

YUKON LIQUOR CORPORATION BOARD OF DIRECTORS BYLAW 2025-009

Definitions And Rules Respecting Interpretation of Bylaws and Rules

preamble

WHEREAS section 1 of the *Liquor Act*, R.S.Y. 2002, Chapter 140, as amended, provides definitions of terms set out therein.

WHEREAS the Regulations Respecting the Sale and Consumption of Liquor, C.O. 1977/037, as amended, provide definitions of terms set out therein.

WHEREAS the Yukon Liquor Corporation Board of Directors has determined that it is necessary, desirable and in the public interest that a bylaw be enacted to provide definitions and rules respecting interpretation of bylaws and rules enacted by the Yukon Liquor Corporation Board of Directors.

THEREFORE the majority of a quorum of the Yukon Liquor Corporation Board of Directors present at a meeting of the Yukon Liquor Corporation Board of Directors duly convened enacts this bylaw to provide definitions and rules respecting interpretation of bylaws and rules enacted by the Yukon Liquor Corporation Board of Directors.

PART ONE – CITATION, APPLICATION AND PURPOSE

1. This Bylaw: **(1)** is enacted for the purpose of providing definitions and rules respecting interpretation of bylaws and rules enacted by the Yukon Liquor Corporation Board of Directors under the *Act* and the *Liquor Regulations*; **(2)** may be cited as the *Definitions Bylaw*; and, **(3)** applies to all bylaws and rules enacted by the Yukon Liquor Corporation Board of Directors under the *Act* and the *Liquor Regulations*.

PART TWO – DEFINITIONS

2. In all Bylaws and Rules the following are defined as:

“Act” means the *Liquor Act*, R.S.Y. 2002, Chapter 140, consolidations and amendments thereto made from time to time;

“Analyst” means an analyst designated for the purposes of the *Food and Drugs Act* (Canada) or an analyst employed by the Government of Canada or a government of a province and having authority to make analysis for public purposes;

“Appeal” means an appeal provided for by the *Act* and the *Liquor Regulations*;

“Appellant” means a person who commences an Appeal;

“Applicant” means a person who makes an Application;

“Application” means an application provided for by the *Act* or the *Liquor Regulations*;

“Arrangement” means an arrangement or arrangements with another liquor board, commission or similar body in a province to supply to a liquor store in the province if it is not feasible for that province to do so, as set out in section 10, sub-section (3) of the *Act*¹;

“Bias” includes actual bias and reasonable apprehension of bias, as set out in Rules 5 and 6 of the *Rules Respecting Conflict of Interest and Bias*;

“Banquet” includes dinner or luncheon;

“Beer” means any beverage obtained by the alcoholic fermentation of an infusion or decoction of barley, malt, hops, or any similar product in drinkable water;

“Board” means the Yukon Liquor Corporation Board of Directors established pursuant to section 3 of the *Act*;

“Bylaw” means a bylaw enacted by the Board and includes a Rule;

“Chair” means the chair of the Board appointed pursuant to section 3, sub-section (8), of the *Act*;

“Club” means any benevolent or fraternal order or society, or branch thereof, and any association of individuals for purposes of mutual entertainment and convenience incorporated by or under the laws of Canada or any Provincial or Territorial laws, and includes a branch of the Royal Canadian Legion of the British Empire Service league, and the premises used or occupied by any such club;

“Club Licence” means a Licence, as provided for in section 23, paragraph (i), of the *Act* and issued to a Club under section 50 of the *Act*;

“Committee” means a committee of the Board;

“Committee Meeting” means a meeting of a Committee;

“Corporation” means the Yukon Liquor Corporation established pursuant to section

¹*Liquor Act*, s. 10 (3)

3, sub-section (1), of the *Act* consisting of those persons who from time to time comprise the Board;

“Conflict of Interest” includes actual, potential and perceived conflict of interest, as set out in Rules 2 and 3 of the *Rules Respecting Conflict of Interest and Bias*;

“Counsel” means a barrister and solicitor within the meaning of the *Legal Profession Act*, 2017, S.Y. 2017, Chapter 12;

“Court” means the Supreme Court of Yukon and the Territorial Court of Yukon, as the context requires;

