alcohol, whether of a solid, semi-solid or liquid nature, can be used as a beverage or as the ingredient of a beverage, hereby prohibits the sale thereof by retail within the province, except by persons duly licensed by the Commission to keep and sell the same by retail. Sale of preparations

(3) An application for the license under subsection (2) shall be in Form 9 and the license shall be in Form 10 and the fee for such a license shall be one dollar. Forms

(4) Where the Commission is satisfied that an applicant requires a license under this section, and that the applicant will comply with the terms of the license, the Commission may issue a license for the sale of preparations listed in subsections (1) and (2). Commission may issue license

Refusal, suspension	(4.1) The Commission may refuse to issue, or may suspend or cancel a license issued under this section in accordance with these regulations.
Refusal, suspension	(4.1) The Commission may refuse to issue, or may suspend or cancel a license issued under this section in accordance with these regulations.
Sales	(5) Every such licensee shall, when required by the Commission, furnish the Commission with such information regarding sales made pursuant to this section as the Commission may require.
Expiration	(6) All licenses issued hereunder shall expire one year from date of issue.
Display	(7) Every such license shall at all times during its validity be displayed by the licensee named therein upon the wall or other prominent part of his business premises which are open to the public.
Storage	(8) No such licensee shall keep for sale or sell any proprietary or patent medicines, extracts, essences, lotions, tinctures and preparations which contain alcohol, whether of a solid, semi-solid or liquid nature, the sale of which is prohibited by these regulations, except on the premises in respect of which any license is issued to him thereunder.
Application	(9) Subsection (8) shall not apply to persons licensed under the <i>Direct Sellers Act</i> R.S.P.E.I. 1988, Cap. D-11, who may obtain licenses to sell such proprietary or patent medicines, extracts, essences, lotions, tinctures and preparations which contain alcohol, whether of a solid, semi-solid or liquid nature, in the manner in use heretofore, subject to cancellation or suspension as herein set forth. (EC704/75;350/01)

DINING ROOM LICENSE

Dining room license	<p>11. Upon application being made in the prescribed form and upon payment of the prescribed fee, the Commission may issue a dining room license to the proprietor or operator of a dining room, that, in the opinion of the Commission</p> <ul style="list-style-type: none"> (a) is of sufficient high standards as to space, service, food, furnishings and equipment to warrant such license; (b) has premises in respect of which the license is sought that meet all the requirements set by these regulations and such additional requirements as may be prescribed by the Commission for a dining room; (c) has a location and character that in the opinion of the Commission makes it desirable to issue the license for which the application is made; and (d) the applicant therefor has had adequate experience in the hotel, motel, or food service business or has had other business experience
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or employs a management that has had adequate experience in the hotel, motel, or other food service business. (EC704/75)

12. No dining room license shall be issued to an applicant until he has furnished evidence to the Commission that he will make, and continue to make

Sale of liquor
incidental to main
business

(a) in the case of an operator of a dining room, the purveyance of food; and

(b) in the case of an operator of a hotel or motel, the purveyance of food and lodging

in the premises designated in the application, his chief business and source of revenue. (EC704/75)

13. A dining room license authorizes the licensee to purchase liquor from the Commission and sell the liquor so purchased by the glass and beer and wine by the glass or open bottle with meals, the cost of said meal to be not less than one dollar

Authority under
license

(a) in the main dining room;

(b) in private dining rooms approved by the Commission; and

(c) in the case of a hotel or motel, in guest rooms by means of room service where such service is provided. (EC1169/75)

14. (1) In every dining room

Conditions for
operation of dining
room

(a) there shall be no counters or stools unless authorized by the Commission;

(b) the tables shall be covered with table cloths or other suitable coverings or surfacing in keeping with the general decor;

(c) meals shall be served and adequate menus provided;

(d) an adequate supply of flatware, china and other table service shall be available and be used;

(e) seating shall be provided that is sufficient to seat the number of persons set out in the capacity permit issued for the dining room under the *Fire Prevention Act*, R.S.P.E.I. 1988, Cap. F-11;

(f) liquor shall be served only to a person while having, or immediately before or after having, a meal therein;

(g) there shall be a liquor list, approved by the Commission, showing the kinds of liquor and the variety of cocktails available and the price and alcohol content of each.

(2) Where a dining room is operated by a licensee who also holds a lounge license on the same premises, the licensee shall ensure that,

Dates and hours of
dining room
operation

(a) from October 1 to May 31 each year, the hours of operation the dining room are not less than 18 hours per week and the dining room is open for not less than three days per week; and

(b) from June 1 to September 30 each year, the hours of operation of the dining room are not less than 30 hours per week and the dining room is open for not less than five days per week.

Schedule of hours

(3) For the purposes of subsection (2) the licensee shall, upon request, provide the Commission with a schedule of his operating hours. (EC810/83; 350/01; 663/05; 101/07)

Meals

15. No person may consume liquor in any licensed dining room without the taking of a meal. (EC704/75)

Persons under age

16. The holder of a dining room license may permit persons under the age of nineteen years to be in a licensed dining room for the service of food or to provide entertainment under the conditions specified in clause 70(1). (EC704/75; 230/86; 517/89)

Hours

17. The holder of a dining room license may sell and serve liquor upon the licensed premises only between the hours of 11:00 a.m. through 1:00 a.m. the following day.

Fee

18. An application for a dining room license shall be accompanied by a non-refundable application fee of twenty-five dollars. (EC350/01)

Forms

19. An application for a dining room license shall be in Form 11 and the license shall be issued in Form 12. (EC704/75)

Fees

20. A dining room licensee shall pay an annual fee of two hundred dollars. (EC704/75; 142/91; 248/91; 110/92; 539/92; 131/93; 121/97; 243/07)

Application

20.1 Upon application in writing by the holder of a dining room license setting out the times and days for which permission is sought, the Commission may grant permission authorizing the use as a lounge of premises licensed as a dining room subject to compliance with the provisions of the Act and regulations relating to the service of liquor in a lounge and such other conditions as the Commission may determine. (EC810/83)

Terms and conditions

20.2 The Commission may impose terms and conditions on a dining room license. (EC350/01)

LOUNGE LICENSE

Lounge license

21. Upon application being made in the prescribed form by the holder of a dining room license and upon payment of the prescribed fee, the Commission may issue a lounge license, if in the opinion of the Commission, the proposed lounge

- (a) is adequate for the purpose and will readily permit of compliance with the Act and these regulations;
- (b) is of sufficient high standards as to space, service, food, furnishings and equipment to warrant such license;
- (c) has a location and character that in the opinion of the Commission makes it desirable to issue the license for which the application is made; and
- (d) licensee, as the holder of a dining room license, has conducted or will conduct the licensed dining room in a manner satisfactory to the Commission. (EC704/75)

- 22.** A lounge license authorizes the licensee to purchase liquor from the Commission and to sell the liquor so purchased by the glass and beer and wine by the glass or open bottle, with or without meals, to persons who are not disqualified under this Act or these regulations, for consumption
- (a) only in the licensed lounge or other areas licensed by the Commission; and
 - (b) to registered guests in guest rooms by means of room service where such service is provided. (EC704/75)

Authority under
license

- 23.** The holder of a lounge license shall
- (a) have non-alcoholic beverages available during the period of time the lounge is open;
 - (b) show or cause to be shown, each sale of liquor on a beverage service check and each sale of food on a food service check, which checks may form part of the same document;
 - (c) revoked by EC101/07;
 - (d) comply with the terms and conditions of the license and the provisions of the Act and these regulations;
 - (e) provide seating, the minimum area per person being governed by the *Fire Prevention Act*;
 - (f) not, without the permission of the Commission which may be given generally or in relation to specific circumstances, serve liquor to any person unless that person is seated; and
 - (g) have a liquor list approved by the Commission on the service bar and at each table showing the kinds of liquor and the variety of cocktails available and the price and alcohol content of each. (EC704/75; 26/81; 101/07)

Conditions for
operation of lounge

- 24.** The holder of a lounge license shall not permit any person under the age of nineteen years to enter the licensed premises during the hours liquor is being consumed except where that person enters and is present on the premises under direct parental supervision or under the conditions set out in clauses 70(l) or (m). (EC524/93)

