

Information for Licensees

July 22, 2021

PLEASE NOTE: These amendments do not override any current Public Health Orders or Directions. Licensees should check for any relevant orders or directions before making any service changes.

Licensees should be aware that amendments to the Liquor Licensing Regulations take effect on **May 26, 2021**. This information sheet is provided as an overview of these changes. Once available, the text of the updated regulations will be posted [here](#).

Questions about the changes can be directed to your local compliance officer or to licensing staff at 902-424-6160 (toll-free: 1-877-565-0556). Questions can also be submitted to Adam Grant, Director Strategy and Innovation; Alcohol, Gaming, Fuel and Tobacco Division, Adam.Grant@novascotia.ca.

Minors – Hours and Meal Service

Licensees affected: Cabaret, Lounge, Beverage

When accompanied and supervised by a parent or adult guardian, persons under 19 years of age may now:

- remain in a cabaret, lounge, or beverage room until **10:00 p.m.**;
- be present in a cabaret, lounge, or beverage room without ordering or consuming a meal.

**Meal service must be available at all times minors are present.
Minors are not permitted in a Class B Cabaret at any time.**

There are no changes for licensees that only hold the eating establishment license. Minors may continue to present in an eating establishment at any time. Licensees that hold eating establishment and lounge licenses may want to rethink their kitchen hours or floorplan to better serve families. If this is the case, please contact AGFT licensing staff.

Minor Employees

Licensees affected: Cabaret, Lounge and Beverage Room

Persons under 19 years of age may now work in cabarets, lounges and beverage rooms in a limited capacity. Specifically, **minor employees**:

- **must** be supervised by a person 19 years of age or older at all times;
- **cannot** serve liquor;
- **cannot** work after **10:00 p.m.**

The 10:00 p.m. time limit in cabarets, lounges and beverage rooms applies to both minor patrons and employees.

Please note that employees under 19 years of age continue to be prohibited from **dispensing** liquor (i.e., bartending) in all licensed establishments. Minors may continue to **serve** liquor in licensed eating establishments. **Minors are not permitted in a Class B Cabaret at any time.**

This change means you can hire individuals under the age of 19 to do jobs like food preparation, seating, table clearing, and cleaning. Compliance with the Labour Code and all relevant health and safety legislation is required.

Sunday Opening Hours

Licensees affected: Cabaret, Lounge and Beverage Room

All liquor licensed establishments are now authorized to sell or dispense liquor on Sundays beginning at **10:00 a.m.** Previously, Sunday liquor service in cabarets, lounges and beverage rooms could not begin until noon.

This change means eating establishments with lounge areas can now offer liquor service in all areas of the business at the same time.

Ready-to-drink beverages authorized for takeout and delivery with food

Licensees affected: All

Ready-to-drink (RTD) beverages (like vodka coolers or hard seltzers) can now be included with takeout and delivery food orders. This is a permanent change. Beer, wine and cider were initially permitted in April 2020 as a temporary measure; this has since become permanent. The following requirements apply:

- The RTD must consist of liquor and one or more mixes (e.g., vodka and lemonade) or be a mixture of more than one type of liquor (e.g., cider and rum);
- The RTD must be pre-mixed and pre-packaged by the manufacturer, and must be sold as manufactured (e.g., in a sealed container, not as part of a new drink);
- The alcohol content of the individual RTD by volume must be 16% or less;
- RTDs must accompany a food purchase from the Licensee; and
- The total value of **all liquor** in the order may not exceed **three times (3X)** the value of the food purchased.
- No liquor of any kind may be delivered after 10:00 p.m.

In-House Mixed Drinks/Cocktails authorized for takeout and delivery with food

Licensees affected: All

Mixed drinks/cocktails are now eligible to be included with takeout and delivery food orders. This is a temporary measure and will remain in effect during the state of emergency. Beer, wine and cider were initially permitted in April 2020 as a temporary measure; this has since become permanent.

