



## Techniques for Effective Alcohol Management

### State information: Ontario

#### **General Regulations**

Legal age to Consume Alcohol: 19

Legal age to Serve Alcohol: 18

Limit for Driving Under the Influence: 80 milligrams per 100mls

Dram Shop Liability Laws: No

Maximum Alcohol per Drink: Not regulated; shall not engage in or permit practices that may tend to encourage patrons' immoderate consumption of liquor (O. Reg. 354/07, s. 3)

#### **Server Training**

All managers, licensed security personnel and employees handling liquor must complete a server training course approved by the AGCO (Smart Serve). All new employees have 60 days from their start of employment to obtain the certification. Staff should carry a copy of their certification card while they are working. An AGCO Inspector may ask to see any staff member's certification.

Smart Serve training is mandatory for the following individuals:

1. New liquor sales license holders, including new license applicants, license transfer applicants and temporary transfer applicants intending to operate an establishment. In addition to license holders, all managers, servers of beverage alcohol and security staff must hold Smart Serve® certificates.
2. Servers, security staff and their managers in a licensed stadium
3. Course marshals and employees dispensing liquor from vending carts on golf courses that hold a Golf Course Endorsement
4. Holders of Caterer's Endorsements and servers working at catered events
5. Where ordered by the AGCO after a hearing (i.e. disciplinary cases)

#### **Acceptable Forms of ID**

Any photo identification is acceptable and under the regulations for the Liquor License Act, the following are listed:

1. Ontario Driver's License with a photo;
2. Canadian passport with a photo;
3. Canadian citizenship card with a photo;
4. Canadian armed forces card with a photo;
5. Photo card issued by the former LLBO (no longer being issued but those in circulation are still valid);
6. Liquor Control Board of Ontario BYID photo card.

#### **Recommended Age for Carding**

Not regulated.

#### **ID Confiscation**



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There is no provision under the Liquor License Act or its regulations for confiscating false identification.

#### **Policies Regarding Minors**

It is unlawful to supply, serve or sell alcohol to anyone under the age of 19 years. Minors are permitted in licensed premises unless a condition is imposed on the liquor license after a hearing by the board of directors of the AGCO to restrict entry to those under 19 years or a condition is consented to by the license holder. A license holder can also file a house policy with the AGCO to restrict entry of minors but it must be enforced by the licensee.

#### **Non-Alcoholic Beer and Wine**

Beer and wine are defined in regulation under the Liquor License Act as anything over 0.5 of 1% of alcohol by volume or 0.4 of 1% of alcohol by weight. Anything less than these proportions is not considered to be an alcoholic beverage subject to regulation.

#### **Alcohol Liability**

Under the Liquor License Act, any person (or agent or employee) who sells liquor to another person resulting in his or her intoxication or increase in intoxication so that he or she would be in danger of causing injury to him/herself or another third party or the property of another person:

1. if the person served commits suicide or meets death by accident while so intoxicated, an action under the Family Law Act can be filed against the person, agent or employee who served the liquor; and
2. if the person served causes injury or damage to another person, the other person is entitled to recover an amount as compensation for the injury or damage from the person, agent or employee who sold the liquor.

#### **State Contact Information**

Alcohol and Gaming Commission of Ontario  
90 Sheppard Avenue East  
Suite 200-300  
Toronto, Ontario M2N 0A4  
416-326-8700 or in Ontario 1-800-522-2876  
[www.agco.on.ca](http://www.agco.on.ca)

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