Persons under age

Evidence of age	25. The licensee or person in charge of a lounge shall require evidence of the age of a person suspected to be under 19 years of age who is entering into or present on the premises of a lounge, in the manner prescribed by the Commission. (EC350/01)
Hours for serving liquor	26. Subject to the Act and orders of the Commission, a licensee may serve liquor in the licensed premises of a lounge (a) on every day of the week, except Sunday, between the hours of 11:00 a.m. and 1:00 a.m. the following day; and (b) on Sunday, between the hours of noon and midnight. (EC350/01)
Fee	27. An application for a lounge license shall be accompanied by a non-refundable application fee of twenty-five dollars. (EC350/01)
Terms and conditions	27.1. The Commission may impose terms and conditions on a lounge license. (EC350/01)
Forms	28. An application for a lounge license shall be in Form 11 and the license issued by the Commission shall be in Form 12. (EC704/75)
Fees	29. A lounge licensee shall pay an annual fee of two hundred dollars. (EC704/75; 142/91; 248/91; 110/92; 539/92; 131/93; 121/97; 243/07)
Use as dining room	30. The holder of a lounge license may apply to the Commission in writing for permission to use the premises licensed as a lounge, as a dining room on specified times and days as set out in the application and the Commission may grant such permission subject to such conditions it deems advisable and subject to compliance with (a) the provisions of clauses 14(b), (c), (d), (e), (f), and (g); and (b) other relevant provisions of the Act and these regulations relating to service of liquor in a dining room. (EC704/75)
Prohibition - subdivision of premises	30.1 (1) No person shall subdivide premises which are the subject of a lounge license for the purpose of applying for any additional liquor license or licenses for the area already subject to the lounge license.
No additional license	(2) The Commission shall not issue any additional liquor license or licenses for all or part of any premises which are the subject of a lounge license. (EC659/99)

CLUB

Club license	31. Upon application being made in the prescribed form and upon payment of the prescribed fee and in compliance with this Act and regulations, the Commission may issue a club license. (EC704/75)
Conditions for operation of club	32. A club license shall not be issued to a club unless the club

- (a) has a clearly defined basis of membership and reasons for existence other than selling alcoholic beverages;
- (b) is non-proprietary and is not operated for the pecuniary gain or personal profit of any member, officer or shareholder thereof;
- (c) has regular hours of operation;
- (d) has premises that are of a high standard as to decor, furnishings, equipment and service;
- (e) has the approval of the Commission of the provisions of the constitution and bylaws of the club respecting admitting and retaining members and the admission of guests;
- (f) has been in actual operation for one year prior to the date of application for a license, or such lesser period of time as may be approved by the Commission;
- (g) has a location and character that in the opinion of the Commission makes it desirable to issue the license for which the application is made;
- (h) is a body corporate;
- (i) has not less than twenty members; and
- (j) has for its objects definite purposes of a social, athletic, recreational, fraternal, benevolent, or patriotic nature. (EC704/75)

33. A club license authorizes the licensee to have liquor purchased from the Commission and to sell the liquor to any member of the club or the guest of any member, who is nineteen years of age or over, by the glass, or in the case of beer and wine, by the glass, open bottle or other container, for consumption only on such parts of the premises as are approved by the Commission for that purpose. (EC704/75; 517/89)

Authority under
license

34. A club licensee shall keep and maintain upon the club premises

- (a) a register in which the name and address of each member is recorded; and
- (b) if required by the club bylaws, a register in which shall be entered the name and address of every guest entering the club, the date of such entry and the name of a member bringing the guest into the club premises. (EC704/75)

Registers

35. (1) A club licensee shall not

- (a) admit any person to the club premises except as permitted by the bylaws of the club; nor
- (b) permit any person under the age of nineteen years to enter the club room or rooms in which bars are located during the hours liquor is being consumed except where such person enters and is present in the club room or rooms in which bars are located for the purpose of attending a wedding function or to provide entertainment under the conditions specified in clause 70(1).

Admission

Exception	<p>(2) Notwithstanding clause (1)(b), a club that</p> <p style="padding-left: 20px;">(a) provides a spectator sport; and</p> <p style="padding-left: 20px;">(b) has a viewing area not ordinarily open to the public</p> <p>may, upon such terms as the Commission may determine, be permitted by the Commission to admit persons under the age of nineteen years to the viewing area only. (EC904/75; 994/79; 426/80; 26/81; 230/86; 517/89)</p>
Evidence of age	<p>36. The licensee or person in charge of a club shall require evidence of the age of a person suspected to be under 19 years of age who is entering into or present on the premises of a club, in the manner prescribed by the Commission. (EC350/01)</p>
Hours for serving liquor	<p>37. Subject to the Act and orders of the Commission, a licensee may serve liquor in the licensed premises of a club</p> <p style="padding-left: 20px;">(a) on every day of the week, except Sunday, between the hours of 11:00 a.m. and 1:00 a.m. the following day; and</p> <p style="padding-left: 20px;">(b) on Sunday, between the hours of noon and midnight. (EC350/01)</p>
Fee	<p>38. An application for a club license shall be accompanied by a non-refundable application fee of twenty-five dollars. (EC350/01)</p>
Terms and conditions	<p>38.1. The Commission may impose terms and conditions on a club license. (EC350/01)</p>
Forms	<p>39. An application for a club license shall be Form 11 and a club license issued by the Commission shall be in Form 12. (EC704/75)</p>
Club license	<p>40. A club licensee shall pay an annual fee of fifty dollars for a membership of one hundred or less; one hundred dollars for a membership of over one hundred, not over one hundred and fifty; and two hundred dollars for a membership of over one hundred and fifty. (EC704/75; 142/91; 248/91; 110/92; 539/92; 131/93; 121/97; 243/07)</p>
Prohibition - subdivision of premises	<p>40.1 (1) No person shall subdivide premises which are the subject of a club license for the purpose of applying for any additional liquor license or licenses for the area already subject to the club license.</p>
No additional license	<p>(2) The Commission shall not issue any additional liquor license for all or part of any premises which are the subject of a club license. (EC659/99)</p>

MILITARY CANTEEN LICENSE

Military canteen license	<p>41. The Commission may issue a military canteen license in accordance with the Act and regulations to a person in charge of a canteen in camps, armouries, barracks of active or reserve units of the Canadian Forces</p>
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under direct supervision and control of the Forces, and in the quarters of the Royal Canadian Mounted Police, Branches of the Royal Canadian Legion and recognized Armed Services Veterans Associations. (EC704/75)

42. A military canteen license authorizes the person named therein to have liquor purchased from the Commission and to sell the liquor so purchased to persons not disqualified under this Act or these regulations for consumption on the premises in that part of the canteen stated in the license. (EC704/75)

Idem

43. Subject to the Act and orders of the Commission, a licensee may serve liquor in the licensed premises of a military canteen

Hours for serving
liquor

- (a) on every day of the week, except Sunday, between the hours of 11:00 a.m. and 1:00 a.m. the following day; and
- (b) on Sunday, between the hours of noon and midnight. (EC350/01)

44. A military canteen licensee shall keep and maintain upon his premises

Register

- (a) a register in which the name and address of each member is recorded; and
- (b) if required by the bylaws of the organization, a register in which shall be entered the name and address of every guest entering the premises, the date of such entry and the name of the member bringing the guest into the premises. (EC704/75)

45. A military canteen licensee shall not

Persons under age

- (a) admit any person to the premises except as permitted by the bylaws; nor
- (b) permit any person under the age of nineteen years to consume liquor;
- (c) permit any person under the age of nineteen years to enter, be in or remain in the rooms in which bars are located during the hours liquor is being consumed except where such person enters and is present in the room in which bars are located for the purpose of attending a wedding function or to provide entertainment under the conditions specified in clause 70(1). (EC704/75; 944/79; 426/80; 230/86; 517/89)

46. The licensee or person in charge of a military canteen shall require evidence of the age of a person suspected to be under 19 years of age who is entering into or present on the premises of a military canteen, in the manner prescribed by the Commission. (EC350/01)

Evidence of age

Conditions	47. A military canteen license is subject to such terms, conditions, limitations and restrictions as the Commission may prescribe. (EC704/75)
Application fee	48. An application for a military canteen license shall be accompanied by a non-refundable application fee of twenty-five dollars. (EC350/01)
Forms	49. An application for a military canteen license shall be in Form 11 and a military canteen license issued by the Commission shall be in Form 12. (EC704/75)
Annual fee	50. A military canteen licensee shall pay an annual license fee of fifty dollars. (EC704/75; 143/91; 248/91; 110/92; 539/92; 131/93; 121/97; 243/07)

