

History of Liquor Regulation in Manitoba

As we browse through the selection at our favourite liquor store, it can be hard to believe how much our laws have changed during the past century.

Just 40 years ago, buying liquor meant lining up at a counter so a clerk could retrieve the bottles from the back room. Every time we ordered, we had to fill out a form with all sorts of personal information so our purchases could be tracked.

Many Manitobans can recall earlier times, when women weren't allowed to drink in the same bar room as men or even carry beer from a storage room to stock the shelves. A few remember the brief age of Prohibition when most people could purchase liquor only for "medicinal" purposes – and when illegal speakeasies flourished.

Over the course of 350 years, much has changed in the way we buy, sell, consume and regulate alcohol – just as our own societal attitudes have evolved.

Here is a brief history of our liquor laws, from the rough and tumble era of the fur trade to the present day.

Taming the Fur Trade

Liquor is an important factor in the fur trade. Early liquor laws are mostly an attempt to control the violence erupting around trading posts.

1657 The first Canadian liquor laws are introduced. Until 1870, the Hudson's Bay Company controls the sale of liquor through its outposts and the Board of Liquor Control Commissioners. Liquor is mainly available through a handful of licensed hotels, clubs and "saloons." Laws prohibit liquor from being traded or given to Aboriginals.

The Long Campaign for Prohibition

In the late 19th century, the Temperance Movement exerts pressure to ban alcohol (Prohibition). Amid the emotionally charged debate, the federal government shifts decision-making to the provinces.

1878 ***The Canada Temperance Act*** gives provinces the power to ban the sale of alcohol if supported by a majority vote. More than 20 years pass before any province uses this power.

Manitoba's first provincial liquor commission is established the same year. The commission allows one bar for every 300 people in the province.

1883 **Provinces gain the ability to control the sale of liquor** through federal legislation that allows provinces to grant licences to hotels and saloons, shops, wholesalers and masters of vessels.

1892 **Manitoba is the first province to hold a referendum on Prohibition.** Manitobans vote in favour of the ban, but the legislation is never put into effect. In 1899, the majority once again support Prohibition but the vote is later nullified because of low turnout.

1916 **Prohibition comes to Manitoba.** Months after Manitoba women gain the right to vote, a third provincial referendum is held. Every constituency but one votes in favour of Prohibition. *The Manitoba Temperance Act* comes into effect, and for the next seven years:

- Liquor can be purchased only through government dispensaries and only for uses that are industrial, scientific, mechanical, artistic, sacramental or medicinal.
- All legal drinking establishments are closed.
- Alcohol can be consumed only in a private dwelling.
- Distillers and brewers can be licensed to manufacture alcohol, but sales are permitted only outside of the province.

Manitobans soon find ways to skirt the law. Illegal “speakeasies” and bootleggers flourish. Doctor’s prescriptions for “medicinal purposes” are widely abused – as evidenced by the long lineups at pharmacies during the December holiday season.

Prohibition Ends and New Liquor Laws Emerge

Manitoba's ban on alcohol doesn't last long. In 1921, just five years after Prohibition was declared, a majority vote allows the sale of alcohol in Manitoba through a provincial government agency. Two years later, Manitoba introduces new laws that control

manufacturing, distribution and sale of liquor. Aside from minor tinkering, these laws remain in effect for three decades.

1923 ***The Government Liquor Control Act*** introduces strict regulations for pricing, advertising, sales quotas and personal purchasing limits:

- Wine and beer can be sold through government-controlled liquor stores to eligible Manitobans holding government-issued permits. These products can be consumed only at the location described on the permit.
- Liquor must be consumed at home.
- Beer can be sold by local breweries and by licensed beer parlours of licensed hotels. Individuals can purchase no more than 24 quarts of beer a week or 72 quarts a month.
- Liquor and wine can't be transported but can be delivered to a home residence for an additional fee of 25 cents per bottle.
- Manitoba is the only province to keep records of all liquor sales and purchases, including name, address and the type and quantity of liquor purchased. This information is available to law enforcement and social welfare authorities on request.
- People can be banned from buying liquor on the authority of the police magistrate or two justices of the peace.
- Liquor can be manufactured by licensed individuals.

The Liquor Control Commission (LCC) of Manitoba is created to oversee all aspects of liquor buying, selling and service. The LCC plays a more active role in regulation than the previous body.

1928 **Liquor laws are fine-tuned through amendments to the Act.** Beer parlours can now be licensed to sell beer by the glass. However, all rules are strictly prescribed in an attempt to establish a moral and respectable public space for drinking.

