

Protocol Agreement (the “Agreement”)

Between

Minister Responsible for the Yukon Liquor Corporation

And

Yukon Liquor Corporation

For the fiscal year April 1, 2015 to March 31, 2016

Part 1 Definitions

- “Board” means the Yukon Liquor Board established under the *Liquor Act RSY 2002, c 140* (the Act) and the members appointed by the Commissioner in Executive Council under the Act.
- “Corporation” means the Yukon Liquor Corporation established under the Act.
- “Minister” means the Minister responsible for the Yukon Liquor Corporation.
- “President” means the President of the Yukon Liquor Corporation appointed under the Act.

Part 2 Purpose

This Protocol Agreement is made pursuant to section 9(2) of the *Liquor Act*. The Agreement is negotiated annually between the Minister and the Corporation to address the performance expectations for the corporation and roles of the Minister, Board and President, respectively, in the work of the corporation.

The Agreement is based on the statutory requirements in the *Corporate Governance Act RSY 2002, c 45* and the *Liquor Act*.

The Agreement is intended to provide a framework for strong corporate governance of the Yukon Liquor Corporation in its role as an institution of government established to achieve governmental objectives in the public interest.

To achieve its mandate, and in response to Government's general direction, policies and fiscal plan, the Corporation will ensure the Corporation's priorities reflect Government's strategic priorities of:

- Making strategic investments in Yukon's infrastructure
- Improving Yukon's regulatory regime
- Making Yukon the best place to live, work, play and raise a family
- Building First Nations partnerships

In guiding the achievement of the Corporation's Strategic Plan and Annual Operating Plan's goals and objectives (Appendix A), the Corporation will pay particular attention to realizing the following Government priorities specific to its mandate:

- Improve services to Yukon communities with territorial agent/representative offices and more training for front line employees
- Through regulation, modernize components of the Liquor Act

Part 3 Roles and responsibilities of the Minister, Board and President

The following are the identified roles and responsibilities of the Minister, Board and President in the work of the Yukon Liquor Corporation. The Board, President and other officers and staff of the Corporation shall comply with and implement any protocol under this Agreement.

A) Minister

The Minister is the key link between Government and the Corporation and is accountable to the Legislative Assembly for the Corporation. The Minister is responsible for the statutory, regulatory and public policy framework in which the Corporation operates. In order to meet these responsibilities and ensure the achievement of Government's performance expectations, the Minister:

- will work with the Corporation to establish annual performance expectations for the Corporation; and
- may recommend directives, orders or amendments to the *Act* and regulations to Cabinet, for approval.

B) Board

In fulfilling its mandate, the Board shall comply with and implement any directives and protocol issued by Cabinet under the *Liquor Act* or *Corporate Governance Act*. The Board has independent decision making authority with respect to carrying out

its role and responsibilities under the Act. The specific authority and responsibilities of the Board in the *Liquor Act* are set out in **Appendix B**, attached to this Agreement.


C) President

Through the Minister, the President is accountable to the Legislative Assembly for the operations of the Corporation. The President complies with any directives and protocol issued by Cabinet under the *Liquor Act* and *Corporate Governance Act*, and coordinates the work of the Corporation with the work of the departments of government. The President is responsible for managing the Corporation's daily operations (*Liquor Act* section 10) in accordance with the legislation, regulations and strategic plan. The specific authority and responsibilities of the President in the *Liquor Act* are set out in **Appendix C**, attached to this Agreement.

Part 4 Effective Date, Signatures and Review

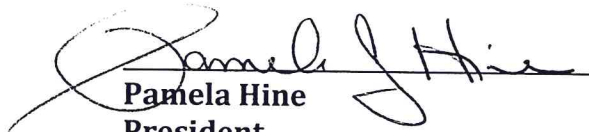
This Agreement is effective upon signing by the Minister Responsible for the Yukon Liquor Corporation and the President of the Yukon Liquor Corporation and upon being endorsed by the Chair of the Liquor Board.

This Agreement can be reviewed at the request of the Minister or the Liquor Corporation.



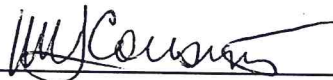
**Honourable Stacey Hassard
Minister Responsible for
Yukon Liquor Corporation**

Sept 22 /15
Date



**Pamela Hine
President
Yukon Liquor Corporation**

Sept 22, 2015
Date



**Wayne Cousins
Chair of the Yukon Liquor Board**

Sept 23/ 2015
Date

Appendix A

The Yukon Liquor Corporation shall administer and enforce the *Liquor Act* to ensure the goals and objectives of the Yukon Liquor Corporation are met. The Yukon Liquor Corporation shall:

- a) deliver customer service excellence to all our retail and commercial clientele;
- b) reduce alcohol related harm to the public through regulation, education and enforcement, and encourage a culture of moderation;
- c) sustain net profitability to the Government of Yukon through responsible liquor sales;
- d) attract, develop and engage talented people to continue to provide high quality service to the public; and
- e) practice open, accountable and fiscally responsible government.

