



SPECIAL OCCASION PERMITS – INDUSTRY PROMOTIONAL EVENTS

INFORMATION SHEET FROM THE ALCOHOL AND GAMING COMMISSION OF ONTARIO



What is a Special Occasion Permit?

A Special Occasion Permit (SOP) is required *any time* alcohol is offered for sale, served or consumed anywhere other than in a licensed establishment or a private place (for example, a corporate boardroom or a residence) or when public consumption of a patron's own alcohol is permitted at a tailgate event. SOPs are for occasional, special events only, and not for personal profit or running an ongoing business. A SOP may be issued for the following types of events: Private Events, Public Events (including, Tailgate Events) and Industry Promotional Events. The following provides information specific to **Industry Promotional Event SOPs**.

Industry Promotional Event

Special Occasion Permits (SOPs) are required for Industry Promotional Events intended for promoting a manufacturer's product(s) through sampling.

An Industry Promotional Event permit holder may advertise or promote the availability of alcohol only in accordance with the Registrar's *Advertising Guidelines*, available on the AGCO website at www.agco.ca.

There can be no intent to gain or profit from the sale of alcohol at the event, however, samples

for tasting at the event may be provided (under a “No Sale” permit) or sold (under a “Sale” permit).

Orders for alcohol may be taken, but retailing of alcohol is not allowed. Alcohol products sold or distributed to guests cannot be removed from the event. For more information, please see the AGCO’s *Sampling Guidelines* for Liquor Manufacturers on the AGCO’s website at www.agco.ca.

“Sale” and “No Sale” Permits

If the intention of the event is to recover the cost of any of the alcohol, or if money is collected before the event to cover the cost of alcohol, you may be required to obtain a “Sale” permit.

The permit holder is required to purchase alcohol under the permit from an authorized government retail store (LCBO, LCBO Agency Store, The Beer Store, or authorized manufacturer’s retail store).

A “No Sale” permit is required when:

- Alcohol is served without charge;
- No money and/or other forms of payment is collected directly or indirectly for alcohol from guests (e.g. through admission charge or ticket sales); and
- The permit holder absorbs all alcohol costs.

A “Sale” permit is required when money is collected for alcohol through, for example:

- Alcohol sales (cash bar) or alcohol tickets sold to people attending the event; or
- An admission charge to the event; or
- The collection of money and/or other forms of payment for alcohol before the event.

Outdoor Events

The local municipal clerk’s department, police, fire and health departments must be given a written notice **30 days** before the event when expecting **fewer than 5,000 people** per day. If expecting **5,000 people or more** per day, a notice to the same group is required **60 days** prior to the event. If there is a tent, marquee, pavilion or tiered seating being used, then the local building department must be notified in writing.

If your event is taking place outdoors, you must submit a sketch or plan with your application clearly showing the exact dimensions of the proposed permit area and the location of any tiered seating.

Tiered Seating

If a SOP application is submitted for a location that includes tiered seating (e.g. bleachers, stadium seating, etc.), this may be indicated when you apply. If the event is outdoors, the location of the tiered seating must be clearly identified on a sketch and submitted along with the application.

Multiple Day Events

Multiple day events can only be issued if:

- Each event is one in a series of events;
- The application for the permit is for all of the events (dates);
- The nature, purpose, location and target audience of each of the events (dates) are the same (e.g. monthly social club gatherings, monthly book club meetings, etc.); and
- As a result of doing so, the permit holder is not operating an ongoing business, or does not appear to be doing so.

Alcohol may be stored between event days under certain circumstances. Police and Alcohol and Gaming Commission of Ontario (AGCO) Inspectors must have full, authorized access to the location. Please see the **Special Occasion Permit Guide** for specific criteria and information that must be provided as part of the application process. This is available on the AGCO website at www.agco.ca.

SOP Compliance

The AGCO uses a risk-based approach to issuing SOPs, which aids in assessing risks to public safety and the public interest. Additional documentation may consequently be required from a SOP applicant. Based on a risk analysis of the event and the applicant, conditions may be attached to the SOP. Where there is a breach of the *Liquor Licence Act* (LLA) or its regulations at a SOP event, the Registrar of Alcohol, Gaming and Racing ("Registrar") may impose sanctions on the permit holder, including a monetary penalty or refusing to issue further permits.

Responsibilities of an Industry Promotional Event SOP holder include:

- The permit holder, responsible person (as indicated on the permit) or his/her designate must be present at all times.
- Generally, only alcohol purchased under the permit from authorized government retail stores (LCBO, LCBO Agency Store, The Beer Store or authorized manufacturer's retail store) is allowed to be sold, served or consumed at the event. Alcohol being sampled at a market research event does not have to be purchased from a government store. Receipts for all alcohol purchased under the permit must be available for inspection upon request.
- The permit and alcohol purchase receipt(s) must be available for inspection upon request by AGCO Compliance Officials or police officers.
- All areas where alcohol will be served and consumed (indoor or outdoor) must be readily distinguishable from areas where the permit does not apply.
- Alcohol can only be sold and served during the hours that are stated on the permit. The regular hours for the sale and service of alcohol are 9 a.m. to 2 a.m. the following day, except for New Year's Eve (December 31) when sale and service must cease at 3 a.m. on January 1. The Registrar may restrict these hours as a condition of the permit.
- Police officers and AGCO Inspectors must be given unobstructed access to the event at all times and may revoke a SOP while the event is underway if they reasonably believe that the LLA or its regulations are being contravened.
- All signs of sale and service must be cleared within forty-five (45) minutes of the end time stated on the permit. This includes the removal of all partially consumed and empty bottles, and glasses that contain(ed) alcohol.
- Alcohol cannot be sold, served or provided to anyone who appears to be under nineteen (19) years of age without requesting identification. Proper identification must be checked for any person who appears to be under nineteen (19) years of age.
- Intoxication, disorderly conduct and unlawful gambling are not permitted.
- Encouraging immoderate consumption of alcohol is not permitted (for example, drinking contests or games).
- Non-alcoholic beverages must be available.
- Alcohol sold or served under the permit may not be removed from the permit area. Only the permit holder may remove unused alcohol at the end of the event.

- Unused alcohol must be removed from the premises at the end of the event.
- Guests cannot be required to purchase a minimum number of drinks or drink tickets to enter or remain at the event, and no drink containing more than eighty-five (85) ml of spirits can be sold or served.
- Games of chance or mixed skill and chance (such as raffles, 50/50 draws, etc.) are not permitted unless the proper lottery licence has been obtained from the Registrar or municipality. Lottery licences are only issued to eligible charitable or religious organizations charitable or religious purposes and are only available for a SOP Public Event.

It is recommended that SOP holders take the Smart Serve Responsible Alcohol Beverage Service Training Program and hire a licensed caterer and/or servers who have this certification. For more information on Smart Serve, call 416-695-8737 or toll free at 1-877-620-6082 or visit their website at www.smartserve.ca.

For more information, please contact AGCO Customer Service at 416-326-8700 or 1-800-522-2876 (toll-free in Ontario) or visit us online at www.agco.ca.