“Decision” means the decision of the Board required by the *Act* or the *Liquor Regulations*;

“Directive” means a directive or directives issued by the Commissioner in Executive Council to the Corporation with respect to the exercise of the powers and functions of the Corporation, as set out in section 9, sub-section (1) of the *Act*²;

“Document” includes a photograph, an electronic aid, a sound recording, videotape, film, photograph, chart, graph, map, plan survey, model, book or account and information recorded or stored by means of any device, including material forwarded to the Board by the President as required by the *Act* or the *Liquor Regulations*;

“Employee” means an employee that is needed to carry out the work of the Corporation appointed and employed under the *Public Service Act* pursuant to section 10, sub-section (4), of the *Act*.

“File” means a file required to be maintained by a Bylaw or Rule;

“Food Primary Licence” means a Licence, provided for in section 23, paragraph (b), of the *Act*, issued for a Food Primary Premises under section 39 of the *Act*;

“Food Primary Premises” means Premises in respect of which a Food Primary Licence has been issued;

“Hearing” means the hearing of an Application or Appeal;

“Inspector” means a person appointed as an inspector pursuant to the *Act* and includes a Peace Officer and member of the Royal Canadian Mounted Police engaged in the enforcement of the *Act*, as the context requires;

²*Liquor Act*, s. 9 (1)

“Intoxicated” and **“Intoxicated Condition”** each mean the condition a person is in when their capabilities are so impaired by Liquor that they are likely to cause injury to themselves or be a danger, nuisance, or disturbance to others;

“Judge” means a justice or judge of a Court, as the context requires;

“Licence” means a licence issued under the *Act* or the *Regulations*;

“Licence Year” means April 1 to March 31 of the following year as set out in section 50, sub-section (1), of the *Liquor Regulations*;

“Licenced Premises” means Premises in which Liquor may be served pursuant to a Licence;

“Licensee” means a person named as a licensee in a Licence;

“Liquor” means any beverage that contains more than one-half per cent by volume of absolute alcohol at 16 degrees Celsius;

“Liquor Manufacturer” means a manufacturer of Beer, Spirits, or Wine;

“Liquor Manufacturer’s Licence” means a Licence provided for in section 23, paragraph (j), of the *Act*;

“Liquor Manufacturer’s Retail Licence” means a Licence provided for in section 23, paragraph (k), of the *Act* and issued under section 36.03, sub-section (12), of the *Liquor Regulations*;

“Liquor Primary Licence” means a Licence provided for in section 23, paragraph (a), of the *Act* and issued for a Liquor Primary Premises under section 38 of the *Act*;

“Liquor Primary Premises” means Premises in respect of which a Liquor Primary Licence has been issued;

“Liquor Regulations” means the Regulations Respecting the Sale and Consumption of Liquor, C.O. 1977/037, consolidations and amendments thereto made from time to time;

“Management Committee” means the management committee established by Rule 75, subrule (1) of the *Rules Respecting Procedure For Board Meetings*;

“Manager” means the person who is in day to day control and managing the Licensed Premises;

“Member” means a person duly appointed by the Commissioner in Executive Council pursuant to section 3, sub-section (2), of the *Act* as a member of the Board;

“Meeting” means a meeting of the Board;

“Minister” means the minister to whom is referred in section 2 of the *Act*;

“Minor” means a minor as described in the *Age of Majority Act*;

“Motion” means a proposal that the Board take certain action or express itself as holding certain views;

“Objection” means the objection of an Objector;

“Objector” means a person objecting to an Application;

“Off-premises Liquor Licence” means a Licence provided for in section 23, paragraph (f), of the *Act* and issued under section 47 of the *Act*, and includes an “off-sales licence”;

“Order” means an order issued by the Board, the President, an Inspector or a Court;

“Package” means any container, bottle, vessel, or other receptacle used for holding Liquor;

“Panel” means a panel of at least two Members;

“Parent” means the biological parents, the adoptive parents by custom or otherwise, the persons legally entitled to custody, or the persons who usually have the care and control of the Minor, and includes a grandparent and legal guardian;

“Party” means an Applicant, an Appellant, a Respondent, an Objector, an Inspector and the President, as the context requires;

