

1993, chapter 39

## AN ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX AND AMENDING VARIOUS LEGISLATIVE PROVISIONS

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### Bill 84

Introduced by Mr Claude Ryan, Minister of Public Security

Introduced 8 April 1993

Passage in principle 12 May 1993

Passage 18 June 1993

**Assented to 18 June 1993**

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**Coming into force: on the date or dates to be fixed by the Government, except sections 112 and 113, which will come into force on the date of coming into force of section 640 of chapter 57 of the statutes of 1992**

- 14 July 1993: ss. 1 to 22, 23 (par. 1, 2, 4, 5, 6), 24, 25 (par. 1, 2, 3, 7), 26 to 40, 48 to 55, 56 (52.1 to 52.11, 52.13 to 52.15), 57 to 75, 77 to 97, 100 (1<sup>st</sup> par.), 101, 102, 104 to 107, 109 to 111, 114 to 117  
G.O., 1993, Part 2, p. 3961
- 27 October 1993: ss. 23 (par. 3), 25 (par. 4, 5, 6), 41 to 47, 76, 98 and 99, 100 (2<sup>nd</sup> par.), 103 and 108  
G.O., 1993, Part 2, pp. 5804-5805

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### Acts amended:

- Act respecting racing (R.S.Q., chapter C-72.1)
- Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6)
- Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14)
- Act respecting liquor permits (R.S.Q., chapter P-9.1)
- Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13)
- Act respecting the Société des loteries du Québec (R.S.Q., chapter S-13.1)





## CHAPTER 39

### **An Act respecting the Régie des alcools, des courses et des jeux and amending various legislative provisions**

*[Assented to 18 June 1993]*

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### CHAPTER I

##### INSTITUTION AND OPERATION

Establish-  
ment

**1.** A board, known as the Régie des alcools, des courses et des jeux, is hereby established.

Responsi-  
bility

**2.** The board is responsible for the carrying out of the Act respecting racing (R.S.Q., chapter C-72.1), the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6), the Act respecting liquor permits (R.S.Q., chapter P-9.1) and Division III of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13).

Functions

It shall supervise the application of the regulations relating to the lottery schemes of State casinos or to video lotteries enacted under the Act respecting the Société des loteries du Québec (R.S.Q., chapter S-13.1).

Functions

It shall advise the Minister of Public Security on any matter concerning the social impact of, and security measures necessitated by, the activities falling within the scope of the said Acts and regulations.

Commis-  
sioners

**3.** The board shall consist of thirteen commissioners, including a president and not more than two vice-presidents, appointed by the Government for a term not exceeding five years.

Supernumerary commissioners **4.** Where so required for the proper dispatch of the business of the board, the Government may appoint one or more supernumerary commissioners for a term not exceeding three years.

President **5.** The president is responsible for the administration and general direction of the board.

Interim **6.** If the president is absent or unable to act, the vice-president or, where there are two vice-presidents, the vice-president designated by the president or, failing that, by the Minister shall act as president for the interim. If the office of president is vacant, the vice-president, or where there are two vice-presidents, the vice-president designated by the Minister shall act as president for the interim.

Replacement If the president cannot be so replaced owing to the fact that the vice-presidents are both absent or unable to act or that both offices of vice-president are vacant, the Government may appoint another commissioner who shall act as president or appoint an acting commissioner.

Expiry of term **7.** A commissioner may, at the expiry of his term of office and at the request of the president, remain in office in order to conclude matters he has begun to hear and on which he has yet to rule.

Remuneration **8.** The Government shall fix the remuneration, fringe benefits and other terms of employment of the commissioners.

Remuneration Once fixed, the remuneration of a commissioner may not be reduced.

Prohibition **9.** No commissioner may, on pain of forfeiture of office, perform any duty, pursue any activity or place himself in any situation that is incompatible with the duties of his office.

Conflict of interest **10.** No commissioner may, on pain of forfeiture of office, have any direct or indirect interest in an enterprise causing his personal interest to conflict with that of the board. However, forfeiture is not incurred where such an interest devolves to him by succession or gift, provided that he renounces or disposes of it with diligence.

Prohibition **11.** No commissioner, member of the personnel of the board or person authorized to carry out a verification, inspection or inquiry or to certify machines pursuant to the Acts coming under the responsibility of the board, may, personally or through a third person, take part in a race wager, lottery scheme, publicity contest, game or other activity governed by those Acts.

**Exception** However, such prohibition does not apply in the case of a lottery scheme conducted and managed by the Société des loteries du Québec unless it is a casino lottery scheme or a video lottery.

**Secretary** **12.** The secretary and other members of the personnel of the board, with the exception of those referred to in the second paragraph of section 48 of the Act respecting racing, shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

**Immunity** **13.** The board, the commissioners, the members of the personnel of the board, the persons authorized to act in matters of verification or inspection and racing judges or paddock judges to whom the board has delegated powers may not be prosecuted by reason of an official act accomplished in good faith in the performance of their duties.

**Head office** **14.** The board shall have its head office and two offices at the places determined by the Government, the head office, at which shall be located one of the offices, being located in the territory of the Communauté urbaine de Québec.

**Territory** Unless otherwise decided by the Government, one of the offices shall serve the territory formed by the judicial districts under the jurisdiction of the Court of Appeal sitting at Montréal, and the other the territory formed by the judicial districts under the jurisdiction of the Court of Appeal sitting at Québec.

**Head office** Notice of the location and of any change in location of the head office or an office, and of any change in the territory served by an office, shall be published in the *Gazette officielle du Québec*.

**Sittings** **15.** The board may sit at any place in Québec.

**Quorum** Seven commissioners constitute a quorum at plenary sessions of the board.

**President** Such a session shall be presided over by the president or a vice-president or, in their absence, by the commissioner designated by the president.

**Tie-vote** In the case of a tie, the person presiding over the session shall have a casting vote.

**Rules of internal management** **16.** Rules for internal management may be adopted by the board in plenary session. Such rules shall be submitted to the Government for approval.

