

1995 BILL 204

Third Session, 23rd Legislature, 44 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 204

LIQUOR CONTROL
AMENDMENT ACT, 1995

MR. MCFARLAND

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 204
Mr. McFarland

BILL 204

1995

LIQUOR CONTROL AMENDMENT ACT, 1995

(Assented to , 1995)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

1 The Liquor Control Act is amended by this Act.

2 Section 1(1)(l) is repealed.

*3 In the following provisions "An adult" is struck out wherever it
occurs and "A person having attained the age of 19 years" is
substituted:*

section 59(1);

section 69(1), (2), (3) and (4);

Explanatory Notes

1 Amends chapter L-17 of the Revised Statutes of Alberta 1980.

2 Section 1(1)(l) presently reads:

(l) "minor" means a minor within the meaning of the Age of Majority Act;

3 Section 59(1) presently reads:

59(1) An adult may apply to the Corporation and obtain from it an identification card in the form prescribed by the Corporation certifying that the applicant is an adult.

Section 69(1), (2), (3) and (4) presently reads:

69(1) An adult may make in his own residence homemade wine, cider and beer

(a) not in excess of the maximum quantities, and

(b) under the terms and conditions

prescribed by the Board.

(2) An adult may

(a) purchase liquor in accordance with this Act and the regulations from the Corporation, a licensee, a permittee, an agency store or a duty-free store or as otherwise directed by the Corporation,

(b) import into Alberta, on any single occasion, liquor of any kind and up to a quantity that is permitted under the regulations that he has purchased outside Alberta, or that a person from whom he received it as a bona fide gift has lawfully purchased outside Alberta,

(c) repealed 1990 c27 s48,

(d) import into Alberta, on any single occasion, liquor of a kind and up to a quantity that he is permitted under an Act of Canada to import into Canada, or that a person from whom he received it as a bona fide gift is permitted under an Act of Canada to import into Canada, without payment of duty or tax on it, if the package in which the liquor is contained has, while containing that liquor, been stamped or marked by a Canadian customs officer, and

(e) import liquor in respect of which permission for importation has been given under subsection (3).

(3) Notwithstanding subsection (2)(b), (c) and (d), the Board may give written permission to an adult to import, in addition to the quantity mentioned in subsection (2)(b), (c) or (d), any liquor that it considers reasonable and desirable and to assess, with respect to that additional importation, any additional charges that it considers proper.

(4) An adult may, except as otherwise provided in this Act or the regulations, possess liquor made, purchased or imported as described in this section and keep such liquor in a residence, temporary residence or other place where it may be kept or consumed in accordance with the regulations.

Section 71(1) presently reads:

71(1) An adult may, in accordance with this Act and the regulations, convey liquor made, purchased or imported as described in section 69 from the place where that liquor was made, purchased or imported or any place prescribed in the regulations where liquor may lawfully be kept or consumed, to another place where the liquor may lawfully be kept or consumed in accordance with this Act or the regulations.

section 71(1).

4 Section 43(2) is amended

(a) in clause (a) by striking out "is a minor" and substituting "has not attained the age of 19 years".

(b) in clause (b) by striking out "are minors" and substituting "have not attained the age of 19 years" and by striking out "is a minor" and substituting "has not attained the age of 19 years".

5 Section 58(bb) is amended by striking out "minor" and substituting "person not having attained the age of 19 years".

6 Section 73(1) and (2) are amended by striking out "to be a minor" wherever it occurs and substituting "not to have attained the age of 19 years".

7 In the following provisions "minor" is struck out wherever it occurs and "person not having attained the age of 19 years" is substituted:

section 74(1) and (2);

4 Section 43(2) presently reads:

43(2) The Board shall not issue a licence or permit

(a) to an applicant who is a minor; or

(b) to an applicant that is not an individual, if the majority of the applicant's directors or officers are minors, or the employee or agent who is in charge of the premises described in the application is a minor; as the case may be.

5 Section 58 reads in part:

58 The Lieutenant Governor in Council may make regulations

(bb) respecting the types of licensed premises or events under a licence or permit that a minor may not attend, enter or be in;

6 Section 73(1) and (2) presently reads:

73(1) If a person who appears to be a minor

(a) requests to purchase liquor at a liquor store, agency store or duty-free store or from a licensee or permittee, or

(b) requests to be given any liquor;

the manager of the liquor store, agency store or duty-free store or the licensee, permittee or other person to whom the request is made may, before acceding to the request, demand that proof of age satisfactory to him be produced to him by the person making the request.

(2) If a person who appears to be a minor enters licensed premises which a minor is not entitled to enter, be in or remain in under section 84, the licensee may demand that proof of age satisfactory to him be produced to him by that person.

7 Section 74(1) and (2) presently reads:

74(1) Liquor made, purchased or imported as described in section 69 may be provided to a minor

(a) in a residence by the parent, guardian or spouse of that minor; or

(b) by or on the prescription of a physician for medicinal purposes as provided by this Act or the regulations.

section 84(1) and (2);

section 85(a) and (b);

section 86(1) and (2).

8 This Act comes into force on Proclamation.

(2) A priest, clergyman or minister may, in the performance of the religious ceremonies or sacraments of the faith of a church or religious body, provide liquor, approved by the Board for sacramental purposes, to a minor.

Section 84(1) and (2) presently reads:

84(1) Except as expressly provided for in the regulations, no minor shall enter, be in or remain in any licensed premises designated in the regulations.

(2) No licensee shall permit a minor to enter, be in or remain in any licensed premises, except licensed premises that a minor may enter, be in or remain in under this Act or the regulations.

Section 85(a) and (b) presently reads:

85 No person shall

(a) subject to section 74, sell, provide, convey or give custody of liquor to a minor; or

(b) permit any person to supply liquor in licensed premises or premises described in a permit to a minor who is in those premises.

Section 86(1) and (2) presently reads:

86(1) No minor shall

(a) purchase or attempt to purchase liquor in a liquor store, agency store or duty-free store, on licensed premises, premises described in a permit, or anywhere, or

(b) subject to section 74,

(i) obtain or receive liquor;

(ii) attempt to obtain or receive liquor, or

(iii) possess liquor.

(2) No minor shall enter, be in or remain in a liquor store, agency store or duty-free store unless accompanied by his parent or guardian.