“Permit” means a Permit to sell or serve Liquor pursuant to the *Act* or the *Liquor Regulations*;

“Permitted Premises” means Premises in which Liquor may be served pursuant to a Permit;

“Permitee” means a person named as a permittee in a Permit;

“Premises” means premises including building or other place appertaining to those premises;

“President” means the president of the Corporation appointed pursuant to section 10 of the *Act*;

“Prohibition” means a barring order prohibiting entry into any Licensed Premises or Liquor store, pursuant to section 9 (3) of the *liquor Regulations*;

“Protocol” means, subject to a Directive, a protocol negotiated annually between the Minister and the Corporation about performance expectations for the corporation to meet and roles of the Minister, Board, and President, respectively, in the work of the Corporation, which protocol becomes effective when agreed to by the Minister and the Corporation, as set out in section 9, sub-section (2) of the *Act*³;

“Public Place” means any place to which the public have access as a right or by invitation, expressed or implied, and includes a Vehicle in a Public Place;

“Quorum” means a majority of the Board⁴;

“Reasons” means the Board’s written reasons required by the *Act*;

“Reception Permit” means a Permit issued under section 53, sub-section (1), paragraph (a), of the *Act*;

“Recreation Facility Licence” means a Licence provided for in section 23, paragraph (d), of the *Act* and issued under section 45 of the *Act*;

“Recreational Vehicle” means a travel trailer, pick-up camper, converted bus, tent-trailer, motor home, camping trailer, or similar vehicular dwelling used for travel, vacation or recreational purposes;

“Registered Overnight Guest” means, with respect to an RV Park, a tourist or other traveller who is travelling with a Recreational Vehicle or tent and who is a registered overnight guest of the RV Park;

“Remuneration” includes *honoraria* and *per diem* paid to Members under section 4 of the *Act*;

“Residence” means (a) a building or part of a building that is actually and *bona fide* occupied and used by the owner, lessee, or tenant solely as a private dwelling, together with the lands and buildings appurtenant thereto that in fact are normally and reasonably used as part of the living accommodation, (b) a private guest room

³*Liquor Act*, s. 9 (2)

⁴*Liquor Act*, s. 3 (9)

in a hotel or motel that is actually and *bona fide* occupied as such by a guest of the hotel or motel, (c) a camper unit, trailer or tent that is actually and *bona fide* occupied by the owner, lessee or tenant as a private dwelling together with the lands immediately appurtenant thereto that in fact are reasonably used as part of the living accommodation, or (d) a vessel that is actually and *bona fide* used by the owner, lessee, or tenant as a private dwelling;

“Resolution” includes the formal expression of consent by consensus, or by majority, of the Members present at a Meeting duly convened;

“Respondent” means a person named as a respondent in a notice of Appeal, and includes a person entitled to notice of Appeal;

“Rule” means any Rule enacted by the Board and includes a Bylaw;

“RV Park” means a business, the primary purpose of which is to provide (a) overnight parking and utility services to Recreational Vehicles being used by tourists and other travellers; and, (b) washrooms and other services, other than sleeping accommodation, to persons travelling with those Recreational Vehicles.

“RV Park Licence” means a Licence provided for in section 23, paragraph (g), of the *Act*, and issued under section 47.1 of the *Act*;

“Sale” includes the exchange, barter, and traffic of Liquor and the selling, supplying, or distributing by any means whatever of Liquor;

“Secretariat” means Yukon Liquor Corporation Board of Directors Secretariat;

“Secretary” means the person appointed by the presiding officer to record the minutes of a Meeting.

“Special Licence” means a Licence provided for in section 23, paragraph (h), of the *Act* and issued under section 48 of the *Act*;

“Special Occasion Permit” means a Permit issued under section 53, sub-section (1), paragraph (b), of the *Act*;

“Spirits” means any beverage that contains alcohol obtained by distillation, mixed with drinkable water and other substances in solutions, and includes brandy, rum, whiskey, gin, vodka, and liqueurs;

“Sports Stadium” means an establishment with stepped rows of seats designed and used for presentation of a sporting or athletic event or spectacle, and includes an amphitheatre or arena;