- Minutes**      **17.** The minutes of the sittings of the board approved by it and signed by the president, the secretary, or any other person designated by the board are authentic. The same rule applies to documents or copies emanating from the board or forming part of its records and copies of such documents, if they are signed or certified true by the president, the secretary or any other person designated by the board.
- Signature**      **18.** No act, document or writing is binding upon the board, or may be attributed to it, unless it is signed by the president, a vice-president, the secretary or a commissioner or a personnel member designated by the board and only, in the last two cases, to the extent determined by the Government.
- Signature**      The Government may, on the conditions and for the documents it determines, allow the required signature to be affixed by means of an automatic device. It may also allow a facsimile of such signature to be engraved, lithographed or printed on such documents, subject to certification of the facsimile by the countersignature of a person authorized by the president.
- Registers**      **19.** The board shall maintain at each of its offices, for the territory served by the office, registers for the licence applications, licences and registration attestations provided for in the Act respecting racing, and for the property and information referred to in section 87 of the said Act, together with a register of the licence applications presented under the Act respecting lotteries, publicity contests and amusement machines.
- Registers**      The registers shall be public and open for consultation during office hours.
- Records**      The board shall also keep, for the purposes of the Act respecting liquor permits, records relating to all permits in force and to every application for a permit regarding which no decision has been made.
- Fiscal year**      **20.** The fiscal year of the board shall end on 31 March.
- Report of activities**      **21.** The board shall forward to the Minister, not later than 30 September, a report of its activities for the preceding fiscal year.
- Tabling**      The Minister shall table the report before the National Assembly within 60 days of receiving it or, if the National Assembly is not sitting, within thirty days of resumption.
- Documents on board's activities**      **22.** The president of the board must provide the Minister with any other report, information or document relating to the board's activities that the Minister requires.

## CHAPTER II

## FUNCTIONS AND POWERS

Functions **23.** In the pursuit of its mission, the board shall exercise functions which include

(1) issuing, suspending or revoking the permits, licences, authorizations and registration attestations prescribed under any of the Acts coming under the board's responsibility, subject to the second paragraph of section 34 of the Act respecting lotteries, publicity contests and amusement machines;

(2) establishing the conditions attached to such permits and licences and monitoring their use;

(3) regulating and supervising horse racing, racehorse breeding and training, the operation of horse racing betting houses and, where so authorized by the Government, any other race;

(4) regulating and supervising publicity contests, amusement machines, video lotteries, State casinos and the lottery schemes operated in those casinos and, where so authorized by the Government, any other lottery schemes not operated by the Société des loteries du Québec;

(5) seeing to the protection and safety of the public during activities governed by the Act respecting racing or the Act respecting lotteries, publicity contests and amusement machines;

(6) monitoring advertising and educational programs relating to alcoholic beverages and to activities governed by the Act respecting racing and the Act respecting lotteries, publicity contests and amusement machines.

Agreements **24.** For the purposes of its functions, the board may, according to law, enter into agreements with a government other than that of Québec, a department of such a government, an international organization, an agency of such a government or organization, or any other person.

Agreement For the same purpose it may, in addition, with the authorization of the Minister, enter into an agreement with a department or agency of the Gouvernement du Québec.

Exclusive jurisdiction **25.** The board has exclusive jurisdiction

(1) to rule on any matter concerning the permits, licences, authorizations and registrations prescribed under any of the Acts coming under the board's responsibility, subject to the second paragraph of section 34 of the Act respecting lotteries, publicity contests and amusement machines;

(2) to hear and decide a dispute between a person participating in a publicity contest and the person or body for whose benefit the contest is being held, between a person utilizing an amusement machine or video lottery machine and the holder of the licence relating to that machine, or between a person participating in another lottery scheme and the holder of the licence relating to that scheme, in respect of the organization and conduct of, or awarding of prizes under, a lottery scheme or publicity contest and the mode of operation of an amusement machine;

(3) to hear and decide any dispute between the organizer of a bingo game and the person or body for whose benefit the bingo game is organized, with respect to the organization, conduct or apportionment of the profits of a bingo game;

(4) to review, in the cases referred to in sections 53 and 54 of the Act respecting racing, any decision made by a racing judge or a paddock judge, and to render the decision that in its judgment should have been rendered in the first place;

(5) in cases of rule violation determined under subparagraph 1 of the first paragraph of section 103 of the Act respecting racing, to withdraw or disqualify a horse from a race or set it back in the order of finish, refuse its entry in a race or invalidate an offer to purchase a horse having taken part in a race;

(6) in cases of rule violation determined under subparagraph 21 of the first paragraph of section 103 of the Act respecting racing, to impose an administrative measure on a person who organizes, holds or takes part in an activity governed by the Act respecting racing or the holder of a registration attestation issued under section 81 of the said Act, and to confiscate any amount deposited as security;

(7) to adjudicate and collect the fees prescribed for any procedural act or the hearing of any matter brought before it.

#### Decisions

**26.** The decisions of the board shall be made in plenary session, by a division of at least two commissioners, or by a commissioner or a member of the personnel designated by the president.

Decisions **27.** Decisions must be made in plenary session or by a division of commissioners designated by the president, of whom one shall be an advocate where

(1) the board is acting under the Act respecting racing or the Act respecting the Société des alcools du Québec;

(2) it is acting in matters concerning video lottery under the Act respecting lotteries, publicity contests and amusement machines;

(3) the public interest or public tranquility may be involved, pursuant to the Act respecting liquor permits;

(4) it is reviewing a decision under section 37 or the decision of a racing judge or paddock judge under section 53 or 54 of the Act respecting racing.

Tie In the case of a tie, the matter before the division shall be referred to the president so that he may refer it to another division.

Hearing **28.** One commissioner may, in the name of the board, hear and decide

(1) any question of procedure;

(2) the cases and applications presented under the Act respecting liquor permits, with the exception of those involving public interest or public tranquility;

(3) the cases and licence applications determined by the rules of the board on the basis of the categories of licences prescribed under the Act respecting lotteries, publicity contests and amusement machines, except licence applications relating to video lotteries.

Decisions by one member of the personnel of the board **29.** A member of the personnel of the board may, in the name of the board, decide alone

(1) licence applications presented under the Act respecting lotteries, publicity contests and amusement machines determined by the rules of the board, except licence applications relating to video lotteries;

(2) applications presented under the Act respecting liquor permits for reunion permits, grocery permits or cider seller's permits or for voluntary revocation or discontinuance, and applications referred to in paragraph 4 of section 97 of the said Act;



(3) any other permit application under the Act respecting liquor permits where, in accordance with the fourth paragraph of section 50 of that Act, the board is not called upon to take the public interest or public tranquility into consideration;

(4) applications for temporary authorization to use a permit, or the renewal thereof, presented under the Act respecting liquor permits, except in the cases provided for in the fourth paragraph of section 79 of that Act.

**Revocation of permit** The member may also ascertain the revocation of a permit by operation of law.

**Referral** However, upon ascertaining that he would be exercising discretionary powers, the member of the board's personnel must refer the case to the president in order that it be decided in plenary session, by a division or by a commissioner alone, as the case may be.

**Referral** In addition, the president may, at any time, relieve a member of the board's personnel of a case in order that it be decided in such a manner.

**Board of review** Furthermore, at the request of a person whose application is refused, the case shall be referred to the board for review.

**Powers and immunity** **30.** The board, the commissioners, members of the board's personnel designated under section 29 and the persons authorized to make inquiries are vested with the powers and immunity of a commissioner appointed under the Act respecting public inquiry commissions (R.S.Q., chapter C-37) except the power to order imprisonment.

