

1967 Bill 74

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Fifth Session, 15th Legislature, 15 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 74**

**An Act to amend The Liquor Licensing Act**

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HONOURABLE MR. COLBORNE

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First Reading .....

Second Reading .....

Third Reading .....

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Printed by L. S. Wall, Queen's Printer, Edmonton

# BILL 74

1967

An Act to amend The Liquor Licensing Act

(Assented to \_\_\_\_\_, 1967)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Liquor Licensing Act* is hereby amended.

2. Section 2, subsection (2) is amended by striking out the words "identification permit" and by substituting the words "identification card".

3. Section 12 is amended by adding the following subsection:

(4) Where the Board suspends a licence without a hearing, the licensee

- (a) shall forthwith be advised in writing of the reasons for the suspension, and
  - (b) shall, upon application therefor by him, be given a hearing by the Board
    - (i) at the earliest possible moment, and
    - (ii) not later than 30 days after the application for the hearing is received,
- and in the manner prescribed by the regulations.

4. Section 16 is amended by adding the word "or" at the end of clause (f) and by adding the following clause after clause (f):

- (g) an airline corporation in respect of its aircraft while on commercial passenger flights.

5. Section 31 is amended

- (a) as to subsection (1) by adding after the words "to purchase beer" the words ", of such maximum alcoholic strength as may be prescribed by the Board,"
- (b) by striking out subsections (2), (3), (4) and (5) and by substituting the following:

## **Explanatory Notes**

- 1.** This Bill amends chapter 38 of the Statutes of Alberta, 1958.
- 2.** A reference is changed to correspond with a change in The Liquor Control Act, 1958.
- 3.** Section 12 dealing with suspension and cancellation of licences is amended to provide for a right to a hearing where there is a suspension. A hearing is already required before a cancellation.

**4.** Section 16 which sets out to whom dining lounge licences and lounge licences may be issued is amended to authorize their issue to airlines.

**5. Section 31 (1) presently reads:**

31. (1) A beverage room licence is authority for the beverage room licensee named therein to purchase beer from the Board and, in that part of the hotel set out in the licence, to have and keep the beer so purchased, and to sell it by the glass or open bottle to persons not disqualified under The Liquor Control Act, 1958, for consumption in the licensed premises, but the purchase, having, keeping, sale and consumption shall be in accordance with this Act and the regulations, and not otherwise.

Subsections (2) to (5) which deal with separate premises in cities for men and women are revised to provide more flexibility.

(2) With respect to any beverage room licence issued in connection with premises located in a city, the Board, by endorsement upon the licence, may from time to time designate:

- (a) that part of the premises where beer may be served to men only;
- (b) that part of the premises where beer may be served to women only;
- (c) that part of the premises where beer may be served to men and women together;

due consideration being given to the purpose and requirements of this Act in respect of the location, suitability, conduct and regulation of the licensed premises.

**6.** Section 34, clause (a) is amended by adding after the words "to purchase beer" the words "of such maximum alcoholic strength as may be prescribed by the Board,".

**7.** Section 56, subsection (1), clause (b) is amended by adding after the words "Mounted Police" the words "and city police forces".

**8.** Section 60 is amended

- (a) by striking out the word "only",
- (b) by renumbering the section as subsection (1) and by adding the following subsection:

(2) Notwithstanding section 73, where the licensed premises are located in a hotel or motel which provides food service to the rooms of all its guests, the holder of a dining lounge licence may sell and deliver liquor purchased by the glass to a *bona fide* registered guest

- (a) in the guest room occupied by him in the hotel or
- (b) in the motel unit occupied by him, if the unit has been approved, in writing, by the Board for such service,

for consumption there in accordance with this Act and *The Liquor Control Act, 1958*, and the regulations, by persons who are not disqualified under *The Liquor Control Act, 1958* from consuming liquor.

**9.** Section 71 is amended by adding the following subsection:

- (5) Notwithstanding clause (a) of subsection (1),
  - (a) the Board may extend the closing hour of a dining lounge on a Saturday from the hour of 12 o'clock midnight on the Saturday to a time not later than one o'clock in the morning of the following day, and

**6. Section 34 (a) presently reads:**

34. A beer vendor's licence is authority for the licensee named therein  
(a) to purchase beer from the Board and to have and keep beer so  
purchased in that part of the hotel set out in the licence, and

**7. Section 56 (1) (b) presently reads:**

56. (1) If authorized by the regulations and in respect of canteens

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(b) in quarters of the Royal Canadian Mounted Police and premises  
of units of the American Legion consisting of members of the  
active United States forces,

the Board may grant a canteen licence in accordance with this Act and  
the regulations to the person in control of the canteen.

**8. Section 60 presently reads:**

60. A dining lounge licence authorizes the licensee to purchase liquor  
of all kinds from the Board and to sell the liquor so purchased by the  
glass for consumption only in the dining room and together with meals,  
by persons who are not disqualified under The Liquor Control Act, 1955,  
from consuming liquor.

**9. Section 71 (1) (a) reads:**

71. (1) Subject to subsection (4) of section 70, no sale or other dis-  
posal of liquor shall be made or take place in, nor shall liquor be con-  
sumed in, any licensed premises during the hours or on the days in this  
section prescribed, that is to say,

(a) from twelve o'clock midnight at the end of a Saturday until ten  
o'clock in the forenoon on the Monday next following or until  
such later hour on the Monday next following as may be  
prescribed, and on other days of the week during such hours as  
may be prescribed by the Board,

- (b) where December 31st falls on a Saturday or on a Sunday, the Board, with the approval of the Lieutenant Governor in Council, may authorize special hours for the serving and consumption of liquor.

**10.** Section 77 is amended

- (a) as to subsection (1) by adding the following clause after clause (a) :
  - (a1) airline corporations in respect of their aircraft while on commercial passenger flights, and
- (b) as to subsection (3) by adding after the word "trains" the words "and to commercial passenger aircraft".

**11.** The heading before section 86 and section 86 are amended by striking out the word "permit" wherever it occurs and by substituting the word "card".

**12.** This Act comes into force on the day upon which it is assented to.

**10. Section 77 (1) (a) and (3) read:**

77. (1) Subject to subsection (2), the Board may issue dining lounge licences and lounge licences to

(a) railway companies in respect of their trains, and

(3) The provisions of this Act relating to dining rooms and lounge rooms and licences in respect thereof, other than section 61, subsection (2) of section 62, subsections (2), (3) and (5) of section 70, section 79 and Part III apply to dining rooms and lounge rooms on **trains** and to licences in respect thereof issued under subsection (1).

**11. References to identification permits are changed to identification cards.**