“Sports Stadium Licence” means a Licence provided for in section 23, paragraph (e) of the *Act* and issued to a Sports Stadium under section 46 of the *Act*;

“Train Licence, Ship Licence, or Aircraft Licence” means a Licence provided for in section 23, paragraph (c), of the *Act* and issued to a train, a ship or an aircraft under section 44 of the *Act*;

“Vehicle” means any means of transportation by land, water, or air and includes any motor car, automobile, truck, tractor, aircraft, vessel, boat, launch, canoe, or any other thing used in any way for transportation;

“Vice-chair” means a vice-chair or vice-chairs of the Board appointed pursuant to section 3, sub-section (8), of the *Act*; and,

“Wine” means any Liquor obtained by the fermentation of the natural sugar contents of fruit, including grapes, apples, berries, or any other agricultural product containing sugar including honey and milk.

PART THREE – CONFLICTS

conflict with Act

3. If there is a conflict between a Bylaw or Rule and the *Act*, the *Act* prevails to the extent of such conflict.

conflict with any other statute

4. If there is a conflict between a Bylaw or Rule and another applicable statute, that statute prevails to the extent of such conflict.

conflict with regulations

5. If there is a conflict between a Bylaw or Rule and the *Liquor Regulations*, the *Liquor Regulations* prevail to the extent of such conflict.

conflict with rules

6. If there is a conflict between a Bylaw or Rule and any other Bylaw or Rule enacted after the Bylaw or Rule, the Bylaw or Rule enacted earlier prevails to the extent of such conflict, unless the Bylaw or Rule enacted later contains an express provision that it, or a provision thereof, applies notwithstanding the Bylaw or Rule enacted earlier.

PART FOUR – INTERPRETATION

just, expeditious, least expensive

7. All Bylaws and Rules shall be interpreted and applied so as to secure the just, most expeditious and least expensive determination of any matter provided for therein.

words importing singular, gender

8. In all Bylaws and Rules: (1) words importing the singular number include the plural and *vice versa*; (2) words importing gender include the masculine, feminine and neutral genders; and, (3) words importing persons include individuals, bodies corporate, partnerships and unincorporated organizations.
9. A Rule or part of a Rule may be cited as “Rule” followed by the number, sub-rule, paragraph or clause of the rule cited, followed by the name of the Rules, for example, “Rule 1 (1) (a) (i)” means clause (i) of paragraph (a) of sub-rule (1) of Rule 1 of the *Permit Rules*.

PART FIVE – TIME

computation

10. The computation of time for all Bylaws and Rules shall be made in accordance with the *Yukon Interpretation Act*, R.S.Y. 2002, Chapter 125.

PART SIX – FILE

board to maintain file

11. The Board shall maintain the File containing all: (1) Documents required by the *Act*, the *Liquor Regulations*, a Bylaw or Rule; (2) correspondence; (3) notices; and, (4) all other material produced or received by the Board in respect of the Application or Appeal.

PART SEVEN – NOTICE

in writing

12. Where the *Act*, the *Liquor Regulations*, a Bylaw or Rule requires notice, unless otherwise provided therein, such notice shall be given in writing.

manner of notice

13. Subject to the *Act*, the *Liquor Regulations*, a Bylaw or Rule, written notice may be given by: (1) personal service upon the person; (2) certified or registered mail addressed to the person at the person's usual or latest known address; (3) facsimile transmission; or, (4) e-mail transmission.

PART EIGHT – COMMUNICATIONS

addressed to chair

14. Subject to the *Act*, the *Liquor Regulations*, a Bylaw or Rule, all communications with the Board shall be addressed to the "Liquor Corporation Board of Directors" to the attention of the Chair or, in the absence of the Chair, the Vice-chair.

address for board

15. The Chair or, in the absence of the Chair, the Vice-chair shall provide to every Party a postal address; and, a telephone facsimile transmission number and, or, an e-mail transmission address for communications with the Board.

DATED this 12th day of November, 2025.

CERTIFIED to be a true and complete copy of a bylaw respecting definitions and interpretation of bylaws and rules enacted by the Yukon Liquor Corporation Board of Directors on the 12th day of November, 2025, which bylaw is in full force and effect, unamended.



Eva Bidrman, Chair