**Powers** **31.** The board may adopt rules of proof, procedure and practice applicable to the conduct of its inquiries and hearings and those held by a racing judge or paddock judge to whom it has delegated powers. It may, in the same manner, prescribe fees for any proceedings or hearing taking place before it or before such a judge.

**Powers** The board may also adopt rules to determine the cases and licence applications presented under the Act respecting lotteries, publicity contests and amusement machines that may be decided by a commissioner alone or by a member of its personnel.

**Approval** Every rule shall be submitted to the Government for approval.

**Substitution** **32.** In the absence of provisions applicable to a particular case, the board may substitute any measure compatible with the applicable Act and the rules of proof, procedure and practice.

Report

**33.** The board may accept, in lieu of the testimony of a person responsible for supervising the application of the Act respecting racing, the Act respecting lotteries, publicity contests and amusement machines, the Act respecting liquor permits, the Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1) or the Act respecting the Société des alcools du Québec, a report made and signed by that person according to a model approved by the Government. It may also accept, in lieu of the testimony of a chemist of the Société des alcools du Québec or a person from the laboratory under the responsibility of the Minister, a report made and signed by such expert.

Report

However, a person may require the presence of the person who made and signed the report by summoning him at his own expense. The expenses shall be reimbursed to him unless the board considers that mere production of the report would have sufficed.

Rights of parties

**34.** In order to safeguard the rights of the parties in a case brought before it, the board may forbid or order any person to perform an act which, in its opinion, should or should not be performed before the matter has been disposed of.

Decision

**35.** Except where the law provides otherwise or in order to grant an uncontested application, the board may not render a decision unless the interested persons have been given an opportunity to be heard.

Representation

However, the board may require that, in order to be heard, a group of persons referred to in section 36.2 of the Act respecting lotteries, publicity contests and amusement machines or in section 99 of the Act respecting liquor permits, establish its representative nature.

Final decision

**36.** Each final decision of the board in a case shall be in writing and include the reasons on which it is based.

Decision

The decision shall be signed by the persons who rendered it and shall form part of the board's records.

Decision

**37.** Subject to any contrary provision of law, the board may review or revoke any decision it has rendered and from which an appeal has not been brought

(1) when a new fact is discovered which, if it had been known in due time, might have justified a different decision;

(2) where a party was unable, for reasons considered sufficient, to be heard;

(3) where a substantive or procedural defect is likely to invalidate the decision.

Decision In cases to which subparagraph 3 of the first paragraph applies, the decision must be reviewed or revoked by a person other than the person who rendered it.

Decision **38.** No decision of the board shall be nullified for a defect of form.

Rectification If it contains an error in writing or computation or any other clerical error or if, as a result of manifest oversight, it grants more than what was applied for or omits to rule on part of the application, it may be rectified with no further formality by the persons who rendered it, as may a decision by a racing judge or paddock judge to whom powers are delegated by the board.

Decision **39.** Except where otherwise provided by law, every decision of the board is final and is not subject to appeal.

Decision The decision is executory once the parties have received a copy of it or from the time indicated therein, provided that the parties have previously received a copy or that they have been otherwise notified. In cases of suspension or revocation of a permit issued under the Act respecting liquor permits, service of the decision may be made on any reasonable person working in the establishment to which the permit applies.

Filing However, a decision ordering the payment of a sum of money or prohibiting or ordering the performance of an act must, when it has become final, be filed in the office of the prothonotary of the Superior Court or the office of the clerk of the Court of Québec of the judicial district of the place where the matter originated according to their respective jurisdictions, taking into account the amount involved. The decision may then be executed as a final and non appealable judgment of the Superior Court or the Court of Québec, as the case may be, and shall have all the effects thereof.

Recourses **40.** Except in respect of a matter of jurisdiction, none of the extraordinary recourses provided in articles 33 and 833 to 846 of the Code of Civil Procedure (R.S.Q., chapter C-25) may be exercised and no injunction may be granted against the board, a commissioner, a

member of the board's personnel designated pursuant to section 29 or a racing judge or paddock judge to whom powers are delegated by the board, acting in their official capacity.

Decision

A judge of the Court of Appeal may, upon a motion, annul summarily any decision rendered or order or injunction pronounced contrary to the first paragraph.

## CHAPTER III

### AMENDING PROVISIONS

#### ACT RESPECTING RACING

c. C-72.1,  
Chap. II,  
repealed **41.** Chapter II of the Act respecting racing (R.S.Q., chapter C-72.1) is repealed.

c. C-72.1,  
s. 52, am. **42.** Section 52 of the said Act is amended by replacing the figures and word "41 to 44" in the first line by the figures and words "34, 36, 38 and 39 of the Act respecting the Régie des alcools, des courses et des jeux (1993, chapter 39)".

c. C-72.1,  
s. 79,  
repealed **43.** Section 79 of the said Act is repealed.

c. C-72.1,  
ss. 86 and  
89, am. **44.** Sections 86 and 89 of the said Act are amended by replacing the words "The Commission may, after giving the applicant or holder, as the case may be, the opportunity to state his views," in the first and second lines by the words "The board may".

c. C-72.1,  
s. 101, am. **45.** Section 101 of the said Act is amended

(1) by replacing the words "The Commission or any person it designates" in the first line of the first paragraph by the words "The board or any person it or the Minister authorizes";

(2) by replacing the words "the Commission" in the second line of the second paragraph by the words "the board or the Minister, as the case may be".

c. C-72.1,  
s. 103, am. **46.** Section 103 of the said Act is amended

(1) by replacing the words "The Commission may, in addition to the rules made under sections 26 and 45," in the first and second lines of the first paragraph by the words "The board may";

(2) by striking out subparagraph 20 of the first paragraph.

c. C-72.1,  
s. 144, am. **47.** Section 144 of the said Act is amended by replacing the words “Agriculture, Fisheries and Food” in the first line by the words “Public Security”.

## ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

c. L-6, s. 1,  
am. **48.** Section 1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6), amended by section 1 of chapter 75 of the statutes of 1991, is again amended

(1) by inserting the words “but not a video lottery machine” after the word “skill” in the second line of subparagraph *a* of the first paragraph;

(2) by inserting, after subparagraph *a* of the first paragraph, the following subparagraphs:

“video  
lottery  
machine” “(a.1) “video lottery machine” means, with the exception of machines used by the Société des loteries du Québec in operating lottery schemes not governed by this Act, slot machines within the meaning of the Criminal Code (R.S.C. (1985) chapter C-46) and any machine or apparatus operated by or with the assistance of computers, electronic visualizing devices or mechanical or electromechanical devices which offer games, means, schemes or devices or other activities mentioned in paragraphs *a* to *g* of subsection 1 of section 206 of the Criminal Code;

“State  
casino” “(a.2) “State casino” means either an establishment occupied or used by the Société des loteries du Québec to conduct and manage casino lottery schemes or an establishment of which the Société des loteries du Québec or one of its subsidiaries is the owner or lessee where it operates video lottery machines;”;

(3) by replacing subparagraph *i* of the first paragraph by the following subparagraph:

“board” “(i) “board” means the Régie des alcools, des courses et des jeux, established under the Act respecting the Régie des alcools, des courses et des jeux (1993, chapter 39);”;

(4) by inserting, after subparagraph *k* of the first paragraph, the following subparagraph:

“video  
lottery  
scheme” “(l) “video lottery scheme” means a lottery scheme in which games are offered through video lottery machines which are linked to a central control computer, except if operated in a State casino.”

c. L-6,  
Chap. II,  
am. **49.** Chapter II of the said Act is amended

(1) by replacing its heading by the words “REGULATORY POWERS OF THE BOARD”;

(2) by striking out Division I, the words “DIVISION II — FUNCTIONS AND POWERS OF THE BOARD” and section 19.

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

**50.** Section 20 of the said Act is amended

(1) by replacing the word “The” in the first line of the first paragraph by the words “Except with respect to video lotteries and State casinos, the”;

(2) by inserting, after subparagraph *k* of the first paragraph, the following subparagraphs:

“(l) the reports that licence holders must submit, the form of such reports and the information that the reports must contain, which may vary according to the categories of licences;

“(m) the registers and financial statements that licence holders must keep, the information that such documents must contain and the standards relating to the disposal of the amounts collected by licence holders, which may vary according to the categories of licences.”;

(3) by inserting the words “Subject to the same restriction,” before the word “It” in the first line of the second paragraph;

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

Approval

“Every rule shall be submitted to the Minister for approval.”

c. L-6,  
ss. 20.1 and  
20.2, added

**51.** The said Act is amended by inserting, after section 20, the following sections:

Rules

**“20.1** With respect to video lotteries operated elsewhere than in a State casino, the board may make rules to

(a) determine the conditions for obtaining a prescribed licence and the standards, restrictions or prohibitions relating to their use;

(b) determine the conditions for obtaining an authorization to transport machines;

(c) determine the categories of prescribed licences or the cases where notice of an application for a licence must be published in newspapers;

(d) determine the types, components, specifications and mode of operation of video lottery machines;

(e) determine the categories of establishments where such machines may be operated, the places where such establishments may be situated as well as the location of such machines within the establishments;

(f) determine, for each category of licence, the number of machines that a licence holder may have in his possession;

(g) determine the conditions relating to the participation of players;

(h) determine the reports that licence holders must submit, the form of such reports and the information that the reports must contain, which may vary according to the categories of licences;

(i) determine the registers and financial statements that licence holders must keep, the information that such documents must contain and the standards relating to the disposal of the amounts collected by licence holders, which may vary according to the categories of licences;

(j) establish standards, restrictions and prohibitions relating to the promotion or advertising of video lotteries;

(k) establish standards relating to video lottery educational programs;

(l) establish standards relating to the maintenance of public order and to the safety of persons on premises where video lottery activities are taking place;

(m) establish standards relating to the transport of video lottery machines.

Standards      In establishing the standards referred to in subparagraphs *a*, *g*, *j* and *k* of the first paragraph, the board may take into account the age, Canadian citizenship, place of residence, morality and judicial antecedents of a person.

Approval      Every rule shall be submitted to the Government for approval. The rules referred to in subparagraph *d* of the first paragraph shall be submitted to the Government on the joint recommendation of the Minister of Public Security and the Minister of Finance.

Rules          “**20.2** With respect to State casinos, the board may make rules to

(a) establish, so as to ensure that activities are exercised under the best possible conditions of safety and morality, the conditions that

must be met by persons belonging to the categories it determines among those working in a casino, performing duties connected with the casino, entrusted with the training of such persons or supplying goods or services to the casino or to the patrons as well as the directors or employees of such persons;

(b) determine the intervals between the inspections of the gaming machines and electronic equipment to which section 52.15 applies;

(c) determine a procedure for the identification of such machines;

(d) establish standards, restrictions or prohibitions relating to promotion, advertising and lodging and transportation packages;

(e) establish standards relating to educational programs regarding casino lottery schemes;

(f) fix the days and hours when the public may be admitted into a casino;

(g) prescribe the conditions for admission into a casino and the grounds for exclusion;

(h) establish standards relating to the maintenance of public order and the safety of persons in State casinos and their appurtenances.

Rules and standards

The board may make distinctions with respect to any of the rules according to the categories of persons or establishments. In establishing the standards referred to in subparagraphs *a*, *d*, *e* and *g* of the first paragraph, the board may take into account the successful completion of a training course and the age, Canadian citizenship, place of residence, morality and judicial antecedents of a person; in establishing the standards referred to in subparagraph *a* of the first paragraph, the board may provide for fingerprints and photographs to be taken which will be destroyed if no contract for the hiring of personnel or the supply of goods or services is awarded or, if a contract is awarded, at the end of that contract.

Approval

Every rule shall be submitted to the Government for approval. The standards relating to the maintenance of public order and the safety of persons shall be submitted for approval on the joint recommendation of the Minister of Public Security and the Minister of Finance."

c. L-6,  
ss. 21, 22,  
23, 27, 28,  
31, 32 and  
33, repealed

**52.** Sections 21, 22, 23, 27, 28, 31, 32 and 33 of the said Act are repealed.



c. L-6,  
s. 34, am.

**53.** Section 34 of the said Act is amended

(1) by inserting the words “, video lottery machines” after the word “machines” in the first line;

(2) by inserting the words “under this Act or the regulations thereunder” after the word “prescribed” in the second line.

c. L-6,  
ss. 36.1 and  
36.2, added

**54.** The said Act is amended by inserting, after section 36, the following sections:

Licence  
application

**“36.1** Where the board receives a licence application for which publication is prescribed by the rules it shall, before making a decision,

(1) publish, at the expense of the applicant, a notice in a newspaper circulated in the territory of the local municipality where the establishment for which the licence to be used will be situated;

(2) inform the secretary-treasurer or the clerk of the municipality.

Notice

The notice shall indicate the name of the applicant, the nature of the application and the place where the licence is to be used. It shall also indicate the address of the office of the board to which objections or interventions must be sent.

Objection

**“36.2** Any person, partnership or group of persons described in article 60 of the Code of Civil Procedure (R.S.Q., chapter C-25) may, within fifteen days after publication of the notice, object to the issue of the licence by sending to the board a sworn written statement setting out the grounds for opposition or, if an objection has been filed, intervene in favour of the application, within thirty days after publication of that notice.

