

1990, chapter 46

AN ACT TO AMEND THE ACT RESPECTING HORSE RACING AND OTHER LEGISLATION

Bill 6

Introduced by Mr Yvon Picotte, Minister of Agriculture, Fisheries and Food

Introduced 29 November 1989

Passage in principle 8 December 1989

Passage 7 November 1990

Assented to 21 November 1990

Coming into force: 21 November 1990

Acts amended:

Act respecting horse racing (R.S.Q., chapter C-72.1)

Act respecting lotteries, racing, publicity contests and amusement machines (R.S.Q., chapter L-6)

Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2)

Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)

Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12)

Act respecting the Société des loteries et courses du Québec (R.S.Q., chapter S-13.1)





CHAPTER 46

An Act to amend the Act respecting horse racing and other legislation

[Assented to 21 November 1990]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-72.1,
title,
replaced

1. The title of the Act respecting horse racing (R.S.Q., chapter C-72.1) is replaced by the following title:

“Act respecting racing”.

c. C-72.1,
s. 1, am.

2. Section 1 of the said Act is amended by inserting the words “to the operation of horse racing betting houses,” after the word “training,” in the second line.

c. C-72.1,
Chap. II,
heading,
replaced

3. The heading of Chapter II of the said Act is replaced by the following heading:

“COMMISSION DES COURSES DU QUÉBEC”.

c. C-72.1,
s. 2, am.

4. Section 2 of the said Act is amended by striking out the words “de chevaux” in the first line.

c. C-72.1,
s. 28, am.

5. Section 28 of the said Act is amended by replacing the word “and” in the second line by a comma and by inserting the words “or the operation of horse racing betting houses” after the word “training” in the third line of the second paragraph.

c. C-72.1,
s. 36, am.

6. Section 36 of the said Act is amended

(1) by inserting the words “the operation of horse racing betting houses,” after the word “training,” in the second line of the first paragraph;

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

Additional
functions

“As part of its functions, the Commission shall also regulate and control any other form of racing where so authorized by the Government.”

c. C-72.1,
s. 47, am.

7. Section 47 of the said Act is amended by replacing the words “or to” in the second line by a comma and by inserting the words “the operation of horse racing betting houses,” after the word “training,” in the second line.

c. C-72.1,
s. 58.1,
added

8. The said Act is amended by inserting, after section 58, the following section:

Betting
house
licence

“58.1 No person may operate a horse racing betting house unless he holds a horse racing betting house licence.”

c. C-72.1,
s. 61, am.

9. Section 61 of the said Act is amended by replacing the word “or” after the word “racing” by a comma and by inserting the words “or in a horse racing betting house” after the word “training” in the third line.

c. C-72.1,
s. 68, am.

10. Section 68 of the said Act is amended

(1) by inserting the words “or for a horse racing betting house licence” after the word “licence” in the second line of the first paragraph;

(2) by inserting the words “or horse racing betting house, as the case may be,” after the word “track” in the third line of the second paragraph;

(3) by inserting the words “or horse racing betting house, as the case may be,” at the end of subparagraph 3 of the second paragraph;

(4) by inserting the words “or horse racing betting house” before the word “is,” in the second line of the third paragraph;

(5) by inserting the words “or horse racing betting house licence” after the word “licence” in the third line of the third paragraph.

c. C-72.1,
s. 69, am.

11. Section 69 of the said Act is amended by replacing the words “licence application” in the second line of the first paragraph by the words “application for a race track licence or for a horse racing betting house licence”.

c. C-72.1,
s. 70, am.

12. Section 70 of the said Act is amended by replacing paragraph 6 by the following paragraph:

“(6) who establishes, in the case of a race track licence or horse racing betting house licence, that the race track or horse racing betting house meets the standards prescribed by the rules;”.

c. C-72.1,
s. 71, am.

13. Section 71 of the said Act is amended by replacing the word “twelve” in the first line by the word “twenty-four”.

c. C-72.1,
s. 77, am.

