



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-THIRD LEGISLATURE

Bill 155

**An Act to amend the Act respecting
the Société des alcools du Québec
and other legislation**

Introduction

**Introduced by
Mr Daniel Johnson
Minister of Industry and Commerce**

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EXPLANATORY NOTES

This bill first of all amends section 8 of the existing Act, which deals with the remuneration of the members of the board of directors.

Next, it specifies the powers of the corporation to make expenditures.

It also introduces a new permit for trade in home brewed alcoholic beverages and defines elements of the provisions on the manufacture of alcoholic beverages from cider and fruit juice.

Lastly, it contains provisions of concordance.

ACTS AMENDED BY THIS ACT

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

— Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1).

Bill 155

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 8 of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13) is replaced by the following section:

“8. The members of the board of directors, other than the president and managing director, shall not be remunerated except in the cases, on the conditions and to the extent which the Government may determine. They are entitled, however, to the repayment of expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.”

2. Section 20 of the said Act is replaced by the following section:

“20. In no case may the Corporation, without the authorization of the Government,

(1) make a financial commitment in excess of the limits, terms and conditions fixed by the Government;

(2) construct, acquire or assign an immovable in consideration of sums greater than the amounts determined by the Government;

(3) contract a loan which brings the total amount of its outstanding borrowings to an amount greater than that fixed by the Government.”

3. Section 24 of the said Act is amended by inserting, after the word “Commerce” in the third line of the first paragraph, the words “a small-scale production permit or”.

4. The said Act is amended by inserting, after section 24, the following section:

“**24.1** A small-scale production permit authorizes the holder, in accordance with the regulations, to

(1) make the alcoholic beverages specified in the permit and bottle them;

(2) purchase alcohol from the Corporation to blend with the alcoholic beverages he makes.

No holder of such a permit may sell the alcoholic beverages he makes except in his establishment, unless he sells and delivers them to the Corporation.

No holder of such a permit may sell the alcoholic beverages he makes to the holder of a permit issued under this Act or the Act respecting liquor permits.

The permit shall be in force for a term of not over three years fixed by the Minister of Industry and Commerce. The permit may be renewed by the Minister.”

5. Section 28 of the said Act is amended

(1) by inserting, after subparagraph 1 of the first paragraph, the following subparagraph:

“(1.1) make the other alcoholic beverages provided for by regulation by means of fermentation and bottle them;”;

(2) by replacing the word “cider” in the first line of the second paragraph by the word “products”.

6. Section 29 of the said Act is amended by inserting, after the words “only to” in the third line of the first paragraph, the words “a small-scale production permit holder or to”.

7. Section 31 of the said Act is amended by striking out the word “Industrial” in the first line.

8. Section 33 of the said Act is amended by inserting, after the words “A holder of” in the first line of the first paragraph, the words “a small-scale production permit or”.

9. Section 34 of the said Act is amended by inserting, after the word “by” in the third line of the first paragraph, the words “small-scale production permit holders or”.

10. Section 37 of the said Act is amended by replacing subparagraph 1 of the first paragraph by the following subparagraph:

“(1) determining the conditions or modalities of purchase, making, bottling, keeping, handling, storing, sale or shipping of alcoholic beverages;”.

11. Section 53 of the said Act is amended by inserting, after the words “holder of” in the first line, the words “a small-scale production permit or”.

12. Section 83 of the Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1) is amended by adding, at the end, the following paragraph:

“(5) alcoholic beverages made by the holder of a small-scale production permit issued under the Act respecting the Société des alcools du Québec, not purchased directly from the Corporation or from the permit holder.”

13. Section 92 of the said Act is amended by adding, at the end, the following paragraph:

“(f) by any person who acquired it legally from a holder of a small-scale production permit issued under the Act respecting the Société des alcools du Québec.”

14. Section 93 of the said Act is amended by adding, at the end of the first paragraph, the following subparagraph:

“(e) by a person who acquired it legally from a holder of a small-scale production permit issued under the Act respecting the Société des alcools du Québec.”

15. This Act comes into force on (*insert here the date of assent to this Act*).