Minister's  
intervention

The Minister may, within the same time limits, intervene *pleno jure*.”

c. L-6,  
ss. 37 and  
51, repealed

**55.** Sections 37 and 51 of the said Act are repealed.

c. L-6,  
ss. 52.1-  
52.14, added

**56.** The said Act is amended by inserting, after section 52, the following divisions:

## "DIVISION I.1

## "VIDEO LOTTERY

Registration number      **"52.1** No person may have in his possession a video lottery machine unless it is identified by means of a registration number assigned by the board.

Property      **"52.2** No person may operate a video lottery machine unless it is the property of the Société des loteries du Québec or one of its subsidiaries and unless it is linked to the central computer control of a video lottery scheme established and managed by the Société.

Licence      **"52.3** No person may manufacture, assemble, install, maintain, repair, sell or otherwise alienate, purchase or otherwise acquire, operate or otherwise possess or have in his possession a video lottery machine unless he holds a licence issued for such purpose.

Licence      In the case of a legal person, the issue or maintenance of the licence is subject to the obligation that, in addition to the legal person, each person determined by regulation meets the conditions of the licence.

Machines      **"52.4** No licence holder may have in his possession a greater number of machines than that authorized in his licence.

Establishment      **"52.5** A video lottery machine shall not be operated elsewhere than in a State casino or such other establishment as is determined by the rules. Within such other establishment, a machine shall not be situated elsewhere than in the place determined by the rules.

Transport      **"52.6** The transport of video lottery machines that are to be delivered in Québec may be carried out only by a holder of the licence referred to in section 52.3, who must obtain the authorization of the board on the conditions determined by its rules and upon payment of the prescribed duties.

Transport      This section shall not be interpreted so as to prohibit the transport of video lottery machines in transit; however, where such transport takes place without a bill of lading indicating the destination outside Québec of such machines, there shall be an irrebuttable presumption that they are to be delivered in Québec.

Applicability      **"52.7** Sections 52.1 and 52.2 do not apply to video lottery machines operated in a State casino, which must nevertheless bear an identification number assigned in accordance with the rules of the board.

**Dispensation** Furthermore, the board, on the conditions it determines, may dispense the holder of a licence issued for the manufacture or assembly of video lottery machines from the obligation of registration set out in section 52.1.

**Applicability** “**52.3** Sections 52.3 and 52.6 do not apply to the Société des loteries du Québec or to its subsidiaries, but the Société and its subsidiaries must inform the board of their intentions before commencing an activity that falls within the scope of those provisions.

**Dispensation** The board may also, on the conditions it determines, dispense a person bound by a contract with the Société or with one of its subsidiaries for the supply of goods or services relating to video lottery machines from the obligations set out in the said sections.

**Prohibition** “**52.9** No administrator of the Société des loteries du Québec or a subsidiary of the Société having objects which relate to the video lottery scheme established and operated by the Société, and no personnel member who is assigned to the scheme may, personally or through a third person, play a machine which is a part of the scheme.

“DIVISION I.2

“STATE CASINO

**Contracts** “**52.10** No contract for the hiring of personnel or the supply of goods or services may be awarded by the Société des loteries du Québec in connection with the operation of a State casino to a contracting party to which a rule adopted pursuant to subparagraph *a* of the first paragraph of section 20.2 applies unless the board has verified that the contracting party and, where applicable, its directors and employees meet the conditions that are applicable to them under the said rule.

**Contracts** The same requirement applies to the awarding of such contracts by a subsidiary of the Société des loteries du Québec.

**Exception** It does not apply to the awarding of contracts for the hiring of personnel or the supply of goods or services by the Société des loteries du Québec to one of its subsidiaries. However, the board shall verify that the directors of such a subsidiary meet the conditions prescribed by the said rule and shall report to the Minister.

**Verification** Such verification may also be made in the course of a contract. If the board ascertains that the prescribed conditions are not met, the Société des loteries du Québec or, where applicable, its subsidiary, shall take all measures necessary to remedy the situation, in particular

by transferring the employee, resiliating his contract or giving a formal notice to the supplier requiring him to take similar measures with respect to the persons concerned; the supplier is thereby authorized to take such measures.

Verification **"52.11** Any verification under section 52.10 shall be carried out by a member of the Sûreté du Québec who is authorized by the Minister.

Results **"52.12** The board shall inform the Société des loteries du Québec and, where applicable, the subsidiary of the results of the verification; the board shall mention any conditions that have not been complied with.

Certificate The board shall issue a certificate to every person who meets the conditions prescribed.

Prohibition **"52.13** No director of the Société des loteries du Québec, no director of a subsidiary having objects which relate to State casinos, and no personnel member who is assigned to a State casino may, personally or through a third person, participate in a casino lottery scheme.

Prohibition The same prohibition applies to members of the Sûreté du Québec or other police forces who, by reason of the duties assigned to them, may be called upon to intervene on premises where a State casino is operated.

Video surveillance **"52.14** To ascertain compliance with this Act, the rules or regulations thereunder or the by-laws adopted under section 13 of the Act respecting the Société des loteries du Québec, the premises in which a State casino is operated may be placed under video surveillance."

c. L-6,  
Chap. III,  
Div. II,  
heading,  
replaced  
**57.** The heading of Division II of Chapter III of the said Act is replaced by the heading "INSPECTION AND REGISTRATION OF MACHINES".

c. L-6,  
s. 52.15,  
added  
**58.** The said Act is amended by inserting, before section 53, the following section:

Inspection **"52.15** The Société des loteries du Québec shall, prior to their acquisition and, subsequently, at the intervals determined by the rules of the board or whenever so requested by the board, cause the gaming machines and electronic equipment directly linked to the lottery schemes that it operates in a State casino, except those that are not governed by this Act, to be inspected and certified by a

laboratory which is under the responsibility of the Minister to ensure that they operate solely on the basis of chance and that the gaming machines are adequate.

Inspection The same obligation applies to the Société des loteries du Québec and the licence holders as regards other video lottery machines, before they are registered and also whenever so requested by the board."

c. L-6,  
s. 54, am. **59.** Section 54 of the said Act is amended by replacing the figure "53" in the first line by the figures and word "52.1 or 53".

c. L-6,  
s. 55, am. **60.** Section 55 of the said Act is amended

(1) by replacing the figures and words "and 49 to 52" in the first line by the figures and word ", 49, 50 and 52";

(2) by replacing the figure "53" in the second line by the figures and word "52.1 or 53".

c. L-6,  
s. 68, am. **61.** Section 68 of the said Act is amended

(1) by replacing the words "A person authorized by the board" in the first line of the first paragraph by the words "A member of the personnel of the board authorized by the president and, at the request of the board, any member of a police force authorized for such purposes by the Minister or any member of the Sûreté du Québec";

(2) by replacing the words "The person so authorized by the board" in the first line of the second paragraph by the words "A person acting pursuant to the first paragraph";

(3) by striking out the last paragraph.

c. L-6,  
ss. 68.1 and  
68.2, added **62.** The said Act is amended by inserting, after section 68, the following sections:

Powers **"68.1** To ascertain compliance with this Act, the rules or regulations thereunder or the by-laws adopted under section 13 of the Act respecting the Société des loteries du Québec, a member of the personnel of the board authorized by the president may

(1) at any reasonable time, enter a State casino or any of its appurtenances and make an inspection;

(2) at any reasonable time, examine any property found therein which relates to the activities of the State casino;

(3) at any reasonable time, examine and make copies of the books and other documents which relate to the State casino;

(4) demand any other information which relates to the application of the provisions of this Act, the rules and regulations thereunder or the by-laws relating to the lottery schemes of State casinos or to video lotteries adopted under section 13 of the Act respecting the Société des loteries du Québec, as well as the production of any relevant document or video tape;

(5) require any person on the premises to assist him and, to this end, to accompany him on the premises.