SPECIAL PREMISES LICENSES

Prohibition - subdivision of premises	50.01 (1) No person shall subdivide premises which are the subject of a military canteen license for the purpose of applying for additional liquor licenses for the area already subject to the military canteen license.
No additional license	(2) The Commission shall not issue any additional liquor license or licenses for all or part of any premises which are the subject of a military canteen license. (EC659/99)
Special premises license	50.1 (1) Upon receipt of an application and the prescribed fee, the Commission may issue a special premises license if satisfied <ul style="list-style-type: none"> (a) as to the quality of the premises, its furnishings, equipment and facilities; (b) that the premises are situated in an appropriate location and have been in operation for at least one year prior to the application or such lesser period as the Commission may approve; (c) that the premises are operated primarily for the advancement of recreational, sporting, cultural or other community activities and are economically viable without a liquor license; (d) that a special premises license is the appropriate form of license for the premises.
Form of license	(2) A license under subsection (1) shall <ul style="list-style-type: none"> (a) state the days and hours during which liquor may be served; (b) specify such terms and conditions as the Commission may determine.
Terms	(3) The holder of a special premises license shall <ul style="list-style-type: none"> (a) comply with the terms and conditions of the license; (b) ensure that non-alcoholic beverages are available for consumption by patrons;

- (c) provide food services as directed by the Commission;
- (d) except as approved by the Commission, restrict use of the premises to persons over the age of nineteen years while liquor is being served.

- (4) The holder of a special premises license shall pay an annual fee of \$200. Annual fees
- (5) No person shall subdivide premises which are the subject of a special premises license for the purpose of applying for additional liquor licenses for the area already subject to the special premises license. Prohibition — subdivision of premises
- (6) The Commission shall not issue any additional liquor license or licenses for all or part of any premises which are the subject of a special premises license. No additional license
- (7) An application for a special premises license shall be accompanied by a non-refundable application fee of twenty-five dollars. (EC43/88; 142/91; 248/91; 110/92; 539/92; 131/93; 463/93; 121/97; 659/99; 350/01; 243/07) Application fee

CATERER'S LICENSE

- 50.2** (1) Upon application made by the holder of a dining room license and payment of the prescribed fee, the Commission may issue a caterer's license. Caterer's license
- (2) A caterer's license authorizes a licensee Authority under license
 - (a) to purchase liquor from the Commission and to sell the liquor by the glass, and beer and wine by the glass or open bottle, to persons not disqualified from consumption under the provisions of the Act or these regulations;
 - (b) to operate at locations other than the licensee's premises, with the approval of the Commission.
 - (3) The holder of a caterer's license Conditions
 - (a) shall notify the Commission of the events proposed to be catered to and the location thereof, and obtain the approval of the Commission for the premises intended to be used;
 - (b) shall cater only to events where meals are to be served in conjunction with the service of liquor;
 - (c) shall conduct the events catered to in a manner satisfactory to the Commission and in compliance with the Act and regulations;
 - (d) shall not, in any operating year, permit retail liquor sales to exceed retail food sales, unless otherwise directed by the Commission;

(e) shall not permit persons under the age of nineteen years to be present at a catered function except as authorized by the Commission;

(f) may serve liquor only between the hours of 11:00 a.m. and 1:00 a.m. the following day.

Form of license

(4) An application for a caterer's license and any license issued shall be in such form as the Commission may determine.

Terms and conditions

(4.1) The Commission may impose terms and conditions on a caterer's license.

Fees

(5) The holder of a caterer's license shall pay an annual fee of \$200. (EC638/88; 142/91; 248/91; 110/92; 539/92; 121/97; 350/01; 243/07)

WINERY LICENSE

definitions

50.3 (1) In this section "winery" means the production facilities and related growing area used for the production and bottling of wine and includes the premises used to sell or serve wine;

License requirements

(2) Upon application in such form as the Commission may require and on payment of the prescribed fee, the Commission may issue a winery license to an applicant if the Commission is satisfied that

(a) the premises, furnishings, equipment and facilities of the winery are of a high standard;

(b) the applicant has met the terms and conditions of the winery license;

(c) the applicant holds a license issued under the *Excise Tax Act* (Canada) for the sale or export of wine; and

(d) the winery meets all applicable health and safety standards established under federal and provincial law.

Application fee

(3) An application for a winery license shall be accompanied by a non-refundable application fee of twenty-five dollars.

Terms and conditions

(4) The Commission may impose such terms and conditions on a winery license as the Commission considers appropriate.

Types of winery license

(5) The Commission may issue the following types of winery license authorized by clause 8(2)(n) of the Act:

(a) a Cottage Winery License;

(b) a Small Farm Winery License; or

(c) a Large Farm Winery License.

Cottage Winery License

(6) The Commission may issue a Cottage Winery License to an applicant if the Commission is satisfied that the winery

- (a) produces wine from non-grape products only, where at least 90 percent of such products are cultivated in the province;
- (b) maintains at the winery at least three acres of land in exclusive cultivation of indigenous non-grape products used to produce its wine;
- (c) maintains a cultivation and production plan that complies with the policies established by the Commission; and
- (d) produces at least 2,700 litres of wine per year.

(7) The Commission may issue a Small Farm Winery License to an applicant if the Commission is satisfied that the winery

Small Farm Winery License

- (a) produces wine from grapes, where at least 50 percent of such grapes are cultivated at the winery;
- (b) maintains at the winery at least three acres but less than ten acres of land in exclusive cultivation of grapes used to produce its wine;
- (c) maintains a cultivation and production plan that complies with the policies established by the Commission; and
- (d) produces at least 2,700 litres but not more than 13,500 litres of wine per year.

(8) The Commission may issue a Large Farm Winery License to an applicant if the Commission is satisfied that the winery

Large Farm Winery License

- (a) produces wine which may be from a combination of grape and non-grape products;
- (b) maintains at the winery at least ten acres of land in exclusive cultivation of grapes used to produce its wine;
- (c) maintains a cultivation and production plan that complies with the policies established by the Commission; and
- (d) produces at least 13,500 litres of wine per year.

(9) The holder of a winery license shall

Books, etc.
available for
inspection

- (a) keep and make available for inspection by the Commission such books and records as the Commission may require; and
- (b) make and provide such reports to the Commission as the Commission may require.

(10) The holder of a winery license shall pay an annual fee of \$200.

Fee

(11) The holder of a winery license may operate a retail outlet on the premises of the winery for the display, sale, tasting and storage of wine produced and bottled at the winery subject to the terms and conditions of the license and the policies established by the Commission in respect of the operation of the retail outlet. (EC67/95; 350/01; 243/07; 735/07)

Retail outlet

TOURIST HOME LICENSE

Tourist home
license,
requirements

50.4 (1) Upon receipt of an application and the prescribed fee, the Commission may issue a tourist home license, if satisfied that

- (a) the premises, its furnishings, equipment and facilities are of a high standard;
- (b) the premises have been designated as an inn, bed and breakfast, guest home or tourist home by an accommodations rating program recognized by the Commission;
- (c) the tourist home has accommodations of not less than 4 rooms that are rented to the travelling public;
- (d) the tourist home provides personalized hospitality directed by the owner or operator;
- (e) the owner or operator of the tourist home maintains a register of all guests.

Conditions

(2) The holder of a tourist home license may sell and serve liquor upon the licensed premises to guests of the tourist home on such days and subject to such conditions as may be specified in the license.

Persons under 19

(3) The holder of a tourist home license shall not permit any person under the age of nineteen years to consume liquor on the premises.

Fees

(4) A tourist home licensee shall pay an annual fee of \$100, or \$50 for six months.

Application fee

(5) An application for a tourist home license shall be accompanied by a non-refundable application fee of twenty-five dollars.

Terms and
conditions

(6) The Commission may impose terms and conditions on a tourist home license. (EC351/96; 121/97; 350/01; 134/04; 243/07)

DISTILLER'S LICENSE

Distiller's license,
requirements

50.5 (1) Upon application in such form as the Commission may require and on payment of a fee of \$200, the Commission may issue a distiller's license to the applicant if satisfied that

- (a) the premises, furnishings, equipment, and facilities of the distillery are of a high standard;
- (b) the distillery is licensed under the *Excise Tax Act* R.S.C. 1985, Chap. E-13;
- (c) the distillery meets the applicable health and safety standards established under federal and provincial law;
- (d) the distiller will maintain records satisfactory to the Commission which shall be subject to review and audit by the Commission upon request;
- (e) the distiller will comply with all Federal labelling standards.