Appendix B

Authority and Responsibilities of the Liquor Board

The specific authority and responsibilities of the Board in the *Liquor Act* (in order of their appearance in the Act) are as follows:

1. independent decision-making authority to issue, cancel and suspend licenses and permits (s8(2));
2. ministerial accountability in performance of all other duties (s8(2));
3. review and decide whether to approve the President's request to enter in to arrangements with another liquor board, commission or similar body in another province to supply liquor to a liquor store if that province cannot do so (s10(3));
4. upon appeal, hear and decide license suspensions (s18(4));
5. hear and decide applications for new licenses (s25(1), s 27(1) and s 37);
6. hear and make provisional decisions on applications for new licenses for premises still under construction (s34(2));
7. if referred to the Board by the Corporation, hear and decide applications for renewal of an existing license (s 35(2));
8. if objections received, hear and decide applications for renewal of an existing license (s35(4));
9. hear and decide applications for recreation facility licenses (s45(2));
10. hear and decide applications for sports stadium licenses and establish hours of sale (s 46(3));
11. hear and decide applications for retail sale of liquor in licensed premises for off-premises consumption (s47);
12. grant licenses, in its discretion, for the sale of liquor under circumstances not otherwise provided under the *Liquor Act* (s48);
13. hear and decide applications for club licenses (s50(2));
14. hear and decide appeals of refusals to issue reception or special occasion permits (s 53(8));
15. set terms and conditions for import permits and liquor permits for scientific, industrial or medicinal purposes (s54(6));
16. cancel licenses for premises that have been substantially destroyed and hear and decide applications for new licenses for such premises (s56(1) and (3));
17. hear and decide requests for, or renewals of, interim licenses (s57(1));
18. hear and decide requests for validation of license prior to the transfer, sale, or assignment of shares in a corporation or partnership (s 60(4));
19. if referred to the Board by the President, hear and decide requests to endorse a manager on a liquor license (s 62(3));
20. in all approvals for liquor licenses specify the part of the premises to which the sale, serving and consumption of liquor is restricted (s 69(2));

21. hear and decide whether to extend the time of an order of suspension made by an inspector and set the time period for such suspension as it sees fit (s 79(6));
22. determine the form of identification to be used by liquor inspectors (s80(2));
23. hear and decide appeals of President's refusal to return seized liquor and packages (s 81(5));
24. hear and decide appeals from persons who have been forbidden entry to a premises (s 9(3)(b));
25. may set limits on type of equipment used in a licensed premises for entertainment (s 11(1));
26. may authorize a licensee to use a liquor primary premises for purpose other than for sale of liquor during times when the premises are closed to the sale of liquor (s 14(1)(3)).

Appendix C

Authority and Responsibilities of the President

The specific authority and responsibilities of the President in the *Liquor Act* (in order of their appearance in the Act) are as follows:

1. administer and enforce the *Liquor Act* and regulations passed under the *Act*;
2. manage the operational requirements of the Corporation within all applicable regulatory, legal and policy frameworks;
3. provide leadership, general supervision, management and control of the Corporation's operations on a day to day basis in accordance with direction from Government and Minister approved-plans and policies;
4. manage the Corporation to ensure operational plans are effectively implemented, results monitored and reported to the Corporation, and financial and operational objectives are attained;
5. monitor performance and take corrective action when problems are identified;
6. undertake those responsibilities in section 8(1) of the Act;
7. sign for all expenditures, orders, contracts, written notices, directions and recommendations on behalf of the Board (s10(2));
8. subject to the Board's approval, enter into arrangements with another liquor board, commission or similar body in a province to supply liquor to a liquor store if it is not feasible for that province to do so (s10(3));
9. suspend by order, for cause, any license for up to 12 months (s17(1));
10. cause there to be an inspection of premises or other investigation for the purpose of considering an application (s 25(2));
11. refer applications for a new license to the Board (s 28);
12. refer applications for a new license for premises still under construction to the Board (s 34(2));
13. may consider and decide applications for license renewal or refer to the Board (s35(1)-(2));
14. refer objections to license renewals to the Board (s 35(4));
15. consider and decide applications for reception or special occasion permits (s 53(1)(a)-(b));
16. consider and decide applications for import permits (s 54(4));
17. consider and decide applications for liquor permits for scientific, industrial or medicinal purposes (s 54(5));
18. consider and decide applications for license transfers (s 60(2));
19. receive notifications of any sale, assignment, or transfer of shares in a business or partnership of a licensee and, if the transfer, sale, or assignment of shares substantially changes the beneficial ownership or control of the business or partnership, invalidate the license unless the Board has approved the change (s 60(4));

20. consider and decide whether managers named on applications are fit to manage and operate premises in respect of which licenses are issued or refer such decision to the Board (s 62(2)-(3));
21. hear and decide appeals of inspectors' decisions to suspend licenses (s 79(7));
22. hear and decide applications for the return of seized liquor and packages (s 81(2)-(3));
23. consider and decide proposed advertising with words such as "bar", "barroom", "tavern", "beer", "liquors", etc. (s 82)).