Certificates

**“68.2** Any person authorized to carry out a verification, an examination or an inspection must, if it is so requested, produce a certificate issued by the board which attests to the person’s capacity.”

c. L-6,  
s. 71,  
replaced

**63.** Section 71 of the said Act is replaced by the following section:

Inquiry

**“71.** The board or any person authorized by the board or the Minister may inquire into any matter within the scope of this Act, the rules or regulations thereunder or the by-laws relating to the lottery schemes of State casinos or video lotteries adopted under section 13 of the Act respecting the Société des loteries du Québec.”

c. L-6,  
s. 73.1,  
added

**64.** The said Act is amended by inserting, before section 74, the following section:

Violation

**“73.1** The board shall inform the Société des loteries du Québec of any violation of a provision of this Act, the rules or regulations thereunder or the by-laws adopted under section 13 of the Act respecting the Société des loteries du Québec relating to the lottery schemes of State casinos or video lotteries and may make any useful recommendation and require that it be informed of the measures taken to remedy the situation.

Notice

If no satisfactory measure has been taken within the time fixed by it, the board shall notify the Minister of Public Security and the Minister of Finance in writing.”

c. L-6,  
s. 74, am.

**65.** Section 74 of the said Act is amended by inserting the words “or the Minister, as the case may be,” after the word “board” in the second line.

c. L-6,  
s. 77, am.

**66.** Section 77 of the said Act is amended by replacing the words “the board” in the third line by the words “the Court”.

c. L-6,  
s. 77.1,  
added

**67.** The said Act is amended by inserting, after section 77, the following section:

Delivery

**“77.1** Property which has been seized and confiscated shall be delivered to the board.”

c. L-6,  
s. 80,  
repealed

**68.** Section 80 of the said Act is repealed.

c. L-6,  
Chap. VI,  
heading,  
replaced

**69.** The heading of Chapter VI of the said Act is replaced by the words “REGULATORY POWERS OF THE GOVERNMENT”.

c. L-6,  
s. 119, am.

**70.** Section 119 of the said Act, amended by section 5 of chapter 75 of the statutes of 1991, is again amended

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

“(b.1) determine, where a legal person is required to hold a licence relating to video lotteries, the persons who must also meet the conditions for the issue and maintenance of a licence;”;

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

“(c) prescribe the amount of duties that a person applying for a licence or authorization must pay, which may vary according to the categories of licences and, in the case of a licence relating to video lotteries, according to the number of machines authorized by that licence;”;

(3) by inserting, after subparagraph *c* of the first paragraph, the following subparagraph:

“(c.1) prescribe the fees that a laboratory may charge for an inspection and certification under section 52.15;”;

(4) by inserting, after subparagraph *f* of the first paragraph, the following subparagraph:

“(g) determine, for each game, the rate of return of a video lottery other than a video lottery operated in a State casino.”;

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

Regulations

“The regulation under subparagraph *g* of the first paragraph shall be made on the joint recommendation of the Minister of Public Security and the Minister of Finance.”

c. L-6,  
s. 120, am.

**71.** Section 120 of the said Act is amended

(1) by replacing the words “The regulations and rules made under this act come into force on the date of their publication in the *Gazette officielle du Québec* or on any later date fixed therein. However, the regulations concerning sections 34, 53, 54 and 57” in the first, second, third and fourth lines by the words “The regulations concerning sections 34, 53 and 54”;

(2) by striking out the words “; no such regulation may, however, apply to a date preceding 1 January 1979” in the sixth and seventh lines.

c. L-6,  
s. 121, am.

**72.** Section 121 of the said Act is amended

(1) by replacing the words “or amusement machines” in the second line by the words “, amusement machines or video lottery machines”;

(2) by adding the following paragraph:

Fine

“However, in the case of an offence under section 52.1, 52.2 or 52.3, the fine shall not be less than \$500 and not more than \$50 000; in the case of a second offence, the fine shall not be less than \$1 500 and not more than \$75 000, and for any subsequent offence, the fine shall not be less than \$5 000 and not more than \$100 000.”

c. L-6,  
s. 121.0.1,  
added

**73.** The said Act is amended by inserting, after section 121, the following section:

Confiscation

**“121.0.1** Where property is seized under this Act, the Court may order its confiscation on proof that the Act or the rules or regulations thereunder have been contravened.

Confiscation

Except as otherwise provided under this Act, the Attorney General must apply to the Court for confiscation of all that may be confiscated under this Act.”

c. L-6,  
s. 123.1,  
added

**74.** The said Act is amended by inserting, after section 123, the following section:

Applicability

**“123.1** This chapter does not apply to the Société des loteries du Québec.”

c. L-6,  
s. 138, am.

**75.** Section 138 of the said Act is amended by replacing the words “Revenue is responsible for the application” in the first line by the words “Public Security is responsible for the administration”.



## ACT RESPECTING THE MINISTÈRE DE L'AGRICULTURE, DES PÊCHERIES ET DE L'ALIMENTATION

c. M-14,  
s. 2, am.

**76.** Section 2 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14) is amended by replacing subparagraph 8 of the first paragraph by the following subparagraph:

“(8) he shall be responsible for promoting and assisting the racehorse breeding, horse racing and racehorse training industry; in particular, he may, for these purposes and on the conditions he determines, grant purses, subsidies, loans or advances, pay premiums, allowances or indemnities or carry out or commission improvement, development or equipment work.”

## ACT RESPECTING LIQUOR PERMITS

c. P-9.1,  
Chap. II,  
repealed

**77.** Chapter II of the Act respecting liquor permits (R.S.Q., chapter P-9.1) is repealed.

c. P-9.1,  
s. 24.1, am.

