

<u>CASE NO.</u>	<u>VOL. NO.</u>	<u>PAGE</u>
GRAFTON STREET RESTAURANT LIMITED	- and - NOVA SCOTIA UTILITY AND REVIEW BOARD and NOVA SCOTIA ALCOHOL AND GAMING AUTHORITY	
(Appellant)		(Respondents)
CA 178682	Halifax, N.S.	CROMWELL, J.A. (Orally)

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**Cite as: *Grafton Street Restaurant Ltd v. Nova Scotia (Utility and Review Board)*,  
2002 NSCA 120**

**APPEAL HEARD:** October 7<sup>th</sup>, 2002

**JUDGMENT DELIVERED:** October 7<sup>th</sup>, 2002

**WRITTEN RELEASE OF ORAL:** October 8<sup>th</sup>, 2002

**SUBJECT:** **Administrative Law - Determination of Penalty - Appeal from Nova Scotia  
Utility and Review Board**

**SUMMARY:** On the basis of Agreed Facts, the Board found that the appellant had committed an offence under the Liquor License Board Regulations but declined to adopt the jointly recommended penalty. The appellant appealed arguing that the Board had erred by failing to accept the joint recommendation.

**ISSUES:** Did the Board err in law or jurisdiction?

**RESULT:** Appeal dismissed. The Board made no reviewable error in refusing to accept the jointly recommended penalty.

<p>This information sheet does not form part of the court's decision. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 2 pages.</p>
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