Beer parlours are purely for the business of drinking – not for pleasure or entertainment. There can be no food, standing, singing, dancing, musical instruments, gambling or games of any kind. Business must be conducted on a cash-only basis – no credit or cheques.

Mixed drinking is forbidden. Women can hold liquor permits and enter beer parlours, but can't occupy the same space as men. If a hotel wants to serve both men and women, it must have a separate beer parlour for each sex, with separate entrances for each and no communication between the two spaces. Women are

also forbidden from selling or handling beer in a beer parlour. Aboriginals and people under 21 are not allowed on the premises.

Manitoba's only women's beer parlour opens at Winnipeg Beach in 1928, but is shut down after a few hours because it has not obtained the necessary licence.

The Liquor Control Licensing Board (the Board) is established to control which establishments will be granted permits to sell or serve beer. The Board works with the LCC as part of a larger government-sponsored agency. The following year, the Office of the Chief Inspector is created to enforce liquor laws.

- 1934 Beer vendors appear in Manitoba.** Hotels can now become licensed to sell beer for off-site consumption.
- 1936 Pricing favours made-in-Manitoba beer.** A bottle of beer manufactured outside Manitoba must be sold for five cents more than locally produced beer.
- 1942 Enforcement moves to police.** The RCMP and Winnipeg Police Morality Department agree to assume responsibility for liquor law enforcement in return for payment. The Office of the Chief Inspector is downsized.
- 1943 Beer rationing is introduced during World War II.** Rationing remains in effect until 1948.
- 1950 Steinbach remains dry.** When most of Manitoba ended Prohibition decades earlier, Steinbach did not. In 1950, the people of Steinbach vote to continue the ban against all liquor sales in their community.

Laws Evolve with Changing Public Attitudes

After World War I, Manitobans' attitudes toward alcohol begin to relax. By the 1950s the public is ready for a major overhaul of Manitoba's liquor laws, including a new approach to selling alcohol.

- 1955 A provincial review committee recommends liquor laws be modernized.** Led by former premier John Bracken (Bracken Report), the committee advocates a stronger emphasis on self-control and more equal treatment of all Manitobans over 21, including women and Aboriginals.

In response to the Bracken Report, the new *Liquor Control Act* is brought forward and is passed into law the following year. The Act is amended repeatedly over the next six decades but most of the basic provisions remain.

- 1956** **A new liquor vending system is established.** When *The Liquor Control Act* comes into effect, Manitobans no longer need to apply for a permit to buy alcohol. Instead, they visit a government liquor store and complete an order form. They list their name, address, and the type and quantity of liquor purchased so all sales can be tracked. They then present the form to a clerk, who retrieves the order from a back room.
- Allowable hours for selling liquor are extended.** Selling and serving hours are extended several more times over the next 55 years.
- Sunday serving is permitted for the first time.** Golf and curling clubs are the first to be able to serve liquor on Sundays. This change marks the start of several amendments related to Sunday hours.
- Beer parlours are now required to serve food and non-alcoholic beverages.** They must also close during the supper hour.
- Liquor still can't be advertised.** Ads for tobacco abound, but beer, wine and liquor can't be promoted to the public.
- 1957** **Mixed gender drinking is allowed** in cocktail lounges, beverage rooms and restaurants.
- 1960** **Aboriginal people can purchase liquor for off-premises consumption.** However, they are still unable to consume liquor in licensed establishments, and sales are not allowed on reserves.
- Manitoba begins extending hours of service for beer parlours, vendors and beverage rooms.** Hours gradually become longer and more flexible through frequent amendments to the law over the next 51 years.
- 1961** **On voting days, liquor stores and licensed premises can remain open,** except during federal and provincial elections. In 1966, the government allows licensed premises and liquor stores to be open and occasional permits to be issued after the polls close on provincial election days.

Licensed Premises Become More than Places to Drink

In the swinging '60s, bars and supper clubs start to evolve into places of entertainment for both men and women.

- 1962** **Dancing and drinking are allowed for the first time.** For a \$10 fee, a licensed dining room can obtain a permit to dance.
- 1965** **Games are permitted for the first time.** Bars are allowed to add games like darts and shuffleboard, adding the air of an English pub to many establishments.
- Hotels with licensed dining rooms can serve liquor to guests in their rooms.**
- 1966** **Aircraft can serve liquor.** Aircraft can now obtain a dining room licence. By 1980, air carriers will be able to open licensed hospitality lounges at the airport.
- 1967** **Liquor advertising is now permitted** with some restrictions on when ads can be aired.
- Home wine-making is allowed.** A hobby practised by some Manitobans for many years now becomes legal.
- 1968** **No more limits on individual purchases of liquor.** Manitobans can now buy unlimited quantities at one time.