**78.** Section 24.1 of the said Act is amended by inserting, after subparagraph *f* of paragraph 2, the following subparagraph:

“(f.1) any contravention of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6) or the rules thereunder;”.

c. P-9.1,  
s. 48,  
repealed

**79.** Section 48 of the said Act is repealed.

c. P-9.1,  
s. 77.0.1,  
added

**80.** The said Act is amended by inserting, after section 77, the following section:

Prohibition

**“77.0.1** In an establishment in which a video lottery machine is operated, the permit holder, his consort and children, the person responsible for the management of the establishment, the members of the personnel and any person who participates in a show in the establishment are prohibited from playing or inciting a patron to play the video lottery machine.”

c. P-9.1,  
ss. 90, 101,  
104, 104.1  
and 107,  
repealed

**81.** Sections 90, 101, 104, 104.1 and 107 of the said Act are repealed.

c. P-9.1,  
s. 108, am.

**82.** Section 108 of the said Act, amended by section 27 of chapter 51 of the statutes of 1991, is again amended

(1) by striking out the first, second and third paragraphs;

(2) by replacing the words “In addition, the” in the first line of the last paragraph by the word “The”.

c. P-9.1,  
s. 109,  
repealed

**83.** Section 109 of the said Act is repealed.

c. P-9.1,  
s. 114, am.

**84.** Section 114 of the said Act is amended

(1) by replacing the words “The Régie may make regulations” in the first line of the first paragraph by the following words: “The Régie may, in plenary session, make regulations”;

(2) by inserting, after paragraph 3, the following paragraph:

“(3.1) determining the form and content of permits and prescribing any form intended to facilitate the application of this Act and the regulations thereunder;”;

(3) by striking out paragraph 15.

c. P-9.1,  
s. 115,  
repealed

**85.** Section 115 of the said Act is repealed.

#### ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

c. S-13,  
s. 30.2, am.

**86.** Section 30.2 of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13), amended by section 33 of chapter 51 of the statutes of 1991, is again amended by replacing the words “and the regulations thereunder” in the second line by the words “, the Act respecting the Régie des alcools, des courses et des jeux (1993, chapter 39) and the rules thereunder”.

c. S-13,  
s. 35, am.

**87.** Section 35 of the said Act, amended by section 8 of chapter 17 of the statutes of 1992, is again amended by replacing the words “or of the regulations thereunder” in the second line of the second paragraph by the words “, of the Act respecting the Régie des alcools, des courses et des jeux and the rules or regulations thereunder”.

#### ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

c. S-13.1,  
s. 13, am.

**88.** Section 13 of the Act respecting the Société des loteries du Québec (R.S.Q., chapter S-13.1) is amended by replacing the second paragraph by the following paragraph:

Approval

“The by-law shall be submitted to the Government for approval; if it relates to State casino lottery schemes or video lotteries, the Régie des alcools, des courses et des jeux must give notice of it. Such notice must be published in the *Gazette officielle du Québec* at the time

of the publication provided for in section 8 of the Regulations Act (R.S.Q., chapter R-18.1) or, in the absence of such publication, at the time of the publication provided for in section 15 of the said Act.”

c. S-13.1,  
s. 13.1,  
added

**89.** The said Act is amended by inserting, after section 13, the following section:

Policies

**“13.1** The board of directors of the company shall establish, on the basis of the objects previously determined by the Government, policies concerning the management of businesses operated by the company or by one of its subsidiaries and which are incidental to the operation of a State casino. Such policies shall be submitted to the Government for approval.”

c. S-13.1,  
s. 15, am.

**90.** Section 15 of the said Act is amended

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

Conditions

“If they are assigned to State casino activities, they must also meet the conditions applicable to them under subparagraph *a* of the first paragraph of section 20.2 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6).”;

(2) by replacing the words “contemplated in the first paragraph comes into force upon approval of” in the first and second lines of the second paragraph by the words “of the company made under the first paragraph comes into force upon approval by”.

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

**91.** Section 16 of the said Act is amended by adding the words “and to operate businesses which are incidental to the operation of a State casino” after the word “schemes” at the end of the first paragraph.

c. S-13.1,  
s. 17, am.

**92.** Section 17 of the said Act is amended

(1) by striking out the words “having similar objects to its own” in the first and second lines of paragraph *b*;

(2) by replacing the words “or equipment or immoveables for an amount greater than \$100 000” in the first and second lines of paragraph *e* by the words “of equipment or immovables for an amount exceeding that determined by the Government”;

(3) by adding, at the end, the following paragraphs:

Prohibition

“No subsidiary in which the company holds more than 50 % of the shares or stocks may, without the prior authorization of the

Government, perform any of the acts described in subparagraphs *a* to *e* of the first paragraph.

Exception This section does not apply to transactions effected between the company and its subsidiaries or between subsidiaries or to transactions whose main object is the leasing or administration of immovables owned by the company or by one of its subsidiaries."

c. S-13.1,  
s. 24, am. **93.** Section 24 of the said Act is amended by inserting the words "and the books and accounts of those of its subsidiaries whose objects are related to the State casinos or video lotteries operated by the company" after the word "company" in the first line.

c. S-13.1,  
s. 37, am. **94.** Section 37 of the said Act is amended by adding the words "except with respect to State casinos and video lotteries" after the word "administers" in the third line.

Expressions  
replaced **95.** In all Acts, regulatory instruments, agreements and other documents, the expressions "Commission des courses du Québec", "Régie des loteries du Québec" and "Régie des permis d'alcool du Québec" shall be replaced, with any necessary changes, by the expression "Régie des alcools, des courses et des jeux". The word "Commission", where it designates the Commission des courses du Québec, shall be replaced by the word "board". The word "board", where it designates the Régie des loteries du Québec shall designate the Régie des alcools, des courses et des jeux, and the word "Régie", where it designates the Régie des permis d'alcool du Québec, is replaced by the word "board" and shall designate the Régie des alcools, des courses et des jeux.

Expressions  
replaced However, in all texts relating to the promotion of and assistance to the horse racing and racehorse training industry, the expression "Commission des courses du Québec" and the word "Commission" shall be replaced by the expression "Minister of Agriculture, Fisheries and Food" with any necessary changes.

## CHAPTER IV

### TRANSITIONAL AND FINAL PROVISIONS

Government **96.** This Act is binding upon the Government, its departments, and its bodies or agencies.

Rights and  
obligations **97.** The Régie des alcools, des courses et des jeux, established by this Act and referred to as the board, acquires the rights and assumes the obligations of the Régie des loteries du Québec established by the Act respecting lotteries, publicity contests and

amusement machines (R.S.Q., chapter L-6) and of the Régie des permis d'alcool du Québec established by the Act respecting liquor permits (R.S.Q., chapter P-9.1). The board also acquires the rights and assumes the obligations of the Commission des courses du Québec established by the Act respecting racing (R.S.Q., chapter C-72.1), except the rights and obligations relating to the promotion of and assistance to the horse racing and racehorse training industry which are assigned to the Minister of Agriculture, Fisheries and Food.

