



Province of Alberta

# **GAMING AND LIQUOR ACT**

Revised Statutes of Alberta 2000  
Chapter G-1

Current as of June 12, 2013

Office Consolidation

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**Conduct on licensed premises**

**69(1)** No liquor licensee or employee or agent of a liquor licensee may permit any activity in the licensed premises that

- (a) is contrary to any municipal bylaw or any Act or regulation of Alberta or Canada,
- (b) is detrimental to the orderly operation of the premises,
- (c) may be injurious to the health or safety of people in the premises, or
- (d) is prohibited under the licence or by the regulations.

**(2)** No person may do anything in licensed premises that

- (a) is detrimental to the orderly operation of the premises,
- (b) may be injurious to the health or safety of people in the premises, or
- (c) is prohibited under the licence or by the regulations.

RSA 2000 cG-1 s69;2002 c15 s17

**Maintaining public order and safety in licensed premises — gangs**

**69.1(1)** In this section,

- (a) “gang” means a group of people engaged in a pattern of unlawful behaviour or in creating an atmosphere of fear or intimidation in a community;
- (b) “unlawful behaviour” means
  - (i) production, sale, importation, exportation or trafficking of a controlled substance within the meaning of the *Controlled Drugs and Substances Act* (Canada),
  - (ii) prostitution or living on the avails of prostitution,
  - (iii) unlawful possession or transfer of firearms, or
  - (iv) violence, threats, extortion or intimidation.

**(2)** For the purposes of this section, a person is associated with a gang if the person

- (a) is a member of the gang,

- (b) supports, facilitates or participates in the gang's activities, or
- (c) is in the company of a person described in clause (a) or (b).

**(3)** A police officer may exclude or remove from licensed premises any person the police officer believes to be associated with a gang.

**(4)** A police officer need not rely on personal knowledge in concluding that a person is associated with a gang but may rely on information from others, including but not limited to

- (a) information regarding
  - (i) any admission of association with a gang,
  - (ii) use of names, signs, symbols or other representations used by a gang,
  - (iii) a person's presence at the scene of unlawful behaviour by a gang, regardless of whether the person participated in the unlawful behaviour,
  - (iv) receipt of benefits from a gang, and
  - (v) frequent association with persons associated with a gang,

and

- (b) any other categories of information set out in the regulations.

**(5)** For greater certainty, a police officer's good faith belief that a person is associated with a gang is itself sufficient grounds for the exclusion or removal of the person from licensed premises under this section.

**(6)** Every person who is directed to leave licensed premises by a police officer acting under subsection (3) shall comply with the direction.

**(7)** A person who contravenes subsection (6) is a trespasser on the licensed premises.

2009 c23 s15

#### **Collection of personal information by licensee**

**69.2(1)** A licensee may, before allowing a person to enter licensed premises, collect the person's name, age and photograph.



# Liquor Laws and You

**An Operating Guide for Licensed Premises**

Revised November 30, 2016

# Inspectors (AGLC)

Inspectors are authorized under Section 103 of the [Gaming and Liquor Act](#) to enter your licensed premises and conduct any of the following:

- a) take samples of liquor from the licensee or any person in the licensed premises;
- b) inspect, audit, examine and make copies of any records, documents, books of account and receipts relating to liquor or gaming, or may temporarily remove any of them for those purposes;
- c) interview the licensee or agents of the licensee with regard to any of the records, documents, books of account and receipts;
- d) interview and request identification from any person who appears to be a minor;
- e) interview and request identification from any person who appears to be intoxicated;
- f) interview and request identification from any person who is found in the licensed premises after the sale and consumption of liquor have been required to cease; and
- g) seize identification from any person interviewed in accordance with this subsection if the inspector has reasonable grounds to believe the identification is false or has been altered.

It is an offence to refuse or obstruct or attempt to obstruct an Inspector from entering and inspecting your premises. The licensee and employees of the licensee shall not hinder, obstruct or impede Inspectors in the performance of their duties. Full co-operation, including allowing timely access to the premises and answering all reasonable questions must be provided pertaining to the management and operation of licensed premises.

## Common Questions

**1. *How can we identify an Inspector?***

Each Inspector carries picture identification and a badge.

**2. *Can an Inspector seize liquor from my licensed premises?***

Yes. An Inspector may seize liquor if he or she believes the liquor is unlawfully acquired or kept. An Inspector may also take liquor samples and remove books, records, collect electronic data images or video as well as other documents. A receipt for anything removed by the Inspector will be provided to the licensee.

**3. *Why do Inspectors check areas other than the licensed room?***

In order to qualify for a liquor licence, additional areas of a premises other than the licensed room must meet particular requirements (for example, a kitchen to support food service requirements, guest rooms in a hotel to obtain an off sale licence). Also, the premises described in a licence includes: any storeroom, vestibule, waiting area, washroom, kitchen, hallway, or other service areas adjacent to and necessary or appropriate to the operation of a licensed premises, where liquor is not sold or consumed.

Reference: *Gaming and Liquor Act*, Sec. 98(1)  
*Gaming and Liquor Act*, Sec. 99  
*Gaming and Liquor Act*, Sec. 101  
*Gaming and Liquor Act*, Sec. 103(1) to (4) & 103(6)  
*Gaming and Liquor Act*, Sec. 104  
*Gaming and Liquor Act*, Sec. 106(1) & (2)

# Cooperation with the Police

Police Officers are defined as Inspectors under Section 98(2) of the [Gaming and Liquor Act](#) and have the right to enter and inspect licensed premises. A good working relationship with your Police department should be maintained.

## Common Questions

### 1. ***When should the Police be called?***

The safety of patrons and your staff is of prime importance. If you cannot ensure this, then you should call the Police. When Police are called, it is because an offence has been committed or suspected. If you call the Police, be prepared to:

- a) Identify the people involved.
- b) Supply the facts regarding the incident.
- c) Support the Police decision.
- d) Lay charges.
- e) Make notes and if requested, give the Police a statement.
- f) Give evidence in court.

### 2. ***Can a Police Officer enter my licensed premises on a walk through?***

Yes. Police Officers have the right to enter and inspect licensed premises.

### 3. ***Can a Police Officer remove person(s) from a licensed premises who they believe to be associated with a gang?***

Yes. Police Officers may exclude or remove person(s) from a licensed premises who the officer believes to be associated with a gang.

Reference: *Gaming and Liquor Act*, Sec. 98(2)  
*Gaming and Liquor Act*, Sec. 99  
*Gaming and Liquor Act*, Sec. 69.1

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