
Date: June 21, 2014

To: All LCLB staff
All Industry Associations
All Local Government, First Nations, and Police Agencies

Re: **Changes to regulations permitting minors in liquor primaries (LP) and LP Clubs for purposes of family dining – Family Foodservice Term and Condition**

Introduction

The Yap Liquor Policy Review Report (released January 2014) recommended permitting minors in certain LPs, as long as they are accompanied by a parent or guardian and hours are restricted. This regulatory change is intended to increase options for family dining in LP and LP Club licensed establishments and provide increased flexibility for LP and LP Club licensees by creating a new term and condition permitting minors.

New Policy

Family Foodservice Term and Condition

Effective immediately, a new Family Foodservice term and condition has been created to allow LP licensees to apply to permit minors, accompanied by a parent or guardian, in their establishments until 10 p.m. The Family Foodservice term and condition applies to all licensed areas, including banquet halls and other ancillary rooms. Local government/First Nations input is not required.

The purpose of this new term and condition is to expand options for LPs to provide meal service for families. To qualify, LPs must offer a selection of appetizers and main courses (or equivalent). Establishments may use either their own kitchen or the kitchen of another establishment to provide meal service. The establishment providing the kitchen and food preparation service for purposes of this term and condition does not necessarily have to be owned by the same licensee as the liquor primary establishment, as long as they are both located in the same building.

If approved for a Family Foodservice term and condition, the new permission will be added to the face of the licence. The licensee must post appropriate signage informing the public that minors must be accompanied by a parent or guardian and are permitted on the premises only until 10 pm.

Commercial gaming facilities (i.e. casinos, commercial bingo halls, and community gaming facilities) and adult entertainment establishments¹ are not eligible for the new Family Foodservice term and condition.

Establishments that have only occasional licensed poker events or occasional adult entertainment may qualify for the Family Foodservice term and condition.

Establishments holding occasional licensed poker events or occasional adult entertainment have two options. They may either hold the event:

- After 10 p.m.; OR
- Before 10 p.m. as long as appropriate signage is posted prohibiting minors for the duration of the event.

Information on Gaming Policy and Enforcement Branch (GPEB) poker event licences is available at: <http://www.gaming.gov.bc.ca/licences/index.htm>.

Consistent with the requirements of the Gaming Control Regulation (s. 38), minors are permitted in licensed establishments approved for the Family Foodservice term and condition during licensed bingo events or during licensed ticket raffles when accompanied by their parent or guardian.

If a Family Foodservice term and condition is approved in establishments where BC Lottery Corporation (BCLC) lottery products are offered, during the hours that minors are permitted the licensee must satisfy BCLC that minors will be restricted from the purchase of age-restricted self-serve lottery products. BCLC requires licensees to ensure patrons are notified that the purchase of lottery products by minors is prohibited. Consistent with the treatment of other lottery retailers where purchase is age-controlled, wall or ceiling mounted gaming screens are not required to be covered or switched off. Information on BCLC Retailer Agreements is available at the following link: <http://lotto.bclc.com/retailer-hub/policies-and-procedures/lottery-retailer-manual.html>.

If a Family Foodservice term and condition is approved in establishments selling tobacco products, that establishment is required to meet the tobacco law requirements during hours when minors are present. Tobacco products, including vending machines, and tobacco advertising must be covered during the hours when minors are permitted. Tobacco retailer guidelines and provisions are available online at: <http://www.hc-sc.gc.ca/hc-ps/pubs/tobac-tabac/rtr-bc-dtr-cb/index-eng.php>.

¹Adult entertainment includes:

- *exotic dancers* – entertainers who remove clothing during a performance and/or perform in a sexually suggestive manner;
- *adult oriented performers* – entertainers who present dramatic, musical, artistic, comedic or any other types of performances not suitable for viewing by minors characterized by nudity, actual or simulated sexual content, actual or simulated violence and/or abusive, hateful or obscene language; and
- *adult-oriented activities* – activities not suitable for viewing by minors characterized by full or partial nudity, actual or simulated sexual content and/or actual or simulated violence, degradation or abuse.

Belly dancing, unless performed completely or partially nude, is not adult entertainment.

Licensees with a Family Foodservice term and condition may further restrict or prohibit minors at any time without approval and without notification to LCLB.

Alignment with Current Policy:

The new policy does not further restrict LPs or LP clubs which already hold endorsements or terms and conditions permitting minors (e.g. recreational facilities, event driven establishments) that are more permissive than the new policy.

In addition, new applications for these same types of establishments are not affected by the new policy [e.g., minors' hours will continue to be unrestricted for new applications for manufacturer lounges and Special Event Areas (SEA), recreational centres will still be permitted to have unaccompanied minors during recreational events, and theatre and concert hall licences will continue to be able to permit unaccompanied minors during hours driven by the special event].

In addition, recreation facilities which are able to offer foodservice may expand their business model by applying for the Family Foodservice term and condition.

Downhill Ski Resort Areas

The Family Foodservice term and condition replaces the current downhill ski resort term and condition available to LPs in downhill ski resort areas. Ski resort area LPs with current terms and conditions permitting minors will now have their hours automatically increased from 8 p.m. to 10 p.m., without application, to bring them into line with what is permitted under the Family Foodservice term and condition. The new term and condition takes effect immediately and will be added to the face of the licence at renewal.

New applications from ski resort area LPs will go through the Family Foodservice term and condition application process and will no longer require local government/First Nations input.

Recreational Facilities

Currently, recreational facilities may apply to permit unaccompanied minors until 10 p.m. Bowling alleys will now be treated as all other recreational facilities (such as a curling club, stadium, golf course facility, or recreation centre).

Existing bowling alleys with minors' terms and conditions will have those terms and conditions automatically altered effective immediately and updated licences showing the new terms and conditions will be issued in the coming weeks. An application to update the existing terms and conditions is not required. Minors will now be permitted in bowling alley lounges until 10 p.m., consistent with the treatment of other recreational facilities. For bowling alleys with minors terms and conditions that include the concourse area, liquor service is no longer restricted in any part of the concourse area at any time, bringing bowling centres into line with other recreational facilities. In addition, minors are now permitted in the licensed concourse area of a bowling alley with no need for an application.

All recreational facilities (now including bowling centres) with the ability to offer meal service may now also apply for the Family Foodservice term and condition. The Family

Foodservice term and condition will allow them to expand their business model to permit accompanied minors until 10 p.m. during non-recreational events and in ancillary areas of the establishment.

Employment of Minors

Where terms and conditions permitting minors have been approved for an LP or LP club establishment, or in establishments where minors are otherwise permitted, such as a manufacturer's lounge or special event area, minors may be employed in that establishment as long as they are not employed to sell or serve liquor. There are no hours restrictions on the employment of minors. This means that minors could be employed in those establishments as, for example, hostesses, table runners, dishwashers, cooks, coat check attendants, janitors, and bus people.

Minor entertainers are now permitted to remain on premises before and after their performance and during intermissions according to rules that apply to minors as patrons in that establishment.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by:

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