



Yukon Liquor Corporation
9031 Quartz Rd., Whitehorse, Yukon Y1A 4P9

MEMORANDUM

March 9, 2021

To: Liz Hanson, Special Committee on Civil Emergency Legislation

From: Manon Moreau
President
Yukon Liquor Corporation

Re: Request for information

The Yukon Liquor Corporation managed two Ministerial Orders pursuant to subsection 9(1) of the Civil Emergency Measures Act:

- (a) MO 2020/40 -- Amendment of Liquor Licences (COVID-19) Order
- (b) MO 2020/36 -- Civil Emergency Measures Remote Cannabis Sales (COVID-19) Order

- (a) MO 2020/40 -- Amendment of Liquor Licences (COVID-19) Order

Restaurants and bars closed for several months in 2020, following orders from the Chief Medical Officer of Health. Both types of establishments reopened at 50 per cent seating capacity and with physical distancing measures in place, after the approval of their operational plan by the Department of Health and Social Services.

To support these businesses in accommodating the requirements, the Yukon Liquor Corporation put forward MO 2020/40, allowing for swift approval by the Yukon Liquor Corporation's President of changes to certain parts of a liquor licence. Changes to liquor licences related to defined licensed areas, hours of service of restaurants, and the ability to expand restaurants into the space of a closed bar, require a new application to the Liquor Board. New applications have administrative and financial costs for the applicant, and require several weeks of public notification before eventual consideration of approval by the Liquor Board. Adjusting this application process requires long-term legislative amendments. In a rapidly evolving environment affecting both the local economy and public health, the normal process represented a potential hindrance to fast and effective support to businesses, in YLC's view.

The Ministerial Order assisted business in following the requirements of Yukon's plan for lifting COVID-19 restrictions while generating revenue. It allowed the President to easily accommodate 22 temporary authorizations without considerable delays, and this assisted licensees in accommodating the pandemic related restrictions. As of March 2021, 6 temporary authorizations remain in place. All of the temporary liquor licence authorizations are available to view on Yukon.ca.

(b) MO 2020/36 -- Civil Emergency Measures Remote Cannabis Sales (COVID-19) Order

The Yukon Liquor Corporation put forward MO 2020/36 in May 2020 to support cannabis licensees navigating an uncertain economic environment, COVID-19-related public health measures, and ensure safe and timely access to legal cannabis.

The purposes of the Cannabis Control and Regulation Act are to:

- (a) protect public health and safety;
- (b) protect young persons and discourage their access to, and consumption of, cannabis; and
- (c) ensure that cannabis is sold by or through a government corporation in order to protect the health of Yukoners by facilitating consumption only of lawfully purchased cannabis, while not promoting consumption of cannabis.

Under the current Cannabis Control and Regulation Act and Regulations, cannabis retail licensees are not authorized to accept payments online or by phone. Cannabis licensees were looking for ways to manage customers in the store (reduce numbers, time spent in the store and implement physical distancing) and follow the requirements of Yukon's plan for lifting COVID-19 restrictions, while generating revenue. Two cannabis licensees wrote to YLC to make them aware of their intention to use the Ministerial Order. There are currently five cannabis licensees open across Yukon.

The Ministerial Order was repealed by Cabinet on September 9, 2020. During the COVID-19 update on that date, the Premier announced this as part of a repeal of several Ministerial Orders considered no longer necessary due to the current pandemic situation.

The ability to rapidly adjust legislation led to more timely support of local businesses looking to continue generating revenue while complying with public health measures and restrictions, amid the economic uncertainty of the pandemic. Additional policy work would be required in order to make suggestions, identify gaps or aspects of the CEMA legislation that may have prevented the Yukon Liquor Corporation from reacting as it would have liked during an emergency.

Sincerely,



Manon Moreau