



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 395

**An Act to amend the Act respecting
the Société des alcools du Québec
and the Act respecting liquor permits**

Introduction

**Introduced by
Mr. Stéphane Billette
Member for Huntingdon**

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EXPLANATORY NOTES

Under this bill, the Société des alcools du Québec is assigned the function of promoting alcoholic beverages made in Québec.

A new class of permit, the small-scale distiller's permit, has also been created. Holders of this permit are authorized to make alcohol and spirits from raw materials harvested in Québec or their residues.

Holders of a small-scale distiller's permit may sell their alcoholic beverages within a cooperative composed of small-scale production permit holders, small-scale distiller's permit holders or farm producers.

The conditions under which holders of a small-scale production permit or small-scale distiller's permit may sell their alcoholic beverages have also been modified. For instance, such beverages may be sold at an agricultural or agrifood exhibition, farm producers' market, public market, fair or other public event. They may also be sold directly to the holder of a grocery permit or a restaurant service permit.

Lastly, the bill amends the Act respecting liquor permits in order to authorize holders of a restaurant service permit to sell alcoholic beverages made in Québec and purchased from holders of a small-scale production permit or small-scale distiller's permit.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting liquor permits (chapter P-9.1);
- Act respecting the Société des alcools du Québec (chapter S-13).

Bill 395

AN ACT TO AMEND THE ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC AND THE ACT RESPECTING LIQUOR PERMITS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

1. Section 16 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended by inserting the following paragraph after the first paragraph:

“The Société’s function is also to promote alcoholic beverages made in Québec.”

2. Section 24 of the Act is amended by inserting “a small-scale distiller’s permit,” after “a small-scale production permit,” in the first paragraph.

3. Section 24.1 of the Act is amended by adding the following subparagraphs after subparagraph 3 of the second paragraph:

“(4) at an agricultural or agrifood exhibition, farm producers’ market, public market, fair or other public event;

“(5) to the holder of a grocery permit issued under the Act respecting liquor permits, provided that a numbered sticker issued by the board is affixed by the permit holder to each container, in numerical order, at the time of sale; and

“(6) to the holder of a restaurant service permit issued under the Act respecting liquor permits, provided that a numbered sticker issued by the board is affixed by the permit holder to each container, in numerical order, at the time of sale.”

4. The Act is amended by inserting the following section after section 26:

“26.1. A small-scale distiller’s permit authorizes the holder, in accordance with the regulations,

(1) to make and bottle alcohol and spirits from raw materials harvested in Québec or their residues;

(2) to make and bottle other alcoholic beverages provided for by regulation;

(3) to purchase from the holder of a small-scale production permit or a small-scale distiller's permit or to import alcoholic beverages provided for by regulation in order to blend them with the products he makes;

(4) to purchase and bottle spirits in the cases provided for by regulation; and

(5) to distill alcoholic beverages made by the holder of a small-scale production permit, on behalf of the latter.

Unless they are shipping the beverages outside Québec, holders of a small-scale distiller's permit may sell the alcoholic beverages they make only as follows:

(1) at the place where they are produced, for consumption on the premises indicated in the permit or for consumption elsewhere;

(2) at the place where they are produced, to the holder of a permit issued under the Act respecting liquor permits (chapter P-9.1) that authorizes alcoholic beverages made at such a place to be sold or served for consumption on the premises, provided that a numbered sticker issued by the board is affixed by the permit holder to each container, in numerical order, at the time of sale;

(3) in a room or on a terrace where a permit issued under the Act respecting liquor permits authorizes the permit holder to sell alcoholic beverages for consumption on the premises, provided that a numbered sticker issued by the board is affixed by the permit holder to each original container, in numerical order;

(4) at an agricultural or agrifood exhibition, farm producers' market, public market, fair or other public event;

(5) to the holder of a grocery permit issued under the Act respecting liquor permits, provided that a numbered sticker issued by the board is affixed by the permit holder to each container, in numerical order, at the time of sale;

(6) to the holder of a restaurant service permit issued under the Act respecting liquor permits, provided that a numbered sticker issued by the board is affixed by the permit holder to each container, in numerical order, at the time of sale; and

(7) within a cooperative composed exclusively of small-scale production permit holders, small-scale distiller's permit holders or farm producers.

Holders of a small-scale distiller's permit may also sell and deliver the alcoholic beverages they make to the Société.

Such permit holders may not sell such alcoholic beverages to the holder of a permit issued under this Act or, subject to the second paragraph, under the Act respecting liquor permits."

5. Section 29 of the Act is amended by inserting “to a small-scale distiller’s permit holder,” after “to a small-scale production permit holder,” in the first paragraph.

6. Section 29.1 of the Act is amended by inserting “or small-scale distiller’s permit” after “a small-scale production permit” in the first paragraph.

7. Section 30 of the Act is amended by inserting “, a small-scale distiller’s permit” after “a small-scale production permit” in subparagraph 5 of the first paragraph.

8. Section 30.1.2 of the Act is amended by replacing “section 24.1” by “section 24.1 or 26.1”.

9. Section 33.1 of the Act is amended

(1) by inserting “or small-scale distiller’s permit” after “a small-scale production permit” in the first paragraph;

(2) by inserting “or 26.1” after “section 24.1” in the second paragraph.

10. Section 33.2 of the Act is amended

(1) by inserting “or 26.1” after “section 24.1” in the first paragraph;

(2) by inserting “or small-scale distiller’s permit” after “a small-scale production permit” in the first paragraph.

11. Section 34 of the Act is amended by inserting “small-scale distiller’s permit,” after “small-scale production permit,” in subparagraph 1 of the first paragraph.

12. Section 35.1.1 of the Act is amended by replacing “section 24.1” by “section 24.1 or 26.1”.

13. Section 37 of the Act is amended by inserting the following subparagraph after subparagraph 4 of the first paragraph:

“(4.1) drawing up, for the purposes of sections 24.1 and 26.1, the list of agricultural and agrifood exhibitions, farm producers’ markets, public markets, fairs and other public events;”.

14. Section 37.2 of the Act is amended by inserting “or small-scale distiller’s permit” after “small-scale production permit”.

15. Section 53 of the Act is amended by inserting “a small-scale distiller’s permit,” after “a small-scale production permit,”.

ACT RESPECTING LIQUOR PERMITS

16. Section 28.1 of the Act respecting liquor permits (chapter P-9.1) is amended by adding the following paragraph at the end:

“Such a permit also entitles its holder to sell alcoholic beverages made in Québec and purchased from the holder of a small-scale production permit or a small-scale distiller’s permit.”

17. Section 72.1 of the Act is amended

(1) by inserting “a small-scale distiller’s permit,” after “a small-scale production permit,” in the first paragraph;

(2) by inserting “and of alcoholic beverages made in Québec and purchased from the holder of a small-scale production permit or a small-scale distiller’s permit” after “at a meal” in subparagraph 1 of the second paragraph;

(3) by replacing “a cider seller’s permit or a small-scale production permit” in subparagraph 2 of the second paragraph by “a cider seller’s permit, a small-scale production permit or a small-scale distiller’s permit”;

(4) by inserting “, of a small-scale distiller’s permit” after “a small-scale production permit” in subparagraph 3 of the second paragraph.

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