- (2) An application for a distiller's license shall be accompanied by a non-refundable application fee of twenty-five dollars. Application fee
- (3) The Commission may impose terms and conditions on a distiller's license. Terms and conditions
- (4) The holder of a distiller's license shall Books, etc. available for inspection
- (a) keep and make available for inspection by the Commission such books and records as the Commission may require; and
- (b) make and provide such reports to the Commission as the Commission may require.
- (5) The holder of a distiller's license may operate a retail outlet on the premises of the distillery for the display, sale, tasting and storage of spirits produced and bottled at the distillery subject to the terms and conditions of the license and the policies established by the Commission in respect of the operation of the retail outlet. (EC351/96; 350/01; 735/07) Retail outlet

BREW-PUB LICENSE

- 50.6** (1) In this section "brew-pub" means a small capacity brewery which, unless otherwise approved by the Commission, produces less than 2,000 hectolitres of beer per year and is authorized by the Commission to sell only draft or bulk beer by the glass for consumption in its adjacent, totally segregated, licensed premises and at one other location which is owned and operated by the holder of the brew-pub license. "brew-pub", defined
- (2) Upon application in such form as the Commission may require and on payment of a fee of \$200, the Commission may issue a brew-pub license to the applicant if satisfied that Brew-pub license, requirements
- (a) the premises, furnishings, equipment and facilities of the brew-pub are of a high standard;
- (b) the applicant for a brew-pub license is also the holder of a liquor license which authorizes the sale of liquor to persons who are not disqualified under this Act and regulations for consumption on the premises.
- (3) The holder of a brew-pub license shall ensure that beer manufactured in the brew-pub is consumed only in the licensed premise of the brew-pub owner or in other areas as permitted by these regulations and approved by the Commission. Consumption
- (4) The holder of a brew-pub license shall Federal requirements
- (a) be licensed as a brewer by the Government of Canada;
- (b) manufacture beer in accordance with the *Food and Drugs Act* (Canada) R.S.C. 1985, Chap. F-27;

(c) be licensed under the *Excise Tax Act*.

Alcohol content	(5) The holder of a brew-pub license shall not manufacture beer with a alcohol content in excess of 6.5% alcohol by volume.
Record of production	(6) The holder of a brew-pub license shall ensure that proper metering devices are attached to brewing equipment to mechanically record <ul style="list-style-type: none"> (a) the total amount of beer manufactured; (b) the total amount of beer dispensed for consumption in the licensed premises, and shall report to the Commission, in such form and under such conditions as may be required, the amount of beer manufactured and transferred to the retail outlet along with payments required.
Other premises	(7) The holder of a brew-pub license shall not alter, lease or rent the premises unless first authorized by the Commission in writing.
Conditions	(8) The Commission may impose conditions on a brew-pub license and may suspend or cancel a license for failure to comply with a condition or for contravention of the Act or these regulations.
Application fee	(9) An application for a brew-pub license shall be accompanied by a non-refundable application fee of twenty-five dollars. (EC193/97; 350/01)

MICRO-BREWERY LICENSE

“micro-brewery”, defined	50.7 (1) In this section “micro-brewery” means a free-standing brewery that produces less than 15,000 hectolitres of beer per year.
Application for license	(2) An application for a micro-brewery license shall be <ul style="list-style-type: none"> (a) in a form as required by the Commission; and (b) accompanied by a non-refundable application fee of \$25.
Approval of license	(3) The Commission may issue a micro-brewery license where <ul style="list-style-type: none"> (a) the premises, furnishings, equipment and all other facilities of the micro-brewery are, in the opinion of the Commission, of a high standard; and (b) the Commission has received a fee of \$200 from the applicant.
Federal requirements	(4) Every person holding a micro-brewery license shall <ul style="list-style-type: none"> (a) be licensed as a brewer by the Government of Canada; (b) manufacture beer in accordance with the <i>Food and Drugs Act</i> (Canada); and (c) hold a valid license issued pursuant to the <i>Excise Tax Act</i> (Canada).

- (5) The holder of a micro-brewery license shall not manufacture beer with an alcohol content in excess of 6.5% alcohol by volume. Alcohol content
- (6) The holder of a micro-brewery license shall Record of production
- (a) ensure that proper metering devices are attached to the brewing equipment to mechanically record the total amount of beer manufactured; and
- (b) report to the Commission, in a form and according to any conditions required by the Commission, the total amount of beer manufactured.
- (7) The holder of a micro-brewery license shall package beer only in suitable containers that have been approved for that purpose by the Commission. Packaging
- (8) The Commission may Conditions
- (a) impose terms and conditions on a micro-brewery license; and
- (b) subject to the Act and these regulations
- (i) refuse to issue,
- (ii) suspend, or
- (iii) cancel a micro-brewery license.
- (9) The holder of a micro-brewery license shall Books and reports
- (a) keep and make available for inspection by the Commission any books and records required by the Commission; and
- (b) make any reports required by the Commission.
- (10) Subject to the terms and conditions of the micro-brewery license, the holder of a micro-brewery license may operate a brewery retail outlet on the premises of the brewery for the display, sale, tasting, and storage of beer produced and bottled at the micro-brewery. (EC428/00) Retail outlet

WAITER'S LICENSE

Sections **51** to **54** revoked by EC214/95.

Waiter's license

TRAINING AND CERTIFICATION

- 54.1** (1) The holder of a license and, if the license is held in the name of a corporation, the individual having responsibility for controlling the sale of liquor on the licensed premises shall take a beverage service course conducted by such agency as the Commission may authorize. Licensee, training course
- (2) Persons engaged in the service of liquor in, or the control of admission to, licensed premises, including waiters, bartenders and Servers and doorpersons, training course

doorpersons, shall take a beverage service course conducted by such agency as the Commission may authorize.

Licensee, sanction

(3) If the holder of a license or the individual referred to in subsection (1) does not successfully complete the beverage service course within 30 days of

(a) the date this section comes into force; or

(b) assuming responsibility for the management of licensed premises, if later,

the Commission may suspend the license or refuse to grant or renew the license in respect of those premises.

Servers and
doorpersons,
sanction

(4) If a person referred to in subsection (2) does not successfully complete the beverage service course within 30 days of

(a) the date this section comes into force; or

(b) commencing employment in the licensed premises, if later,

the Commission may impose a condition upon the renewal of the license of the premises in which the person is employed requiring that the person successfully complete the beverage service course and if the person fails to do so, requiring that his employment be terminated.

Certificate

(5) A person who successfully completes a beverage service course shall be awarded a certificate to that effect which that person shall produce for inspection upon the request of an inspector.

Fee

(6) The fee for a beverage service course shall be such as may be approved by the Commission.

Renewal

(7) A certificate issued under subsection (5) is valid for a period of five years.

Refuse, suspend,
cancel certificate

(8) Notwithstanding subsections (5) and (7), the Commission may suspend, cancel, or refuse to issue a certificate. (EC524/93; 214/95; 350/01)

GENERAL

Personal history
report

55. (1) All applicants for liquor licenses shall complete a personal history report. The personal history report shall be in Form 16. In the case of a corporation or military canteen applicant, the officers thereof shall complete the report.

