

NATIONAL ASSEMBLY

FIRST SESSION

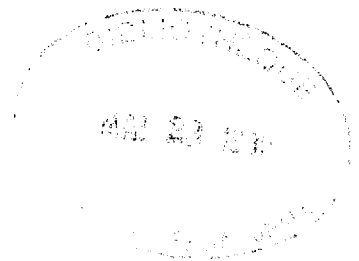
THIRTY-FOURTH LEGISLATURE

Bill 55

An Act to amend the Act respecting liquor permits and other legislation

Introduction

**Introduced by
Mr Sam L. Elkas
Minister of Public Security**



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EXPLANATORY NOTE

This bill makes various amendments to the Act respecting liquor permits and the Act respecting offences relating to alcoholic beverages, in particular with respect to promotion, advertizing and educational programs relating to alcoholic beverages, the tasting of alcoholic beverages on the premises of a grocery permit holder and the giving of alcoholic beverages.

OTHER ACT AMENDED BY THIS BILL:

– Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13).

Bill 55

An Act to amend the Act respecting liquor permits and other legislation

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 3 of the Act respecting liquor permits (R.S.Q., chapter P-9.1) is amended by inserting, after the first paragraph, the following paragraph:

“In addition, it is the function of the Régie to control promotion, advertizing and educational programs in respect of alcoholic beverages.”

2. Section 31 of the said Act is amended by adding, after the first paragraph, the following paragraph:

“A grocery permit also entitles the holder to offer free tasting in his establishment of any alcoholic beverage he is entitled to sell, on the conditions and in the circumstances determined by regulation.”

3. Section 42 of the said Act, amended by section 632 of chapter 4 of the statutes of 1990, is again amended by striking out the words “or section 33 of the Juvenile Delinquents Act (Revised Statutes of Canada, 1970, c. J-3)” in the seventh and eighth lines of subparagraph 1 of the first paragraph.

4. Section 44 of the said Act is repealed.

5. The said Act is amended by inserting, after section 77, the following sections:

“77.1 In an establishment where consumption on the premises is allowed, a permit holder shall

(1) serve beer in a manner permitting the patron to identify, on the container, the brand of beer he ordered where the beer was ordered in its original container;

(2) serve any other alcoholic beverage in its original container bearing the brand, and open it in the presence of the patron who ordered it where the beverage was ordered in its original container.

“77.2 The holder of a permit for consumption on the premises shall not, without the consent of the patron, serve him any alcoholic beverage of a brand or kind other than the one he ordered.”

6. Section 114 of the said Act is amended

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

“(1.1) determining the conditions on and circumstances in which a grocery permit holder may offer free tasting in his establishment of the alcoholic beverages he is entitled to sell;”;

(2) by replacing paragraph 12 by the following paragraphs:

“(12) establishing standards, limits, prohibitions and an approval procedure relating to promotion, advertizing and educational programs in respect of alcoholic beverages applicable in whole or in part to persons or categories of persons determined by regulation;

“(12.1) controlling the giving of alcoholic beverages by the Société des alcools du Québec, by the holder of a permit issued under this Act or the Act respecting the Société des alcools du Québec, by the agents or employees thereof or by any agent, broker or mandatary in Québec of a person who makes alcoholic beverages outside Québec;”.

7. Sections 116.1 to 117.1 of the said Act are repealed.

8. Section 83.1 of the Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1) is repealed.

9. Section 84 of the said Act is amended

(1) by replacing the words “bottles which contain alcoholic beverages” in the second and third lines of the first paragraph by the words “any container of alcoholic beverages”;

(2) by striking out the word “and” after the word “cider” in the third line of the first paragraph.

10. Section 103.3 of the said Act is amended by replacing the words “or in a hunting or fishing lodge” in the second and third lines by the words “, in a hunting or fishing lodge or on the production premises of the holder of a small-scale production permit”.

11. Section 104 of the said Act is amended by replacing paragraph *b* by the following paragraph:

“(b) to advertize or promote alcoholic beverages or offer educational programs in respect of alcoholic beverages in contravention of regulations made under paragraph 12 of section 114 of the Act respecting liquor permits.”

12. Section 108 of the said Act, amended by section 462 of chapter 4 of the statutes of 1990, is again amended

(1) by inserting, after paragraph 1.2, the following paragraph:

“(1.3) contravenes any provision of section 77.1 or 77.2 of the Act respecting liquor permits;”;

(2) by replacing the words “bottles containing” in the second line of paragraph 2 by the words “any container of”;

(3) by replacing the word “lesquelles” in the third line of paragraph 2 of the French text by the word “lequel”.

13. Section 110 of the said Act, amended by section 464 of chapter 4 of the statutes of 1990, is again amended by replacing paragraph 8 by the following paragraph:

“(8) being the holder of a grocery permit, delivers, contrary to the provisions of section 94, any alcoholic beverage authorized for sale under the permit or allows any such beverage to be consumed in his establishment or its dependencies otherwise than as provided in the second paragraph of section 31 of the Act respecting liquor permits;”.

14. Section 112 of the said Act, amended by section 466 of chapter 4 of the statutes of 1990, is again amended by replacing the words and figures “paragraph 12 or 13” in the first and second lines of paragraph 9 by the words and figures “paragraphs 12 to 13”.

15. Section 144 of the said Act is amended by replacing the word “complaint” in the second line by the word “information”.

16. Section 174 of the said Act is amended by replacing the figure “173” in the first line by the figure “172”.

17. Section 37 of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13) is amended by striking out subparagraph 6 of the first paragraph.

18. The provisions of this Act come into force on (*insert here the date of assent to this Act*).