14. Section 77 of the said Act is amended by adding, after the second paragraph, the following paragraph:

Application
after
refusal

“If the Commission refuses to issue a licence, the applicant cannot file an application for the issue of a licence prescribed by this Act or the regulations for the performance of a function or the carrying on of an occupation or a business activity referred to in this Act before the expiry of the period fixed by the Commission, which cannot exceed five years.”

c. C-72.1,
s. 78, am.

15. Section 78 of the said Act is amended by replacing the words “lapse of one year” in the last line of the second paragraph by the words “expiry of the period fixed by the Commission, which must not exceed five years”.

c. C-72.1,
s. 103, am.

16. Section 103 of the said Act is amended

(1) by inserting the words “or horse racing betting houses” at the end of subparagraph *g* of subparagraph 2 of the first paragraph;

(2) by replacing subparagraph 12 of the first paragraph by the following subparagraph:

“(12) prescribe the standards a race track or horse racing betting house must satisfy for the purposes of the issue of a race track licence or horse racing betting house licence;”;

(3) by inserting the words “or horse racing betting houses” after the word “tracks” in the fourth line of the second paragraph.

c. C-72.1,
s. 105, am.

17. Section 105 of the said Act is amended

(1) by replacing the word “or” after the word “racing” by a comma and by inserting the words “or horse racing betting houses,” after the word “training,” in the third line of paragraph 1;

(2) by inserting, after paragraph 1, the following paragraph:

“(1.1) define the expression “betting house” with reference to horse-race betting;”;

(3) by replacing the words “and racing licences” in the second line of paragraph 3 by the words “, racing licences and horse racing betting house licences”;

(4) by inserting the words “or presented” at the end of paragraph 5.

c. L-6,
title,
replaced

18. The title of the Act respecting lotteries, racing, publicity contests and amusement machines (R.S.Q., chapter L-6) is replaced by the following title:

“Act respecting lotteries, publicity contests and amusement machines”.

c. L-6,
s. 1, am.

19. Section 1 of the said Act is amended

(1) by striking out subparagraphs *c*, *d* and *g* of the first paragraph;

(2) by striking out the words “et courses” in the first line of subparagraph *i* of the first paragraph;

(3) by striking out the words “and the word “animals” does not include horses” in the third line of the second paragraph.

c. L-6,
Chap. II,
heading, am.

20. The heading of Chapter II of the said Act is amended by striking out the words “ET COURSES”.

c. L-6,
s. 2, am.

21. Section 2 of the said Act is amended by striking out the words “et courses” in the first and second lines.

c. L-6,
s. 19, am.

22. Section 19 of the said Act is amended by striking out the word “racing,” in the fourth line.

c. L-6,
s. 20, am.

23. Section 20 of the said Act is amended

(1) by striking out subparagraphs *a* and *b* of the first paragraph;

(2) by striking out the words “of race meetings and” in the first line of subparagraph *c* of the first paragraph;

(3) by striking out the words “of race meetings and” in the first and second lines of subparagraph *d* of the first paragraph;

(4) by striking out the words “or animals” in the first and second lines of subparagraph *g* of the first paragraph;

(5) by striking out the word “racing,” in the second line of the second paragraph.

c. L-6,
s. 23, am. **24.** Section 23 of the said Act is amended by striking out paragraphs *a* and *b*.

c. L-6,
ss. 24 and
26, repealed **25.** Sections 24 and 26 of the said Act are repealed.

c. L-6,
s. 27,
replaced **26.** Section 27 of the said Act is replaced by the following section:

Prohibition **“27.** The board, in a matter referred to it, may prohibit any person from performing an act which, in its opinion, should not be performed before a decision is rendered on the matter, and it may issue any directives it considers necessary to give effect to the prohibition.”

c. L-6,
s. 28, am. **27.** Section 28 of the said Act is amended by striking out the words “or a racing judge” in the first line.

c. L-6,
ss. 29 and
30, repealed **28.** Sections 29 and 30 of the said Act are repealed.

c. L-6,
s. 31, am. **29.** Section 31 of the said Act is amended by striking out the second paragraph.

c. L-6,
s. 33, am. **30.** Section 33 of the said Act is amended by replacing the words and figures “sections 23 and 24” in the second line by the word and figure “section 23”.