**Presumption 98.** The plans, programs and projects designed to promote the horse racing or racehorse training industry devised by the Commission des courses du Québec pursuant to section 37 of the Act respecting racing are deemed to have been devised by the Minister of Agriculture, Fisheries and Food.

**Presumption 99.** The purses, subsidies, loans or advances granted by the Commission des courses du Québec, the premiums, allowances or indemnities paid by it, and the improvement, development and equipment work carried out or commissioned by it under section 37 of the Act respecting racing are deemed to have been granted, paid, or carried out or commissioned by the Minister of Agriculture, Fisheries and Food.

**Abolished body 100.** The licences, permits, amendments to permits, authorizations and certificates granted by an abolished body pursuant to its constituting Act shall remain in force as if they had been issued by the Régie des alcools, des courses et des jeux.

**Presumption** The registrations and attestations made or issued by the Commission des courses du Québec pursuant to its constituting Act are deemed to have been made or issued by the Régie des alcools, des courses et des jeux.

**Abolished body 101.** Any provision of a rule or a regulation made by an abolished body is, to the extent that it is compatible with this Act, a provision of a rule or a regulation made by the Régie des alcools, des courses et des jeux.

**Abolished bodies 102.** Matters of which the hearing has begun on 14 July 1993 before any of the abolished bodies shall be continued before the Régie des alcools, des courses et des jeux.

**Presumption 103.** The powers delegated to a racing judge or paddock judge on 27 October 1993 are deemed to have been delegated to that judge by the Régie des alcools, des courses et des jeux.

**Decisions** The decisions of racing judges or paddock judges rendered under the Act respecting racing before 27 October 1993 may be reviewed according to law.

**Personnel** **104.** The secretary and members of the personnel employed by the Régie des permis d'alcool du Québec and the secretary and members of the staff employed by the Régie des loteries du Québec on 14 July 1993 shall become, to the extent determined by the Government, members of the personnel of the Régie des alcools, des courses et des jeux without further formality. The same applies to the secretary and members of the personnel employed by the Commission des courses du Québec on 27 October 1993 except members of the personnel working in fields relating to the promotion of or assistance to the horse racing or racehorse training industry, who shall become, to the extent determined by the Government, members of the personnel of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation without further formality.

**Members** **105.** Notwithstanding section 3, the members of the Régie des loteries du Québec and the Régie des permis d'alcool du Québec whose terms of office have not expired on 14 July 1993 shall become, for the remainder of their terms of office, commissioners of the Régie des alcools, des courses et des jeux.

**Members** Notwithstanding section 3, the members of the Commission des courses du Québec whose terms of office have not expired on 14 July 1993 shall become, on that date and for the unexpired portion of their terms, commissioners of the Régie des alcools, des courses et des jeux.

**President** The Government may designate, from among these persons, the president and not more than two vice-presidents.

**Records and documents** **106.** The records and documents of each abolished body shall become the records and documents of the Régie des alcools, des courses et des jeux, except those relating to the promotion of and assistance to the horse racing or racehorse training industry which shall become the records and documents of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation.

Proceedings **107.** Proceedings to which the Régie des loteries du Québec or the Régie des permis d'alcool du Québec is a party shall be transferred, without continuance of suit, to the Régie des alcools, des courses et des jeux.

Proceedings **108.** Proceedings to which the Commission des courses du Québec, or a racing judge or paddock judge to whom it has delegated powers, is a party shall be transferred, without continuance of suit, to the Régie des alcools, des courses et des jeux.

Proceedings Proceedings relating to the promotion of the horse racing or racehorse training industry to which the Commission des courses du Québec is a party shall be transferred, without continuance of suit, to the Minister of Agriculture, Fisheries and Food.

Registers **109.** The registers kept for the purposes of section 16 of the Act respecting racing and section 37 of the Act respecting lotteries, publicity contests and amusement machines shall become the registers of the Régie des alcools, des courses et des jeux.

Money **110.** The sums of money put at the disposal of the Régie des loteries du Québec and the Régie des permis d'alcool du Québec shall, for the 1993-94 fiscal year, be transferred to the Régie des alcools, des courses et des jeux to the extent and in the manner determined by the Government. The same applies to the sums of money put at the disposal of the Commission des courses du Québec, except those relating to the promotion of and assistance to the horse racing and racehorse training industry, which shall be transferred to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation to the extent and in the manner determined by the Government.

Consolidated revenue fund The other amounts required for the carrying out of this Act shall be taken, for the same fiscal year, out of the consolidated revenue fund to the extent determined by the Government.

Presumption **111.** Any form described as being a form prescribed or authorized by one of the abolished bodies is deemed to be a form prescribed by the Régie des alcools, des courses et des jeux, except in the case of a form relating to promotion and assistance activities for the horse racing and racehorse training industry, which is deemed to be a form of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation.

1993, c. 39,  
s. 35, am. **112.** Section 35 of this Act is amended by replacing the words "a group of persons referred to in" by the words "an association of persons referred to in".

c. L-6,  
s. 36.2, am.

**113.** Section 36.2 of the Act respecting lotteries, publicity contests and amusement machines, enacted by section 54 of this Act, is amended by replacing the expression “group of persons described in article 60 of the Code of Civil Procedure (chapter C-25)” by the words “association within the meaning of the Civil Code”.

Coming into  
force

**114.** The following rules, by-laws and regulations may be made without a draft version being published in the *Gazette officielle du Québec*, and may come into force from the date of their publication in the *Gazette officielle du Québec*:

(1) the first rule made prior to 12 October 1993 by the Régie des alcools, des courses et des jeux for each of the matters covered in sections 20.1 and 20.2 of the Act respecting lotteries, publicity contests and amusement machines, enacted by section 51 of this Act;

(2) the first by-law relating to the lottery schemes of State casinos or to video lotteries made prior to 12 October 1993 by the Société des loteries du Québec pursuant to section 13 of its constituting Act as amended by section 88 of this Act;

(3) the first regulation made prior to 12 October 1993 by the Government in respect of, on the one hand, the video lottery licences referred to in subparagraph *c* of the first paragraph of section 119 of the Act respecting lotteries, publicity contests and amusement machines amended by section 70 of this Act, and, on the other hand, each of the matters referred to in subparagraphs *b.1*, *c.1* and *g* of the first paragraph of the said section 119, enacted by the aforementioned section 70.

Minister  
responsible

**115.** The Minister of Public Security is responsible for the administration of this Act.

Applicability

**116.** The provisions of this Act apply in matters of racing from the date or dates determined by the Government.

Coming into  
force

**117.** The provisions of this Act will come into force on the date or dates to be fixed by the Government, except sections 112 and 113, which will come into force on the date of coming into force of section 640 of chapter 57 of the statutes of 1992.