Idem

(2) The Commission may request personal history reports from such persons as it deems necessary. (EC704/75; 1169/75)

Expiry of licenses

56. All licenses shall expire on May 31 of each year, unless sooner suspended or cancelled by the Commission. (EC704/75)

57. (1) Upon application in such form as the Commission may determine and upon receipt of the applicable annual fee, the Commission may renew any license issued under these regulations. Renewal of licenses

(2) The application for renewal should be submitted no later than two weeks prior to the date of expiry of the license. (EC28/97) Time for renewal

58. Every licensee shall keep daily records of all sales and transactions and shall make periodic reports in the manner and at such times as the Commission may require. (EC704/75) Records

59. The Commission may require a club or military canteen licensee to submit their bylaw for review and approval at any time and also an up-to-date list of officers and members. (EC704/75) Bylaws

60. (1) A licensee shall be in personal charge of the licensed premises or appoint a responsible person to be in charge of his licensed premises during the hours the liquor is being sold or consumed in the said premises. Management

(2) A licensee shall, before appointing any person to be in charge of his licensed premises, notify the Commission in writing, stating the name and address of the person and such other information as the Commission may require, and receive written approval of such person from the Commission. (EC704/75) Notice

61. All regulations under the Act which are binding upon a licensee shall also apply to the person appointed by the licensee to be in charge of his licensed premises. (EC704/75) Application of regulations

62. (1) Every license granted by the Commission shall be a license only to the person named therein and for the premises specified in the license, if, however, a change in management or ownership, including ownership of the shares of a corporate licensee, occurs or alterations are made to premises, the Commission may issue a letter authorizing changes in the original license to conform to the changes. Alteration of license

(2) Should a change in management or ownership of the premises, or a change of the ownership of the shares of a corporate licensee of premises occur, or alterations be made to the premises the Commission may revoke the license and require a new application for license and hearing thereon. (EC704/75) Revocation

63. A licensee shall not make alterations to the licensed premises without the prior written approval of the Commission. He shall notify the Commission in writing and file such plans and information as may be required by it. (EC704/75) Alterations to licensed premises

Transferability	64. A license granted under this Act shall not be transferable, unless authorized by the Commission. (EC704/75)
Purchase of liquor	65. All liquor sold or kept for sale by a licensee shall be purchased from or through the Commission and shall be dispensed from the original container in which it is purchased. (EC704/75)
Display of license	66. A licensee shall display the license issued to him by the Commission in a conspicuous place in his licensed premises. (EC704/75)
Display of liquor	67. Where a licensee displays liquor upon his licensed premises, he shall display all brands and kinds of liquor which he has in stock. (EC704/75)
<i>Pro rata</i> amount	68. Where a license is issued for a part of a year, the Commission may charge the <i>pro rata</i> amount for that part of the year for which the license is issued.
Inspectors	69. The Commission shall appoint one or more inspectors whose duties it shall be to inspect all licensed premises, make reports to the Commission and perform such other duties as the Commission may direct. (EC704/75)
Offences	<p>70. A licensee shall not</p> <ul style="list-style-type: none"> (a) permit any liquor to be taken from or into his licensed premises otherwise than is permitted by the Act and these regulations; (b) permit any disorderly conduct or the use of vulgar or profane language by any person in his licensed premises; (c) admit more persons in his licensed premises than the capacity established and posted by the Fire Marshal's Office; (d) permit any person to consume liquor while on duty or during his working hours; (e) employ any person under nineteen years of age in the handling of liquor in his licensed premises; (f) have or permit a slot machine or any type of gambling or betting machine in his licensed premises except an entertainment device licensed under the Revenue Tax Act Regulations (EC258/87) or a video lottery device authorized under the Video Lottery Scheme Regulations (EC361/91); (g) in a dining room or tourist home have any machine referred to in clause (f) or have or permit a game of chance in his licensed premises; (h) let or sublet any portion of his licensed premises or permit the operation or conduct of any service provided to the public on his licensed premises to be controlled or conducted by any other person without the permission of the Commission;

- (i) provide or permit any live entertainment in his licensed premises without the permission of the Commission;
- (j) sell or supply any liquor on his licensed premises to or for any person who is apparently in an intoxicated condition;
- (k) permit any person having the care, custody, and control of a child under the age of ten years to enter his licensed premises if the licensee knows that such child is left unattended by a competent person outside the said premises;
- (l) permit any person under the age of nineteen years to enter, be in or remain in the rooms in which bars are located or liquor is being served, during the hours liquor is being consumed except where such person enters and is present in the room for the purposes of attending a wedding function, or
 - (i) is of the age of fifteen years or over,
 - (ii) is an entertainer, either alone or as a member of a group, engaged to provide entertainment in the licensed premises, and
 - (iii) is accompanied by, or subject to or under the supervision of,
 - (A) a parent or permanent legal guardian, or
 - (B) the operator of the licensed premises who is authorized in writing by the parent or the permanent legal guardian to be in charge of the underaged entertainer while that person is performing;
- (m) permit any person under the age of nineteen years to enter, be in or remain in the rooms in which bars are located or liquor is being served except where such person is
 - (i) an invited guest or participant,
 - (ii) accompanied by a person of nineteen years or over, and
 - (iii) attending or participating in a reunion, function or activity of a cultural, sporting or social nature approved by the Commission at which meals are served and the majority of persons attending or participating are nineteen years or over. (EC740/75; 26/81; 230/86; 383/89; 517/89; 443/91; 437/92; 32/93; 374/98)

70.1 (1) For the purposes of this section, “registration certificate” means a registration certificate issued to a vendor pursuant to the *Revenue Tax Act* R.S.P.E.I. 1988, Cap. R-14. “registration certificate”, defined

(2) Notwithstanding any other provision of these regulations, no person shall apply for, obtain or hold a license to sell liquor unless the person holds a valid registration certificate. Registration certificate required

(3) Notwithstanding any other provision of these regulations, where a registration certificate held by a licensee is cancelled or suspended If registration certificate not valid

- (a) the license under the Act is automatically suspended for a period of 21 days or until the registration certificate is re-instated, whichever occurs earlier; and
- (b) the license is automatically cancelled where the registration certificate is not re-instated within 21 days from the date of its suspension or revocation. (EC350/01)

Prices	71. Liquor, beer and wine shall be sold in licensed premises only at prices approved by the Commission. (EC704/75)
Minimum measure	72. In licensed premises where wine is sold, the minimum serving shall not be less than two ounces. In the case of liquor, the minimum serving shall not be less than one ounce. (EC704/75)
Mode of service	73. All cocktails sold in licensed premises shall be mixed at the bar and other liquor sold shall be measured from the original container by means of a measuring device, of a type approved by the Commission, and then poured from the measuring device into the customer's glass, in his presence. (EC704/75)
Report of food and liquor sales	74. (1) A licensee who holds a dining room license, or both a dining room license and a lounge license, shall, when requested by the Commission, provide to the Commission a report in such form as the Commission may require showing the separate gross retail values of liquor and food sold on the licensed premises.
Restriction on liquor sales	(2) A licensee who holds a dining room license, but not a lounge license, shall ensure, as a condition of the license, that the gross retail sales value of all of the liquor sold in the dining room in any year does not exceed the gross retail sales value of all of the food sold in the dining room during the year.
<i>Idem</i>	(3) A licensee who holds both a dining room and lounge license shall ensure, as a condition of both licenses, that the gross retail sales value of all of the liquor sold in the dining room and lounge in any year does not exceed 30% of the gross retail sales value of all of the food sold in the dining room and lounge during the year. (EC810/83; 101/07)
Extension of hours	75. A licensee may obtain special authorization from the Commission to sell and serve liquor in his licensed premises after the prescribed hours. (EC26/81)
Dancing	76. A licensee may obtain special authorization from the Commission to permit dancing in the licensed dining room area for private functions closed to the general public. (EC704/75)

- 77.** A licensee may obtain special authorization from the Commission to sell or serve liquor between the hours of 9:00 a.m. through 12:00 p.m. (midnight) during such hours and on such days as are specified in the authorization and subject to such conditions and limitations as are prescribed in the authorization. (EC704/75) Alteration of hours
- 78.** All licensed premises shall be vacated not later than one half-hour after the prescribed closing hour. (EC704/75) Vacation of premises
- 79.** Except in licensed dining rooms, no liquor may be sold or served in licensed premises after 6:00 p.m. on Christmas Eve and all day on Christmas Day and Good Friday. (EC704/75) Holidays
- 80.** Revoked by EC524/93. Elections
- 81.** In licensed premises where liquor is sold and served without food, the said premises shall comply with the Eating Establishments and Licensed Premises Regulations made under the provisions of the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30. In licensed premises where food is sold or offered without charge, the premises shall also comply with Eating Establishments and Licensed Premises Regulations made under the provisions of the *Public Health Act*. (EC704/75) Application of other regulations
- 82.** Licensed premises shall comply with the *Fire Prevention Act*. (EC704/75; 32/93) Fire prevention
- 83.** Notwithstanding any other provisions of these regulations, where a person makes an application for a liquor license to the Commission, the Commission may issue a temporary liquor license to such person to be in effect while the Commission is considering such application, but the term of such temporary license shall not extend beyond sixty days. (EC704/75) Temporary license
- 84.** Revoked by EC674/02. Educational institution
- 85.** Revoked by EC674/02. University, etc.
- 85.1** (1) In this section, Definitions
- (a) “licensee” means a licensee whose licensed premises are situated on the property of a post-secondary educational institution; licensee
- (b) “wet-dry event” means an activity or event wet-dry event
- (i) that is held in a licensed premises which is situated on the property of a post-secondary educational institution,
- (ii) that may be attended by persons who are at least seventeen years of age, and

(iii) during which liquor may be served, in accordance with the Act and these regulations, to persons who are nineteen years of age or over.