c. L-6,
Chap. III,
heading, am. **31.** The heading of Chapter III of the said Act is amended by striking out the word “RACING”.

c. L-6,
s. 34, am. **32.** Section 34 of the said Act is amended

(1) by striking out the words “of racing or” in the first line of the first paragraph;

(2) by striking out the words “de même qu” in the second line of the first paragraph of the French text;

(3) by striking out the second paragraph.

c. L-6,
s. 36, am. **33.** Section 36 of the said Act is amended

(1) by replacing the words “therefor or, where such is the case, to the racing judge, by sending it or him” in the second and third lines of the first paragraph by the words “by sending it”;

(2) by striking out the words “or, as the case may be, the racing judge” in the second line of the second paragraph.

- c. L-6,
ss. 38 to
46, repealed
- 34.** Sections 38 to 46 of the said Act are repealed.
- c. L-6,
s. 55, am.
- 35.** Section 55 of the said Act is amended by striking out the figure “, 43” in the first line.
- c. L-6,
Div. III,
repealed
- 36.** Division III of Chapter III of the said Act is repealed.
- c. L-6,
s. 73,
repealed
- 37.** Section 73 of the said Act is repealed.
- c. L-6,
s. 74, am.
- 38.** Section 74 of the said Act is amended by replacing the figures and word “, 72 or 73” in the second line by the word and figure “or 72”.
- c. L-6,
s. 77, am.
- 39.** Section 77 of the said Act is amended by striking out the words “and to the rules respecting the distribution of purses to participants in a race meeting” in the first and second lines.
- c. L-6,
ss. 122 to
122.2,
repealed
- 40.** Sections 122 to 122.2 of the said Act are repealed.
- c. L-6,
s. 136.1, am.
- 41.** Section 136.1 of the said Act is amended by striking out the words “et courses” in the second line.
- c. S-13.1,
title,
replaced
- 42.** The title of the Act respecting the Société des loteries et courses du Québec (R.S.Q., chapter S-13.1) is replaced by the following title:
- “Act respecting the Société des loteries du Québec”.**
- c. S-13.1,
s. 1, am.
- 43.** Section 1 of the said Act is amended
- (1) by striking out subparagraph *a* of the first paragraph;
- (2) by striking out the words “et courses” in the first line of subparagraph *b* of the first paragraph.
- c. S-13.1,
s. 2, am.
- 44.** Section 2 of the said Act is amended by striking out the words “et courses” in the second line of the first paragraph.

c. S-13.1,
s. 16, am.

45. Section 16 of the said Act is amended by striking out the words “, if it is authorized by the Government, to hold racing meetings and to” in the second and third lines of the first paragraph.

Words
replaced

46. Unless the context indicates otherwise, in any order in council, order, regulation, by-law, contract, deed or document, the words “Commission des courses de chevaux du Québec” are replaced by the words “Commission des courses du Québec”, the words “Régie des loteries et courses du Québec” are replaced by the words “Régie des loteries du Québec”, and the words “Société des loteries et courses du Québec” are replaced by the words “Société des loteries du Québec”.

c. R-8.2,
Sched. C,
am.

47. Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2) is amended by replacing the words “The Société des loteries et courses du Québec” by the words “The Société des loteries du Québec”.

c. R-10,
Sched. I and
III, am.

48. The Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended

(1) by replacing the words “the Société des loteries et courses du Québec” in paragraphs 1 and 4 of Schedule I by the words “the Société des loteries du Québec”;

(2) by replacing the words “the Société des loteries et courses du Québec” in paragraph 1 of Schedule III by the words “the Société des loteries du Québec”.

c. R-12,
Sched. I,
III and IV,
am.

49. The Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended

(1) by replacing the words “the Régie des loteries et courses du Québec” in paragraph 2 of Schedule I by the words “the Régie des loteries du Québec”;

(2) by replacing the words “the Régie des loteries et courses du Québec” in paragraph 1 of Schedule III by the words “the Régie des loteries du Québec”;

(3) by replacing the words “the Société des loteries et courses du Québec” in Schedule IV by the words “the Société des loteries du Québec”.

Coming into
force

50. This Act comes into force on 21 November 1990.