

1991, chapter 31  
**AN ACT TO AMEND THE ACT  
RESPECTING LIQUOR PERMITS**

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**Bill 144**

Introduced by Mr Claude Ryan, Minister of Public Security

Introduced 15 May 1991

Passage in principle 4 June 1991

Passage 17 June 1991

**Assented to 20 June 1991**

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**Coming into force: 20 June 1991**

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**Act amended:**

Act respecting liquor permits (R.S.Q., chapter P-9.1)





## CHAPTER 31

### **An Act to amend the Act respecting liquor permits**

*[Assented to 20 June 1991]*

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. P-9.1,  
s. 24.1,  
added

**1.** The Act respecting liquor permits (R.S.Q., chapter P-9.1) is amended by inserting, at the beginning of Chapter III, the following division:

#### **“DIVISION 0.1**

##### **“PRELIMINARY PROVISION**

Public  
tranquility

**“24.1** The Régie, in the performance of its functions and the exercise of its powers in cases involving public tranquility, may, among other factors, take into account:

(1) any noise, gathering or assembly which results or may result from the operation of the establishment that may disturb the peace in the neighbourhood;

(2) the measures taken by the applicant or permit holder for, and their efficiency in, preventing, in the establishment,

(a) the possession, consumption, sale, exchange or gift, in any manner, of a drug, narcotic or any other substance that may be held to be a drug or narcotic;

(b) the possession of a firearm or any other offensive weapon;

(c) gestures or actions of a sexual nature that may disturb the peace and related solicitation;

(d) acts of violence, including theft or mischief, that may disturb the peace of the customers or the citizens of the neighbourhood;

(e) games of chance or any wager or betting that may disturb the peace;

(f) any contravention of this Act or the regulations thereunder or of the Act respecting offences relating to alcoholic beverages;

(g) any contravention of any Act or a regulation concerning safety, hygiene or sanitation in a public place or public building;

(3) the place where the establishment is situated and, in particular, whether the sector concerned is a residential, commercial, industrial or tourist sector.”

c. P-9.1,  
s. 41, am. **2.** Section 41 of the said Act is amended by replacing the word “will” in the second line of paragraph 1 by the word “may”.

c. P-9.1,  
s. 114, am. **3.** Section 114 of the said Act is amended by striking out paragraph 8.

Decisions  
declared  
valid **4.** The decisions rendered by the Régie des permis d'alcool du Québec before 20 June 1991 in cases involving public tranquility, except decisions annulled by a court or decisions in a case pending before a court on 17 June 1991, are hereby declared valid to the extent that the invalidity of the decisions arises from an assessment of public tranquility in the absence of regulations under paragraph 8 of section 114 of the Act respecting liquor permits.

Permits and  
authoriza-  
tions The same applies to permits and authorizations issued, if any, in consequence of such decisions.

Applicabi-  
lity of  
the Act **5.** The Act respecting liquor permits, as amended by this Act, applies to every application or case pending before the Régie des permis d'alcool du Québec and also with respect to any event having occurred before 20 June 1991.

Decision However, the Régie shall decide, without consideration for public tranquility,

(1) every application or case pending before the Régie in which a party raised an objection before a court before 17 June 1991 based on the assessment of public tranquility by the Régie in the absence of regulations;

(2) every application or case referred to the Régie by a court following an objection raised before 17 June 1991 and based on the aforementioned grounds.

Coming into  
force **6.** The provisions of this Act come into force on 20 June 1991.