The Age of Social Reform

The progressive 1970s bring greater equality of access and an end to the practice of tracking individuals' liquor purchases.

- 1970** **The legal drinking age is lowered to 18.** Manitoba becomes one of the first provinces to reduce the eligible age to buy liquor from 21 years of age. During the next decade, all provinces will lower the minimum age to 18 or 19.
- Dancing is allowed in all licensed establishments.** Venues must provide live music to qualify for a dancing licence. In 1979, Manitoba begins gradually lifting this restriction to allow for recorded music.

Self-serve liquor stores open. The Manitoba Liquor Control Commission (MLCC) introduces modern retail stores that evolve into the Liquor Marts we know today. Manitobans no longer need to write down orders and personal information on a piece of paper so that a clerk can retrieve the product from the back, and there is no more tracking of individual liquor sales. It takes about a decade to convert all stores to the new system.

1971 MLCC hires the first women to work in liquor stores.

Liquor can be consumed in an expanded range of venues. New types of licences are introduced so alcohol can be consumed in live-performance theatres, sporting venues and excursion boats, and at community events like fairs, exhibitions and tournaments. There are also fewer restrictions on dining room and cocktail lounge licensing.

Juveniles can consume alcohol under parental or spousal supervision. In a club, restaurant, dining room or cabaret, liquor can be consumed by someone under 18 if it is bought for him/her by a parent or spouse and consumed with a meal in their presence.

1972 Liquor sales are allowed on reserves providing the band has issued a proclamation permitting consumption of liquor on the reserve.

1975 Women are permitted to handle, serve and sell beer in a beer parlour.

Manitoba begins establishing duty-free liquor stores. The first is established at Winnipeg International Airport. Duty-free stores are added at ground crossings of the Manitoba-U.S. border in 1982.

MLCC becomes the first liquor agency in Canada to launch a marketing campaign.

1977 Certain substances containing alcohol are designated as non-potable intoxicants in response to growing abuse problems.

Waiters and waitresses no longer need to be licensed by MLCC.

Greater Emphasis on Personal Responsibility

Increasing permissiveness in liquor laws is balanced by other laws imposing tougher penalties for abuse of alcohol, including driving while impaired. Individuals are expected to take more personal responsibility for the consequences of consuming, serving and selling liquor.

- 1979 Patrons are allowed to stand up while drinking.**
- 1980 Individuals can bring alcohol into Manitoba from other provinces.** They no longer need to leave liquor at the border when entering Manitoba.
- Sunday and holiday liquor service continues to expand.** Beverage and cocktail rooms can serve liquor on Sundays, Thanksgiving and Christmas Day, but only with meals.
- 1982 MLCC seeks greater understanding of laws by operators.** *The Licensee Field Manual* is developed and distributed to help licensees and their employees understand and comply with their requirements and responsibilities concerning day-to-day operations.
- Licensee requirements become simpler and more pragmatic.** Beer parlours can set their own beer prices. Licensees can dispense liquor in forms other than the original container. All forms of licensed establishments have more latitude to set their own hours within specified guidelines. MLCC no longer needs to approve all food and liquor menus.
- Free samples** can be provided at special functions approved by MLCC.
- 1983 MLCC introduces photo ID cards.** Manitobans 18 and over can now obtain photo identification cards through MLCC for use as proof of age.
- 1984 People without citizenship can apply for liquor licences.** This change ends discrimination within the licensing system against people who are not Canadian citizens.
- Beverage rooms and beer parlours no longer need to close during the supper hour.**
- Liquor sales can be up to 60% of revenues** in licensed dining rooms, cocktail rooms and restaurants.
- 1985 Aboriginal people can consume liquor, both on and off reserve** as Manitoba acts on provisions put in place by the federal government in 1951.

Beer parlours can sell spirits and wine in addition to beer.

Games of chance are permitted in licensed establishments.

Liquor can be served on any type of election day, including federal and provincial elections.

1987 The legal definition of liquor changes. In response to new products appearing in the marketplace, liquor is now defined in legislation as any potable substance containing more than 1 percent alcohol by volume.

Licence classes are streamlined. The number of classes is reduced from 24 to 11.

1988 Beer and wine advertisements can air at any time of day. There is no longer a restriction between 7:00 a.m. and 10:00 p.m.

Licensees gain the right to demand photo ID with proof and age. They can also eject anyone who does not comply.

1993 Tougher laws come into effect for abuses of buying and selling. It becomes a major offence to sell liquor to an intoxicated person or anyone under 18, or to buy liquor if under 18.

