

**Alcohol and Gaming  
Commission of Ontario**

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Website: www.agco.on.ca

**Commission des alcools  
et des jeux de l'Ontario**

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**September 1, 2011**

**SUBJECT:  
SERVER-INITIATED AUTOMATED ALCOHOL DISPENSING SYSTEMS**

The Alcohol and Gaming Commission of Ontario (AGCO) has asked the Ministry of Community Safety and Correctional Services to advise the policing community that effective September 1, 2011, minimum system requirements will be in place to govern the operation of server-initiated automated alcohol dispensing systems used at liquor licensed establishments.

Please refer to the attached information from the AGCO for details. Questions about these measures should be directed to Inspector Bill Price, Ontario Provincial Police Investigation and Enforcement Bureau, at 416-326-7161.

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## **SERVER-INITIATED AUTOMATED ALCOHOL DISPENSING SYSTEMS**

Effective September 1, 2011, minimum system requirements will be in place to govern the operation of server-initiated automated alcohol dispensing systems used at liquor licensed establishments. Any such system used by patrons must meet these minimum system requirements.

Server initiated automated alcohol dispensing systems are computerized systems which are pre-programmed by a server to dispense a fixed amount of alcohol to the patrons who have ordered it. The patrons then remove the alcohol from the system only when they are about to consume it, thereby keeping the alcohol fresh and at the correct temperature. Servers continue to monitor and control the amount of alcohol dispensed for each patron group and ensure that patrons do not become intoxicated.

The establishment of these requirements is consistent with the AGCO's move towards a standards-based and compliance-focused regulatory framework, which establishes regulatory standards in which licensees must operate, while allowing them more operational flexibility to respond to changing market conditions in the hospitality sector. While providing that flexibility, the minimum system requirements for these products ensure that:

- Licensees remain in control of the sale and service of liquor in their establishment
- Licensees and their staff are able to continue monitoring patron consumption of alcohol to ensure that it is being served and sold responsibly
- Regulatory and enforcement agencies are able to clearly track that the systems are being employed in compliance with the Liquor Licence Act and its regulations

### **Compliance Framework**

Either at the time of licence renewal (for existing licensees) or at the time of new licence application, a licensee/applicant must indicate whether they are using a server initiated automated alcohol dispensing system and if so, as part of the standard risk assessment performed on all licensees, the AGCO will identify any risks associated with the use of a server initiated automated alcohol dispensing system. For example, the location of the dispensing system may be considered as part of this risk assessment. Systems that are located in enclosed areas (i.e. private dining rooms, karaoke rooms or VIP areas in adult entertainment venues) will be considered as potential of higher risk than those which are located in more open and visible areas.

The outcome of that risk assessment may be informed by a number of factors and as an example may result in the following:

1. The preparation of a compliance plan for review and potential approval by the Registrar that identifies how the system meets the minimum requirements. Additionally the applicant may be asked to describe all of the processes and procedures that will be put in place to ensure proper monitoring of the consumption of liquor.

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2. The imposition of risk-based licensing conditions by The Registrar of Alcohol and Gaming to mitigate any potential risks identified, including:
- The holder of the licence shall sell and serve liquor only in single serve containers of no more than 341 ml (12 oz) of beer, etc....
  - the holder of the licence shall ensure approved server initiated automated alcohol dispensing systems provided to patrons have automatic mechanical controls that require server intervention and assessment of the patrons' current state after XY oz (ml) of beer, XY oz (ml) of wine or XY oz (ml) of spirits before any additional liquor service takes place.

**NOTE: At this time there is no requirement for existing liquor sales licensees to advise the AGCO in advance of these systems being installed or for licensees to advise the AGCO that their system(s) meet the minimum system requirements. However, licensees who present a higher risk of non-compliance with the Liquor Licence Act can be restricted from using these systems or be required to ensure the Registrar's minimum system requirements have been met in appropriate circumstances. Please see the AGCO's web site [www.agco.on.ca](http://www.agco.on.ca) for a full list of possible risk based licensing conditions which may be attached to a licence.**