Authorization for wet-dry event

(2) The Commission may, on application by a licensee, give the licensee written authorization to hold a wet-dry event.

Licensee may permit entry by persons seventeen years of age

(3) Notwithstanding anything to the contrary in these regulations, the licensee may permit a person who is under the age of nineteen years to enter, be in and remain in the licensed premises during a wet-dry event if

(a) the person

(i) is enrolled as a student at a post-secondary educational institution,

(ii) is at least seventeen years of age; and

(b) prior to entry by the person, the licensee, or an employee of the licensee, receives proof, in a manner prescribed by the Commission, that the person meets the requirements of clause (a).

Entry by persons seventeen years of age

(4) A person at least seventeen years of age may enter, be in and remain in a licensed premises in the circumstances described in subsection (3).

Identity markers

(5) Where a licensee holds a wet-dry event, the licensee shall issue to all persons nineteen years of age or over, on their entry to the licensed premises, non-transferrable identifying markers or devices which have been approved for use by the Commission.

Service

(6) Notwithstanding anything to the contrary in these regulations, during a wet-dry event, the licensee shall not permit liquor to be served to a person who is nineteen years of age or older unless the person has a non-transferrable identifying marker or device issued under subsection (5), regardless of any other evidence of age that the person may have in his or her possession.

Compliance with terms and conditions

(7) A licensee who holds a wet-dry event under the written authorization of the Commission shall comply with any terms and conditions attached to the authorization by the Commission. (EC53/04)

Inspection

86. The licensee shall permit an inspector, or any other person appointed or authorized for the purpose by the Commission, to examine and inspect at all reasonable times his licensed premises and all food and liquor service checks, cash register tapes and other records relating to sales of food and liquor sold for consumption on the licensed premises. (EC704/75)

False statements

87. Any person who makes a false statement, report or misrepresentation in any application or report to the Commission under the Act or these

regulations shall be guilty of an offence and any person who does not comply with the conditions in any license or permit shall be guilty of an offence. (EC704/75)

88. An order of interdiction shall be in Form 18, or in words to the like effect. (EC704/75)

Interdiction

89. The Commission shall, at such times as it considers necessary issue and distribute price lists showing the prices to be paid by purchasers for each class, variety or brand of liquor kept for sale at any liquor store and from time to time make such changes and alterations in the price thereof as it may deem to be expedient. (EC704/75)

Prices

90. Revoked by (EC2007/399). (EC704/75; 350/01; 399/07)

Store hours

91. (1) Except as provided by the Act and these regulations, the transportation of intoxicating liquor for beverage purposes to or between points in the Province of Prince Edward Island is prohibited, except to or from the Commission.

Transportation of liquor

(2) Shipments of liquor or wine for beverage, medicinal, mechanical, scientific or sacramental purposes may be accepted as follows:

Shipments

(a) when consigned to the Commission at Charlottetown, Summerside or other destination points in Prince Edward Island; or

(b) when shipped by the Commission, for a point in Prince Edward Island, addressed to a vendor, at a point in Prince Edward Island.

(3) Shipments of sacramental wine may also be accepted, when addressed to a clergyman in charge of a congregation of any denomination and delivery may be made directly to such clergyman, but his name and address, with particulars of the shipment, must be sent to the Commission, Charlottetown, by the shipper.

Sacramental wine

(4) Revoked by EC350/01.

Beer

(5) The exportation of intoxicating liquor to points outside the province is prohibited except by brewers, distillers or wineries duly licensed by the Commission or under federal law. (EC704/75; 18/97)

Export

92. Revoked by EC350/01.

Order of suspension

93. Revoked by EC350/01.

Cancellation of license

94. Revoked by EC350/01.

Cultural or sports activities

95. (1) Upon application, in a form prescribed by the Commission, by the holder of a lounge license the Commission may, upon such terms and conditions as it may think appropriate, having regard to the

Conduct of non-alcoholic operation on lounge premises

circumstances existing in respect of the particular application, grant an amendment or exemption to a license held by a licensee to permit the operation of a lounge for the purposes of a non-alcoholic operation.

Responsibility of
license holder

(2) In any case where the holder of a lounge license applies for and receives the permission of the Commission, by way of an amendment or exemption to an existing license to operate a non-alcoholic operation, it shall be the responsibility of the licensee to ensure that

- (a) there is no display of liquor, liquor dispensers, or any form of advertising of liquor on the premises at such time as the lounge is being operated as a non-alcoholic operation;
- (b) no persons enter upon the premises after having consumed liquor in any quantity whatsoever, nor consume liquor on the premises in any form whatsoever, nor bring liquor into or upon the premises.

Withdrawal of
permission for
breach of
conditions

(3) Where a lounge license has been amended or an exemption granted to permit a non-alcoholic operation, the permission may be immediately withdrawn at the direction of the Commission if while the non-alcoholic operation is being carried on

- (a) liquor is displayed, presented or offered for consumption, whether or not for consideration;
- (b) liquor is found upon the person of any patron of the establishment while on the premises;
- (c) any patron of the establishment is upon the premises after having consumed alcohol.

Compliance

(4) For the purposes of the Act and the regulations, the onus is upon the holder of the lounge license to ensure compliance with the provisions of this section.

Good faith

(5) The Commission shall act in good faith and is not bound to conduct a full inquiry before exercising any power conferred under this section.

Application

(6) The provisions of this section apply with the necessary changes to holders of club licenses and military canteen licenses. (EC327/87)

Guidelines

96. (1) All advertisements shall comply with the following guidelines:

- (a) advertising must comply with the requirements of the Canadian Advertising Foundation and any other regulatory body having related jurisdiction;
- (b) any scene depicted in an advertisement must not be illegal under federal, provincial, or municipal legislation and must encourage the moderate and safe consumption of liquor;
- (c) advertisements must be directed toward an audience estimated to consist of persons 19 years of age or older;

- (d) advertisements shall not contain product endorsement by a well known personality with strong appeal to persons under the age of 19 years or by a look-alike of such personality;
- (e) persons who may reasonably be mistaken to be under the age of 19 years shall not be depicted in advertisements;
- (f) advertisements shall not use or imitate children's fairy tales, nursery rhymes, songs, fictional characters or caricatures that may appeal to children;
- (g) advertisements shall be within the limits of good taste and propriety;
- (h) advertisements shall not be sexist or sexually exploitive in nature;
- (i) advertisements shall not either directly or indirectly imply that consumption of liquor enhances, affects, or is an essential element for the realization of a desired lifestyle, personal performance, social acceptance, or the resolution of social, physical, or personal problems;
- (j) advertisements shall not make any direct or implied claim of healthful, nutritive, curative, dietetic, stimulative, or sedative qualities as being attributable to the consumption of liquor;
- (k) advertisements shall not be associated with the driving of motorized vehicles, and motorized vehicles shall not appear in scenes where a liquor product is shown;
- (l) advertisements shall not contain scenes in which liquor is actually being consumed.

(2) Advertising in accordance with the following provisions is permitted: Permitted advertising

- (a) advertisements may be broadcast on radio or television during programs directed to an audience the majority of which is estimated to be of the age of 19 years or more;
- (b) advertisements may be published in newspapers or magazines directed to a reading audience estimated to be of the age of 19 years or more;
- (c) advertisements may appear in the interior of buildings such as airports, bus terminals, and shopping malls, and others approved by the Commission;
- (d) advertisements may appear at special permit events;
- (e) advertisements may be displayed in licensed premises, liquor agencies, and retail liquor stores.

(3) The following types of advertising are prohibited, except as otherwise provided in this regulation: Prohibited advertising

- (a) an advertisement using an outdoor sign, billboard or transit shelter, unless its purpose is to encourage moderation and

responsibility in the use of liquor or to promote a socially or environmentally responsible message;

(b) the display of a liquor product in advertisements encouraging moderation or responsible use, or promoting of charitable events;

(c) advertisements on the exterior of motorized vehicles except trucks or vehicles belonging to, or used by, a manufacturer of alcoholic beverages or the appointed representative of a manufacturer.