Vendors have more price and product options. They can now sell imported beer, as well as domestic. They are no longer required to carry beer from each brewery in the province, and can charge different prices for different domestic beers. They can also conduct beer sampling.

1994 Privately owned wine stores are introduced. A limited number of stores are licensed. Regulations set out details such as the number and type of stores, discount structure, annual fees and general rules of operation.

Government-issued photo ID becomes the only acceptable proof of age.

MLCC continues to sharpen its focus. The MLCC no longer sets the standards for sanitation, cuisine and tourist accommodations for licensed premises.

2001 Minimum drink pricing comes into effect. Licensed premises and occasional permit holders must charge a minimum of \$2.25 per drink.

Mandatory training is introduced for owners, managers and sales/service staff.

Sunday regulations continue to evolve. Alcohol can be sold on Sundays from noon to 6 p.m. in Liquor Marts and from noon to midnight in cabarets, beverage rooms and non-sport private clubs.

- 2004 **Promotions encouraging excessive drinking are outlawed.** Manitoba bans all-you-can-drink promotions and contests where alcohol consumption is part of the game.
- 2005 **Diners can take home unconsumed wine.** Restaurants can re-cork a bottle of wine that has been served with a meal, allowing the patron to take the bottle home to finish at another time.
- 2007 **Patrons can carry drinks to washrooms** within or adjacent to licensed premises.
- 2009 **Manitoba's photo ID system is streamlined.** MLCC ceases its program after Manitoba Public Insurance introduces a new form of government-issued photo ID for non-drivers.

A New Vision for Modernization

In 2011 the Manitoba government announces plans to create a safer and more welcoming environment for economic development related to Manitoba's hospitality sector.

- 2011 **Manitoba's New Hospitality Strategy is unveiled in May.** The amendments to *The Liquor Control Act* are passed into law on June 16. The strategy looks at new hospitality opportunities, public safety improvements, underage drinking countermeasures and less red tape.

Extended hours come into effect. As of July 1, "last call" for all licensed premises is 2 a.m., seven days a week, except Easter Sunday. Occasional permit holders can stay open as long as licensed premises.

Strict new public disorder rules take effect. Also as of July 1, licensees are held responsible for disorder around their premises, such as on sidewalks in front of their premises or in nearby parking lots. Liquor inspectors now have the right to close a premise for up to 12 hours when there is violence or other imminent risk to the public. Fines for disorderly conduct increase from \$292 to \$655 – the toughest in Canada.

Alcohol-free options available at Liquor Marts. In October, all Winnipeg stores begin carrying zero-alcohol beer, as well as coolers, sangria and wines. Through an arrangement with Mothers Against Drunk Driving (MADD), sales of certain products raise funds for efforts to reduce impaired driving. The changes also allow Liquor Marts to sell taxi-fare cards, bar ware and promotional merchandise for local events.

"Bring your own wine" program comes into effect. In November, Manitoba joins other provinces in allowing patrons to bring their own bottle of unopened wine to a restaurant to enjoy with a meal. Participating restaurants can charge a corkage fee.

Preparations begin for boutique-style liquor stores. MLCC invites urban grocery stores to express interest in hosting Liquor Mart Express stores. Up to 10 stores are planned for the pilot program, including five in urban grocery stores. The first store opens at the new James A Richardson International Airport in Winnipeg at the end of November.

Licensing improvements are implemented. Also in November, Manitoba begins offering a new class of licence for brew pubs. In addition, liquor licences are now issued for a three-year term, greatly simplifying the process for business owners.

2012 New ID requirements and penalties combat underage drinking. As of January 1, Manitoba enforces tighter photo identification requirements for young adults attempting to purchase alcohol or enter an age-restricted establishment. They must be able to show valid photo ID from Manitoba Public Insurance, a passport or two valid government-issued pieces of ID, provided one is a photo ID. In addition, it is also an offence for an adult to provide their ID to a minor for the purpose of buying liquor or accessing age-restricted premises.

Movie theatre allowed to serve alcohol. In January, MLCC amends the Liquor Licensing Regulation to allow a movie theatre to obtain a Spectator Activities Licence.

Construction begins on first Liquor Mart Express within a grocery store. The boutique-style store in south Winnipeg is expected to open in late 2012.

Regulation of liquor and gaming to merge into one authority. [The April 17, 2012 Manitoba Budget](#) announces that liquor regulation will be controlled by the same authority regulating gaming. The Manitoba government expects the new model to reduce red tape for Manitoba businesses by bringing inspections and other

regulatory services into a one-stop shop. The MLCC's operational activities are being merged with the MLC to create a single streamlined Crown corporation.