

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1993, chapter 22

AN ACT TO AMEND THE TOURIST ESTABLISHMENTS ACT AND TO REPEAL CERTAIN LEGISLATIVE PROVISIONS

Bill 77

Introduced by Mr André Vallerand, Minister of Tourism

Introduced 11 March 1993

Passage in principle 12 May 1993

Passage 9 June 1993

Assented to 15 June 1993

Coming into force: on the date or dates to be fixed by the Government

- 10 November 1993: ss. 1 to 7
G.O., 1993, Part 2, p. 5804

Acts amended:

Tourist Establishments Act (R.S.Q., chapter E-15.1)

Act to amend the Tourist Establishments Act (1991, chapter 49)





CHAPTER 22

An Act to amend the Tourist Establishments Act and to repeal certain legislative provisions

[Assented to 15 June 1993]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. E-15.1,
s. 1, am. **1.** Section 1 of the Tourist Establishments Act (R.S.Q., chapter E-15.1) is amended by replacing the words “designed to offer” in the first line of the first paragraph by the word “offering”.

c. E-15.1,
s. 7, am. **2.** Section 7 of the said Act is amended by striking out the words “file a sworn statement and” in the second line.

c. E-15.1,
s. 11,
replaced
Refusal **3.** Section 11 of the said Act is replaced by the following sections:
“11. The Minister may refuse to issue a permit if

(1) the person applying for the permit does not meet the conditions prescribed by this Act and the regulations;

(2) the person applying for the permit has, in the last three years, been convicted of an offence under any of the provisions of this Act, the Public Buildings Safety Act (R.S.Q., chapter S-3), the Environment Quality Act (R.S.Q., chapter Q-2), the Consumer Protection Act (R.S.Q., chapter P-40.1), the Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29) or the Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30), unless he has been pardoned.

Renewal **“11.1** The Minister may suspend, cancel or refuse to renew a permit if

(1) the permit holder no longer meets the conditions prescribed by this Act and the regulations;

(2) the permit holder has, during the term of his permit, been convicted of an offence under any of the provisions of this Act, the Public Buildings Safety Act (R.S.Q., chapter S-3), the Environment Quality Act (R.S.Q., chapter Q-2), the Consumer Protection Act (R.S.Q., chapter P-40.1), the Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29) or the Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30), unless he has been pardoned.”

c. E-15.1,
s. 36, am.

4. Section 36 of the said Act is amended

(1) by adding, at the end of subparagraph 4 of the first paragraph, the following words: “according to the classes and subclasses of tourist establishments”;

(2) by replacing the words “declaration under oath” in the first line of subparagraph 5 of the first paragraph by the words “written application”;

(3) by replacing subparagraph 8 of the first paragraph by the following subparagraphs:

“(8) determine the form and tenor of a permit according to the classes and subclasses of tourist establishments, and the cases where a permit may be issued for a period of less than twelve months;

“(8.1) determine the duties payable for the issue or renewal of a permit according to the classes and subclasses of tourist establishments, the number of sleeping-accommodation units or camping sites and the period for which a permit is valid;

“(8.2) prescribe, according to the classes and subclasses of tourist establishments, non-refundable fees payable for the classification of a tourist establishment, the examination of an application for a permit, the supply and replacement of the material necessary for posting the classification of a tourist establishment and the rates fixed for sleeping-accommodations or camping sites as well as the charge payable in relation to a cheque without sufficient funds or a cheque returned by a financial institution for any other reason;”;

(4) by adding, at the end of the first paragraph, the following subparagraph:

“(16) define the expression “tourist establishment”.”;

(5) by adding, after the second paragraph, the following paragraph:

Standards “The standards adopted under subparagraphs 1, 2, 4, 5, 6, 8, 8.1, 8.2, 12 and 15 of the first paragraph which apply to a permit for the operation of a restaurant establishment shall be established jointly with the Minister of Agriculture, Fisheries and Food.”

c. E-15.1,
s. 55, am. **5.** Section 55 of the said Act is amended by adding, at the end, the following paragraph:

Minister responsible “However, the Minister of Agriculture, Fisheries and Food is responsible for the administration of section 4, the first and second paragraphs of section 6, sections 7 to 21, the first paragraph of section 30, sections 33 to 35, sections 37 to 41 and for the administration of the regulatory provisions relating to the said legislative provisions, where such legislative and regulatory provisions apply to a permit for the operation of a restaurant establishment.”

1991, c. 49,
repealed
provisions **6.** Sections 2 and 3, paragraph 1 of section 4, sections 5 to 9, paragraphs 2, 3, 4 and 5 of section 10 and section 11 of the Act to amend the Tourist Establishments Act (1991, chapter 49) are repealed.

Coming into
force **7.** The provisions of this Act will come into force on the date or dates to be fixed by the Government.