

# YUKON LIQUOR CORPORATION BOARD OF DIRECTORS BYLAW 2025-011

## Rules Respecting Inspectors, Peace Officers and Forfeitures

### *preamble*

**WHEREAS** the Yukon Liquor Corporation Board of Directors has determined that it is necessary, desirable and in the public interest that rules be enacted respecting inspectors, peace officers and forfeitures.

**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 for rules respecting inspectors, peace officers and forfeitures.

### **PART ONE – CITATION, APPLICATION AND PURPOSE**

1. This Bylaw: **(1)** is enacted for the purpose of providing Rules respecting Inspectors, peace officers and forfeitures under the *Act* and the *Liquor Regulations*; **(2)** may be cited as the *Inspectors, Peace Officers And Forfeiture Rules*; and, **(3)** applies to all inspectors, peace officers and forfeitures under the *Act* and the *Liquor Regulations*; and, **(4)** must be read with the *Definitions Bylaw*, in particular, Parts Five to Eight.

### **PART TWO – INSPECTORS AND FORFEITURE**

#### *inspector defined*

2. Notwithstanding the *Definitions Bylaw*, in these *Inspectors, Peace Officers And Forfeiture Rules* an “Inspector” means a person appointed as an inspector pursuant to the *Act*.<sup>1</sup>

#### *identification*

3. An Inspector shall carry identification in the form prescribed by the Board and present it on request to the owner or occupant of Licensed Premises.<sup>2</sup>

#### *no obstruction*

4. No person shall obstruct an Inspector in the execution of the Inspector’s duties.<sup>3</sup>

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<sup>1</sup>*Liquor Act*, s. 1

<sup>2</sup>*Liquor Act*, s. 80 (2)

<sup>3</sup>*Liquor Act*, s. 79 (8)

### ***power to enter***

5. An Inspector: may, at any reasonable time, enter and inspect: **(1)** any Licensed Premises<sup>4</sup>; **(2)** Premises with respect to which a Permit has been issued<sup>5</sup>; **(3)** Premises with respect to which a Licence has been cancelled or suspended and Liquor has not been delivered to the President as required;<sup>6</sup> and, **(4)** may take reasonable samples of Liquor for testing and analysis.<sup>7</sup>

### ***inspector may copy and remove documents***

6. An Inspector: **(1)** may inspect, examine, and make copies of or temporarily remove any Documents relating to the purchase or sale of Liquor, or the Licence or the Permit;<sup>8</sup> **(2)** who removes Documents, may make copies thereof, take photographs thereof, or otherwise record them;<sup>9</sup> **(3)** shall give to the person from whom the Documents were taken a receipt for the Documents taken; **(4)** and shall, within five days, return the Documents to the person to whom the receipt was given.<sup>10</sup>

### ***inspector may immediately seize, give a receipt***

7. An Inspector: **(1)** who finds any Liquor or Packages that the Inspector believes on reasonable and probable grounds is unlawfully acquired or kept or is kept for unlawful purposes<sup>11</sup>; **(2)** who believes on reasonable and probable grounds that obtaining a warrant would cause a delay that could result in the loss or destruction of evidence, may immediately seize and remove the Liquor and, or, Packages;<sup>12</sup> **(3)** who seizes Liquor and, or, Packages, shall give a receipt to the person from whom those items were taken or seized;<sup>13</sup> **(4)** shall deliver to the Corporation the Liquor and Packages seized;<sup>14</sup> and, **(5)** shall advise the Licensee or Permittee, as the case may be, in writing of the reasons for the seizure.<sup>15</sup>

### ***application to president***

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<sup>4</sup>*Liquor Act*, s. 80 (1) (a)

<sup>5</sup>*Liquor Act*, ss. 79 (1); 80 (1) (b)

<sup>6</sup>*Liquor Act*, s. 80 (1) (c); s. 22 (1)

<sup>7</sup>*Liquor Act*, s. 80 (3)

<sup>8</sup>*Liquor Act*, s. 80 (6)

<sup>9</sup>*Liquor Act*, s. 80 (7)

<sup>10</sup>*Liquor Act*, s. 80 (8)

<sup>11</sup>*Liquor Act*, s. 80 (4) (a)

<sup>12</sup>*Liquor Act*, s. 80 (4) (b)

<sup>13</sup>*Liquor Act*, s. 80 (5)

<sup>14</sup>*Liquor Act*, s. 81 (1)

<sup>15</sup>*Liquor Act*, s. 81 (1)

8. The Licensee or Permittee, as the case may be, may, within 30 days of the mailing of the notice under Rule 7 (5), apply in writing to the President for a Hearing to request the return of the seized Liquor and Packages.<sup>16</sup>

***president to grant hearing***

9. On receipt of an Application for Hearing under Rule 8, the President shall grant a Hearing as soon as possible and not later than 30 days after the Application is received.<sup>17</sup>

