

LIQUOR ACT

**CONSOLIDATION OF  
RESOLUTE BAY LIQUOR RESTRICTION REGULATIONS**

R.R.N.W.T. 1990, c.L-46

**AS AMENDED BY**

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience of reference only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories, 1990* and the monthly publication of Part II of the *Northwest Territories Gazette* (for regulations made before April 1, 1999) and Part II of the *Nunavut Gazette* (for regulations made on or after April 1, 1999).

# Liquor Act (Nunavut)

## Resolute Bay Liquor Restriction Regulations

1 In these regulations,

“**Committee**” means the Resolute Bay Alcohol Education Committee;

“**member**” means a member of the Committee;

“**restricted area**” means all that portion of the Territories that lies within a radius of 25 km from the Resolute Bay Community Hall.

2 The Resolute Bay Alcohol Education Committee is established.

3 The Committee consists of seven persons.

4(1) The members are elected in the same manner and on the same day as councillors of the Resolute Bay Hamlet Council.

(2) The provisions of the *Local Authorities Elections Act* apply to the election of members with such modifications as the circumstances require.

5 The term of office of the members of the Committee is the same as the term of office of such councillors of the Resolute Bay Hamlet Council as are elected on the same day as the members.

6(1) In the event of a vacancy on the Committee, a person who was a candidate at the last election for the Committee and received the highest number of votes among the candidates who were not elected may fill the vacancy until the expiration of the term of the member who is being replaced.

(2) Where the person referred to in subsection (1) refuses to fill the vacancy on the Committee, the Committee shall successively offer the office to the candidate who received the next highest number of votes among the candidates who were not elected until a candidate fills the vacancy.

(3) Where the vacancy cannot be filled by the procedure set out in subsection (1) or (2), the Committee shall designate a person to fill the vacancy.

7 A quorum of the Committee is four members.

8 The Committee shall elect a chairperson, vice-chairperson and secretary from its members.

9 The chairperson shall call meetings of the Committee as necessary to transact the business of the Committee.

10(1) Subject to subsection (2), each member may vote in a decision of the Committee.

(2) The chairperson may vote only in the event of a tie.

(3) The decisions of the Committee are made by a majority vote of the members present.

**11(1)** A member shall declare any interest in a matter before the Committee, and shall not vote on any matter in which he or she or a relative has an interest.

(2) In subsection (1), “relative” means

(a) the spouse of the member; or

(b) a grandparent, parent, brother or sister, child or grandchild of the member or of the spouse of the member.

**12** The secretary shall keep minutes of all meetings and a record of decisions made by the Committee.

**13** All records of the Committee are confidential.

**14** Where these regulations require the Committee to give notice to any person, the notice must be in writing and must be served personally or sent to the person by registered mail.

**15** Subject to these regulations, the Committee may establish rules to govern its proceedings.

**16(1)** A person may apply to the Committee for permission to

(a) purchase or possess liquor in the restricted area;

(b) bring liquor into the restricted area; or

(c) make beer or wine in the restricted area.

(2) The application must be made on a form approved by the Committee.

**17(1)** The chairperson shall give notice to each applicant informing that person of the time, date and place of the meeting where the Committee will consider the application.

(2) An applicant has the right to

(a) attend and be heard at the meeting at which his or her application is considered; and

(b) be represented by a lawyer or another person.

**18(1)** The Committee may approve, partially approve or refuse any application.

(2) Where a decision is made to partially approve or refuse an application, the Committee shall state the reasons for its decision.

(3) Where a decision is made to approve or partially approve an application, the Committee shall state the quantity of liquor that the applicant may possess, purchase or bring into the restricted area, or the quantity of beer or wine the applicant may make in the restricted area.

(4) The Committee shall give the applicant notice of its decision.

**19(1)** A person aggrieved by a decision of the Committee may appeal to a justice of the peace within 30 days of receiving notice of the decision.

(2) The justice of the peace may, after holding a hearing, confirm, vary or set aside the decision of the Committee.

(3) The decision of the justice of the peace is final.

**20** No person shall, without the prior permission of the Committee,

- (a) purchase or possess liquor in the restricted area;
- (b) bring liquor into the restricted area; or
- (c) make beer or wine in the restricted area.

**21** No person shall, in the restricted area, possess liquor that has been purchased or brought into the restricted area or beer or wine that has been made in the restricted area in contravention of these regulations.

**22** Every person who contravenes section 20 or 21 is guilty of an offence and liable on summary conviction to a fine not exceeding \$500 or to a term of imprisonment not exceeding 30 days or to both.