Rules

- (4) The following rules govern manufacturer advertisements:
- (a) manufacturers may not provide licensees with financial subsidies of any kind.
- (b) a manufacturer may donate corporate identified scholarships.
- (c) a manufacturer may place a public service message on packages where the message supports a charitable, environmental, or cultural cause.
- (d) brand identified products of a manufacturer may be sold.
- (e) corporate or brand identified sales promotional material of a manufacturer such as signs, name tags, score sheets, official badges and start and finish signs may be displayed at promotional events sponsored by the manufacturer.
- (f) a manufacturer may provide prizes and awards for achievements in bona fide competitions at brand identified promotional or entertainment events.
- (g) unlisted or special order products shall not be advertised by a manufacturer unless authorized by the Commission.

Policy

(5) The Commission shall set policy guidelines setting out the frequency, number, size, length and other criteria which all advertisements must meet. (EC360/97)

FORM 1

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

APPLICATION FOR PERMIT UNDER SECTION 2

(For druggists, physicians, dentists, veterinarians, and persons engaged in the manufacturing business or in scientific pursuits.)

I, the undersigned
of
being engaged in the business or practice of
at
hereby make application for a permit to purchase liquor for use in my business or profession in accordance with the provisions of the *Liquor Control Act* and the regulations made thereunder. I am not disqualified under the provisions of the said Act.

Dated at Prince Edward Island,
this day of, 20..... .

.....
Signature of Applicant

Fee \$5.00

FORM 2

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

PERMIT ISSUED UNDER SECTION 2

(For druggists, physicians, dentists, veterinarians, and persons engaged in the manufacturing business or in scientific pursuits.)

This is to certify that
of
has made application in the prescribed form and is entitled to purchase liquor for use in his business or profession as a on the premises at
in accordance with the *Liquor Control Act* and the regulations made thereunder.

This permit is not transferable and expires one year from date of issue.

Issued at Prince Edward Island,
thisday of, 20.....

.....
Signature of Permit Holder

.....
P.E.I. Liquor Control Commission

Fee \$5.00

FORM 3

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

APPLICATION FOR PERMIT UNDER SECTION 3

(Clergyman - Sacramental Wines)

I, the undersigned being a clergyman in charge of a congregation of the Church at P.E.I., hereby make application for a permit to purchase wine for sacramental purposes for use in accordance with the provisions of the *Liquor Control Act* and the regulations made thereunder.

Dated at Prince Edward Island, this day of, 20.....

.....

Signature of Applicant

No Fee

FORM 4

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

PERMIT ISSUED UNDER SECTION 3

(Clergyman - Sacramental Wines)

No.

This is to certify that
of
Church at P.E.I. has made application in the prescribed form and is entitled to purchase
wine for sacramental purposes for use only in accordance with the *Liquor Control Act* and
the regulations made thereunder.

This permit is not transferable, and expires on, 20.....

Issued at, Prince Edward Island,
this day of, 20.....

.....
Signature of Permit Holder

.....
P.E.I. Liquor Control Commission

FORM 5

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

APPLICATION FOR PERMIT UNDER CLAUSE 4(a)

(Hospital)

Name of Hospital
Name of Official
Position of Official
Address

I,, of hospital, in the Province of
Prince Edward Island, apply for a permit to purchase liquor and do confirm that the liquor
will be consumed only for medicinal use in the above named hospital and none of such
liquor will be sold, supplied, distributed, or otherwise disposed of contrary to the provisions
of the *Liquor Control Act* or regulations.

Dated at Prince Edward Island,
this day of, 20.....

.....
Signature of Applicant

No Fee

FORM 6

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

PERMIT ISSUED UNDER CLAUSE 4(a)

(Hospital)

No

This is to certify that of , Prince Edward Island,
of hospital, has made application in the prescribed form and is
entitled to purchase liquor as hereinafter described, namely,
for medicinal use in the said hospital.

This permit is not transferable and expires on, 20.....

Issued at , Prince Edward Island,
this day of, 20.....

.....
Signature of Permit Holder

.....
P.E.I. Liquor Control Commission

FORM 7

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

**APPLICATION FOR PERMIT UNDER CLAUSE 4(b) or (c)
OF THE LIQUOR CONTROL ACT REGULATIONS**

(Special Conference, Banquet, Reception, Organization or Event)

AND

**APPLICATION FOR REGISTRATION AS A VENDOR
PURSUANT TO THE REVENUE TAX ACT**

Permit #.....

Name of Applicant
Phone No.
Address

(If the permit is for an association or other organization, give name and address of organization and state your official position.)

Name of Organization
Address
Official Position
Purpose for which permit is required

Check applicable Class:

NOTE:

If the liquor is to be served free of charge check Class I:
If the liquor is to be sold check Class II:

Approximate number of persons participating
Place where liquor will be consumed: (Name and address of building)

TIME:	DATE:
QUANTITY OF LIQUOR REQUIRED:	
Spirits: 710 ML (25 oz) 1.14 L (40 oz)	Beer 2 doz. c/s Wine: Bottles

SELLING PRICE:	
Spirits: \$ 28.4 ML	Beer: \$ Bottle
Wine: \$ Bottle	½ Bottle Glass

I,, the above named applicant confirm that the liquor above described will be used and consumed in accordance with the *Liquor Control Act* and regulations.

In addition, I, the above named applicant hereby make application for registration under the *Revenue Tax Act*, and agree to accept the responsibilities as set out in the *Revenue Tax Act*,

collect the revenue tax imposed, and account to the Provincial Treasurer for all the monies collected, or should have been collected.

.....
(Date) (Signature of Applicant)

If the function is to take place on premises which are not under the direct control of the applicant, the following must be completed by an official of the premises:

I,,being the of the
..... state that there is no objection to the
serving of alcoholic beverages in the on
.....
(Name of Premises) (Date)

.....
(Signature of Applicant)

The \$2.00 fee is to accompany this application for a Class I permit or the \$5.00 to accompany this application for a Class II permit.

NOTE TO APPLICANT:
Please complete this form in duplicate and return to the Prince Edward Island Liquor Control Commission, P.O. Box 967, Charlottetown, P.E.I. C1A 7M4

(EC134/04; 243/07)

FORM 8

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

PERMIT UNDER CLAUSE 4(b) or (c)

(Special Conference, Banquet, Reception, Organization or Event)

Class I \$5.00

Class II \$25.00

This is to certify that of
has made application in the prescribed form and is entitled to purchase liquor as hereinafter
described namely for consumption on the premises known as
in the of Prince Edward Island, between
on and on for the
time date

purpose of
.....

This permit is granted on the condition that any law enforcement officer or official
designated by the Commission shall be at liberty to enter the premises on which the
above described liquor is to be consumed at any time.

This permit is not transferable and expires on, 20.....

Issued at Prince Edward Island,
this day of, 20.....

.....
Signature of Permit Holder

.....
P.E.I. Liquor Control Commission

Fee \$5.00

(EC134/04)

FORM 9

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

APPLICATION FOR LICENSE UNDER SUBSECTION 10(2)

(Preparations containing alcohol)

Name

Address

I hereby make application for a license to keep for sale and sell by retail, preparations containing alcohol under section 10 of the Liquor Control Act regulations, in conformity with the *Liquor Control Act* and regulations, only on my business premises known as

.....

Dated at Prince Edward Island,
this day of, 20.....

.....
Signature of Applicant

Fee \$1.00

FORM 10

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

LICENSES ISSUED UNDER SUBSECTION 10(2)

(Preparations containing alcohol)

This is to certify that
whose signature is hereto affixed is hereby licensed under the *Liquor Control Act* to sell and
keep for sale preparations containing alcohol under section 10 of the *Liquor Control Act*
regulations, in conformity with the said Act and the regulations, only on the
business premises known as at

This license is not transferable and expires on, 20.....

Issued at Prince Edward Island,
this day of, 20.....

.....
Signature of Permit Holder

.....
P.E.I. Liquor Control Commission

Fee \$5.00

**THIS LICENSE MUST BE PROMINENTLY DISPLAYED IN THE LICENSEE'S
BUSINESS PREMISES.**

FORM 11

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

APPLICATION FOR LIQUOR LICENSE

TO: P.E.I. Liquor Control Commission
Charlottetown, P.E.I.