***inspector may issue order to suspend***

10. An Inspector may issue an Order to suspend a Licence if, in the Inspector's opinion: (1) a violation of the *Act* or the *Liquor Regulations* has been committed on the Licensed Premises<sup>18</sup>; (2) unsanitary conditions exist in the Licensed Premises<sup>19</sup>; or (3) the owner or operator of the Licensed Premises permits or encourages excessive drinking on the Premises.<sup>20</sup>

***notice to licensee and delivery***

11. If a Licensee receives notice of the suspension or cancellation of the Licensee's Licence, the Licensee shall, if so ordered in the notice, immediately deliver to the President all Liquor and Packages then in the Licensee's possession or under the Licensee's control.<sup>21</sup>

***refund***

12. If the Liquor or Packages delivered in accordance with Rule 11 has been lawfully acquired by the Licensee and is suitable for resale, the President shall refund the cost thereof to the Licensee.<sup>22</sup>

***disposition of liquor***

13. If any Liquor or Packages delivered in accordance with Rule 11 is not purchased by the President, such shall be forfeited to the Corporation to be destroyed or otherwise

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<sup>16</sup>*Liquor Act*, s. 81 (2)

<sup>17</sup>*Liquor Act*, s. 81 (3)

<sup>18</sup>*Liquor Act*, s. 79 (2) (a)

<sup>19</sup>*Liquor Act*, s. 79 (2) (b)

<sup>20</sup>*Liquor Act*, s. 79 (2) (c)

<sup>21</sup>*Liquor Act*, s. 22 (1)

<sup>22</sup>*Liquor Act*, s. 22 (2)

disposed of by the President.<sup>23</sup>

***forfeiture to government***

14. If no Application is made under Rule 8, the Liquor and Packages shall be forfeited to the Government of the Yukon.<sup>24</sup>

**PART THREE – PEACE OFFICERS AND FORFEITURE**

***peace officer defined***

15. Notwithstanding the *Definitions Bylaw*, in these *Inspectors, Peace Officers And Forfeiture Rules* a “peace officer” means a person appointed as a peace officer, including a member of the Royal Canadian Mounted Police, engaged in the enforcement of the *Act*.<sup>25</sup>

***peace office may seize and retain liquor***

16. A peace officer may immediately seize and remove Liquor and Packages when the peace officer finds Liquor on any Premises or in any place, and believes on reasonable and probable grounds that: **(1)** there is no apparent owner of the Liquor or the Packages;<sup>26</sup> **(2)** the Liquor or Packages is being possessed or kept contrary to the *Act* or the *Liquor Regulations*;<sup>27</sup> and, **(3)** the peace officer shall retain the seized Liquor and Packages.<sup>28</sup>

***application to president***

17. If, within 30 days from the date of the seizure of the Liquor and Packages under Rule 16, a person claims to be the owner of the Liquor: **(1)** the person shall apply to the President within the 30 day period for a Hearing;<sup>29</sup> and, **(2)** the President shall, within seven days after receiving the request, appoint in writing a time and place for a Hearing.<sup>30</sup>

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<sup>23</sup>*Liquor Act*, s. 22 (3)

<sup>24</sup>*Liquor Act*, s. 81 (4)

<sup>25</sup>*Liquor Act*, s. 1

<sup>26</sup>*Liquor Act*, s. 107 (1) (a)

<sup>27</sup>*Liquor Act*, s. 107 (1) (b)

<sup>28</sup>*Liquor Act*, s. 107 (2), (3), (5)

<sup>29</sup>*Liquor Act*, s. 107 (4)

<sup>30</sup>*Liquor Act*, s. 107 (4)

***person to satisfy president***

18. At the Hearing under Rule 17 the person: **(1)** must satisfy the President of the person's claim and the person's right under the *Act* to possession of the Liquor and Packages;<sup>31</sup> and, **(2)** if the person fails to do so, the Liquor and Packages are forfeited to the Government of the Yukon.<sup>32</sup>

***seized liquor forfeited to government***

19. If, within 30 days from the date of the seizure of the Liquor and Packages under Rule 16, no person has filed, under Rule 17, a notice in writing with the President claiming to be the owner of the Liquor and Packages, the Liquor and Packages are forfeited to the Government of the Yukon.<sup>33</sup>

DATED this 12<sup>th</sup> day of November, 2025.

**CERTIFIED** to be a true and complete copy of the Bylaw regarding rules respecting Inspectors, Peace Officers and Forfeitures under the *Act* and the *Liquor Regulations* enacted by the Yukon Liquor Corporation Board of Directors on the 12<sup>th</sup> day of November, 2025, which bylaw is in full force and effect, unamended.



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Eva Bidrman, Chair

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<sup>31</sup>*Liquor Act*, s. 107 (5)

<sup>32</sup>*Liquor Act*, s. 107 (5)

<sup>33</sup>*Liquor Act*, s. 107 (3)