

## Text of Beer-Sale Bill As Presented to Assembly

The text of the beer-sale bill, officially known as an Act to Amend the Liquor Control Act, and introduced in the Legislature yesterday, is as follows:

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as the Liquor Control Act, 1934.
2. The Liquor Control Act is amended by adding thereto at the end of Part III. the following Part and sections:

### PART III.A.

#### Sale of Beer and Wine.

69a—(1) The Board, subject to the provisions of this Act and the regulations, may issue authorities for the sale of beer and wine or beer or wine in standard hotels and in such other premises as the regulations may provide and define.

(2) Every standard hotel and other authorized premises in which beer and wine or beer or wine may be sold under the terms of any authority issued by the Board shall in every respect be subject to the control of the Board for the purpose of ensuring strict compliance with the provisions of this Act and the regulations.

69b—(1) No liquor may be kept for sale, sold or served, in any authorized premises for which an authority is issued under this Part except beer and wine or beer or wine, as the authority may prescribe, bought under the control of the Board and in accordance with the regulations.

(2) No liquor may be kept for sale, sold or served in any authorized premises other than the liquor specified in the authority, and the same must be bought by the holder of the authority.

69c—(1) The Board shall not issue any authority for the sale of wine except to be served with meals in authorized premises.

(2) The Board in issuing authorities for the sale of beer in authorized premises shall in every authority issued specify the rooms or places therein to which the sale, serving and consumption of beer shall be restricted and confined.

69d—(1) The Board, with the approval of the Lieutenant-Governor-in-Council, may make such regulations with respect to any and all matters and things provided for in this Part as the Board may deem necessary, and without limiting the generality of the foregoing it is declared that the powers of the Board to make such regulations shall extend to and include the following:

- (a) governing, regulating, defining and designating standard hotels and other premises in which beer and wine may be sold under this Part;
- (b) governing, regulating, defining and designating the portions of standard hotels and other premises and the rooms and places therein to which the keeping for sale, selling and consumption of beer and wine shall be restricted and confined;
- (c) issuing, renewing, refusing suspending, cancelling and forfeiting authorities for the sale of beer and wine, and prescribing the conditions to which such authorities shall be subject;
- (d) location, construction, arrangement, accommodation, equipment, maintenance, management and operation of authorized premises;
- (e) purchase, delivery, keeping for sale, sale, serving and consuming of beer and wine;
- (f) prescribing the persons to whom the sale of beer or wine is to be restricted and the persons who may be prohibited from buying beer or wine;
- (g) periods of the year, days and hours when beer and wine may be sold, served and consumed;

(h) employees of persons to whom authorities are issued under this Part and their duties;

(i) books and records to be kept, returns to be made and information to be furnished with respect to authorized premises, and the examination and audit of such books and records;

(j) inspection of authorized premises.

(2) The provisions of subsection 1 of section 10 shall apply to any regulations made under this section.

69e. No authority may be issued under this Part to any person who—

- (a) is not a fit and proper person, or is not the true owner of the business carried on at the standard hotel or other premises for which the authority is sought;
- (b) has been convicted of any offense against such of the laws of Canada or Ontario as the regulations may specify and within the times therein mentioned;
- (c) is disqualified under this Act or the regulations, or has not complied with the requirements thereof;
- (d) if an individual, is not a British subject;
- (e) if a corporation, is not incorporated as required by the regulations;
- (f) if a club, is not incorporated or otherwise organized as required by the regulations;
- (g) applies in respect of any premises which do not conform to the regulations.

69f.—(1) No authority may be issued in respect of a club which is not incorporated or organized and operated in accordance with the regulations, or in respect of a club which is operated for pecuniary gain.

(2) Notwithstanding the provisions of subsection 1, the Board may issue an authority to a club which is a duly chartered branch of any of the established war veterans' organizations in Canada which the Board may recognize as such.

(3) Notwithstanding the provisions of subsection 1 the Board may issue an authority to a club which is a duly chartered branch or union of any of the established labor organizations in Canada which the Board may recognize as such.

(4) Any member of a chartered branch of any of the war veterans' organizations mentioned in subsection 2, or of any of the labor organizations mentioned in subsection 3, shall, for the purposes of this Act, be deemed to be a member of a chartered branch to which an authority is issued under this Part, if the rules of the organization and of such branch so permit.

69g. The Board may restrict the number of authorities which it may see fit to issue in any municipality.

69h. Every authority issued under this Part shall be subject to suspension or cancellation, and no vested right to any renewal thereof shall accrue in favor of any person, and no such authority may be capitalized or may be sold, transferred or otherwise disposed of, or in any way dealt with, except as provided by the regulations.

69i.—(1) No authority may be issued under this Part—

- (a) to any person who is under written covenant with any person to sell the beer of any brewer or the wine of any manufacturer;
- (b) to any brewer or manufacturer of wine or an agent of either;
- (c) to any person who is so associated or connected with or financially interested in any brewery or wine manufactory as to be likely to promote the sale of the beer or wine, as the case may be, of such brewery or manufactory;

(d) for any standard hotel or other premises in which any brewer or manufacturer of wine has any interest, whether freehold or leasehold, or by way of mortgage or charge or other encumbrance, or by way of mortgage upon any chattel property therein.

(2) Every covenant, whether verbal or written or contained in any written instrument, affecting real or personal property heretofore or hereafter made under or by which the beer manufactured by any brewer or the wine manufactured by any wine manufacturer is to be sold in or at any authorized premises is hereby declared to be null and void.

69j.—(1) No beer or wine may be sold or served in or at any authorized premises to any person who is—

(a) under the age of twenty-one years;

(b) in an intoxicated condition.

(2) No person holding an authority under this Part shall permit or suffer in this premises for which the authority is issued—

(a) any person under or apparently under the age of twenty-one years to consume any liquor;

(b) any constable or police officer while on duty to consume any liquor;

(c) any gambling, drunkenness or any riotous, quarrelsome, violent or disorderly conduct to take place;

(d) any person of notoriously bad character to remain;

(e) any slot machine or gambling device to be placed, kept or maintained.

(3) Any person holding an authority under this Act, if he has reasonable grounds to suspect from the conduct of any person who has come upon the premises in respect of which such authority is issued, although not of notoriously bad character, that such person is present for some improper purpose or is committing an offense against this Act or the regulations, may request him or her to leave immediately such authorized premises, and unless the request is forthwith complied with such person may be forcibly removed.

69k.—(1) No beer or wine may be sold or served to any person or consumed by him in any authorized premises, except in accordance with the regulations.

(2) No bar or counter, over or at which liquor or other beverage could be sold or served, shall be erected, placed, kept or maintained in any authorized premises in which beer or wine is consumed.

69l. Proof of the removal of any beer from authorized premises in any packages shall prima facie be evidence against the person holding the authority for such premises of the sale of liquor contrary to the provisions of this Act.

69m. No person to whom the sale of intoxicants is prohibited by Statute of Canada or Ontario, and no interdicted person shall be permitted or suffered to remain in any authorized premises.

69n.—(1) The Board may require every person who, being an employee of a person to whom an authority is issued under this Part, is in any way engaged in selling or serving beer or wine to obtain an employee's authority from the Board in accordance with the regulations.

(2) Where, as provided by subsection 1, employees are required by the Board to obtain an employee's authority, no person who is not so authorized may be employed in the sale or serving of beer or wine in any authorized premises.

(3) This Act shall come into force on the day to be named by the Lieutenant-Governor by his proclamation.