PLEASE NOTE: Licensees who wish to sell mixed drinks for take-out or delivery must apply and receive authorization from the Executive Director of AGFT. This can be done by emailing AGFT's Manager of Licensing at: agdlicense@novascotia.ca.

Once a Licensee has been authorized to sell mixed drinks for takeout and delivery, the following requirements apply:

- The mixed drink must consist of one or more liquors and one or more mixes (e.g., gin, soda, lemon juice, sugar); or it must be a mixture of more than one type of liquor (e.g., rye and vermouth);
- The mixed drink must be prepared when they are ordered. Mixed drinks cannot be batch mixed, pre-mixed, or pre-packaged;
- The mixed drink must be prepared on an individual basis. It cannot contain more than 3 ounces (90 ml) of liquor and the maximum total volume is 400 ml;
- The mixed drink must be sold in a tamperproof container that can be sealed;
- The container must be labelled with the following information: alcohol content, ingredients, manufacturers name/brand, storage instructions (e.g., if refrigeration is required) and the volume of each liquor used in the drink;
- The mixed drink must accompany a food purchase from the Licensee;
- The total value of **all liquor** in the order may not exceed **three times (3X)** the value of the food purchased;
- The person selling or delivering the mixed drink must have completed the [Serve Right Server](#) online course if they are directly employed by the Licensee or the [Delivery of Liquor by 3rd Party Driver](#) online course if they are a delivery driver who is not employed by the Licensee;
- No liquor of any kind may be delivered after 10:00 p.m.

Licensees must also keep records of all takeout and delivery sales. The records must contain:

- the date and time of the order;
- an indication of whether the sale was for pick-up or the address for delivery;
- value of the food purchased;
- value and type of alcohol purchased;
- the information included on the mixed drink label;
- delivery fees charged (if any); and
- the total amount paid.

Higher value wine – Exemption to 3X value requirement

Licensees affected: All

There is now an exemption for higher value bottles of wine. When a single bottle of wine is the **only** liquor ordered with a takeout or delivery food order, it can now cost more than **three times (3X)** the value of the food purchased.

Example: a customer orders a takeout pizza for \$10. The maximum value of the liquor portion of the order would usually be \$30. The customer can now order one \$50 bottle of wine to accompany the pizza, provided that is the only liquor they order.

Class B Cabaret License

Licensees affected: None

A new class of Cabaret license has been created. The new Class B cabaret license does not require live entertainment, a kitchen, or food service. Like lounges, Class B cabarets must close by **2:30 a.m.** Liquor service must cease at 2:00 a.m. with a half-hour allowed for patrons to consume and depart.

Persons under 19 years of age are not permitted in a Class B cabaret or an establishment co-licensed with a Class B cabaret at any time.

There are no changes for current Cabaret license holders. Going forward, the current Cabaret license will be known as the Class A Cabaret license.

Sampling Rules

Licensees affected: All

The requirement for liquor manufacturers to provide samples to customers on a one-to-one basis has been removed. In order to offer samples at a licensed establishment, a manufacturer:

- must have a representative onsite during the sampling;
- must not provide more than 1 regular serving to each customer during a sampling event;
- cannot hold a sampling event more than once a month at the same licensed location;
- cannot hold a sampling event that lasts longer than 1 hour; and
- cannot hold a sampling event after midnight (12:00 a.m.).

Updates of “intoxication” and local purchasing clarification

Licensees affected: All

The regulations have been amended to clarify that licensees are able to purchase products from both liquor manufacturers and the Nova Scotia Liquor Corporation (NSLC). The regulations now align with NSLC’s permits, which already authorize local manufacturers to sell to licensees.

The regulations have also been amended to replace the term “drunk” with “intoxicated” and to address intoxication caused by drugs.

Licensees are prohibited from selling or providing liquor:

- to a person who is apparently under the influence of liquor or drugs; or
- to a person who it is reasonable to believe will become intoxicated if they consume more liquor.

This language reflects the legalization of cannabis and is already current practice for most licensees.