Name of Applicant
Address
Name of Premises
Address of Premises

TYPE OF LICENSE

Check Type: Dining Room
Lounge
Club
Military Canteen

The applicant hereby applies for a
(state type)

license to purchase beer, wine and liquor from the P.E.I. Liquor Control Commission and to keep on the premises so licensed such beer, wine and liquor and to sell the same for consumption on the above premises as shown as on plans filed with the Liquor Control Commission, to persons not disqualified to purchase same and in accordance with the *Liquor Control Act* and regulations.

THE APPLICANT STATES: (Cross out inapplicable subsections)

- 1. (a) that he is nineteen or more years of age;
- (b) that they are a partnership of which each of the partners is nineteen or more years of age;
- (c) that the applicant is a company authorized to carry on its business under the laws of Prince Edward Island;
- 2. that the size of the premises to be licensed isbyand the room is capable of seating persons at a time (Floor plan must be attached)
- 3. that the following described lavatory facilities are accessible to patrons of the premises to be licensed:
.....
.....
- 4. that the applicant being the true owner, legal proof of such ownership has been submitted to the Commission, or that the applicant being a tenant, a notarized copy of the lease has been submitted to the Commission;
- 5. that the business has operated in its present location for months (years);
- 6. that the system of fire alarms and fire escapes is as follows:

.....
.....
7. that the place where liquor will be stored is as follows:
.....

8. that the person(s) in control of the liquor storage area is (are):
.....

LOUNGE ONLY

1. that he (it) is the holder of dining room license; No

2. that the location of the lounge is such that food may readily be procured for consumption therein; Yes No

3. that the ownership and management of the lounge premises are the same as that of the business of the dining room.

CLUB MILITARY CANTEEN ONLY

- 1. Yearly dues per member
- 2. Incorporation date or unit number
- 3. The object for which the club or military canteen is operated (whether social, patriotic, athletic, etc.)

That with the above information is attached hereto

- 4. an alphabetical list of the members of the club or military canteen certified by the secretary thereof;
- 5. memorandum in writing certified by the secretary as to the person authorized by the club or military canteen to apply for the license;
- 6. a memorandum signed by some municipal or civil authority to the effect that the club or military canteen is a recognized one of good standing in the community;
- 7. a copy of the Constitution or bylaws of the club or military canteen certified by the secretary thereof.

AFFIDAVIT OF APPLICANT

CANADA
PROVINCE OF PRINCE EDWARD ISLAND

TO WIT:

I,,
of the of in the Province of Prince Edward Island,
make oath and say:

- 1. that I am the applicant named in the within application;
 - 2. that I am the(state office) of the applicant corporation or military unit;
 - 3. that I have knowledge of the facts herein;
 - 4. that the statements contained in the within application are true in substance and in fact.
- Sworn before me at theof in the Province of Prince Edward Island this day of, 20.....

.....
A Commissioner for Oaths in and for
the Province of Prince Edward Island

(In the case of a partnership a separate affidavit is required for each partner.)

STATUTORY DECLARATION

I, ,do solemnly declare:

- 1. that I am the applicant, or in the case of a corporation or military canteen, a fully qualified officer of the applicant company or military canteen, and as such have knowledge of the matters hereinafter deposed to;
- 2. that the applicant is not now bound by, nor is he (it) now adhering to, any verbal written, expressed or implied agreement to sell any kind, class or brand of liquor or beer;
- 3. that the applicant has not accepted any money, money's worth, thing of value, rebate, discount, bonus, concession, consideration or promise of consideration whatsoever from any brewer, distiller, or wine maker, or any person who is known to the applicant to be a director, officer, therewith;
- 4. that to the best of the knowledge, information and belief of the declarant, no brewer, distiller or wine maker, or director, officer, employee or agent thereof has acquired any direct, indirect or contingent interest in the ownership or management of the business of the applicant to be licensed, or in his (its) property, whether freehold or leasehold, or in his (its) chattels or equipment, and that no such person has acquired a financial interest of any description in such business, nor has any such person assisted the applicant financially in any way, except as stated hereafter in this declaration (financial interest of assistance)
- 5. that the applicant has not (has) been convicted for a violation of the *Liquor Control Act* (If the answer to 5 is "has" indicate offence.)

.....
Signature of Applicant

.....
(If Corporation or military canteen,
state nature of office)

Declared before me at
.....
in the Province of P.E.I.
this day of, 20.....

.....
A Commissioner for Oaths in and for
the Province of Prince Edward Island

FORM 12

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

LIQUOR LICENSE

.....
(Name of Licensee)

.....
(Address)

is the holder of License No
under the provisions of the *Liquor Control Act* and the regulations made thereunder, for the
following described premises:

.....
.....

Restrictions:

This license expires, unless sooner cancelled on, 20.....

Dated at Prince Edward Island,
this day of, 20.....

.....
P.E.I. Liquor Control Commission

FORM 13

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

APPLICATION FOR WAITER'S LICENSE UNDER SECTION 52

Revoked by EC350/01.

FORM 14

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

WAITER'S LICENSE

Revoked by EC350/01.

FORM 15

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

WAITER'S LICENSE

APPLICATION FOR RENEWAL UNDER SECTION 52

Revoked by EC350/01.

FORM 16

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

PERSONAL HISTORY REPORT

This form is to be completed by an individual applicant, by each member of a partnership and by all officers of the corporation and such employees of the applicant as may be required by the Commission. On completion it is to be attached to the enclosed Application for License(s) and will form part of the application form.

(This form must be completed by typewriter or other legible means.)

1. Name of establishment for which this report is submitted
.....
.....
Location

2. Name in full
Surname Given Name
.....
Street Address Place Telephone number

Place of residence during one year
.....
Street Address Place Telephone Number

3. Are you over the age of 19 years?

4. Have you been convicted during the last ten years for any offence (other than minor traffic offences)?
If answer is yes, give details of each conviction.

Date Place Charge Disposition
.....
.....

5. Are there any unsatisfied judgments against you?
If so, give details

6. Have you, in your personal capacity or in your association with any group, company or corporation, ever been the subject of bankruptcy proceedings?
If so, give details

7. Have you ever applied for a license for sale of liquor in Canada, or elsewhere, either as an individual, a member of a partnership, or as an officer or director of a corporation?
.....
If so, give details

Date of Application Name of Establishment Location

.....

Type of License	Disposition
.....
.....

8. Have you any interest, direct or indirect, in any business where alcoholic beverages are manufactured or sold?

If so, give details

9. Will you take any part in the business for which application is to be made?.....

If so, state in what capacity

If you are to take any active part in the business, give details of any disability or illness which might affect the performance of your duties

10. State other business interests, if any

11. State educational qualifications including any special courses taken

12. Give details of employment over the past ten years including present occupation.

Date	From	To	Occupation	Name and Address	Employer
.....
.....

STATUTORY DECLARATION

I,, do solemnly declare that the particulars furnished by me hereinbefore set out are true and correct statements of fact and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same effect as if made under oath and by virtue of the *Canada Evidence Act*

SWORN before me at of in the Province of Prince Edward Island this day of, 20.....

.....
Signature

.....
A Commissioner for Oaths in and for the Province of Prince Edward Island

.....
Date

Updated 2007

Liquor Control Act
Regulations

Cap. L-14

51

FORM 17

**APPLICATION FOR RENEWAL OF LICENSE
UNDER SECTION 57**

Revoked by EC28/97.

FORM 18

**PRINCE EDWARD ISLAND
LIQUOR CONTROL ACT
REGULATIONS**

ORDER OF INTERDICTION

Be it remembered that on the day of, 20.....
complaint was made before the undersigned provincial court judge of Prince Edward
Island.

That of
(name) (address)
by excessive drinking of liquor, misspends, wastes, or lessens his estate, or injures his
health or endangers or interrupts the peace and happiness of his family or endangers the
welfare, life of any person to whom he owes a duty (strike out the words inapplicable).

And now, having duly heard the matter of the said complaint, I order that pursuant to
section of the *Liquor Control Act*, I hereby prohibit the sale of liquor to the
said for a period of from this date unless this Order of
Interdiction be sooner revoked or set aside.

Given under my hand at P.E.I., dated
this day of, 20.....

.....
Provincial Court Judge