

Bill 170

**An Act to modernize the legal regime
applicable to liquor permits and to
amend various other legislative
provisions with regard to alcoholic
beverages**

Section 2

AMENDMENT:

Insert “, cider seller’s permit” after “delivery permit” in the first paragraph of proposed section 25.

*adopted
C.P.*

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Section 2

AMENDMENT:

Replace “and spirits” at the end of the first paragraph of proposed section 31 by “, spirits, and beer blends containing more than 7% alcohol by volume”.

*adopted
C.P.*

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Section 2

AMENDMENT:

Insert after proposed section 32:

“32.1. A cider seller’s permit authorizes the sale of cider for consumption at a place other than the establishment.

*adepste
C.P.*

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Section 2

AMENDMENT:

Strike out “dans lesquels elles peuvent être exercées” in the sixth paragraph in the French text of proposed section 34.

adopté - C.R.

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Section 10

AMENDMENT:

Replace "waive" in the second paragraph of proposed section 46 by "exempt the permit holder from".

*adopted
C.P.*

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Section 12

AMENDMENT:

Replace paragraph 2 by:

(2) by replacing “do not apply to an application for” in the second paragraph by “and paragraph 5 of section 47 do not apply in the case of”;

*adopted
C.P.*

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Section 13

AMENDMENT:

Replace “when” in the paragraph proposed by paragraph 2 by “during the period for which”.

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Section 20

AMENDMENT:

Replace the third paragraph of proposed section 61 by:

Before rendering its decision, the board shall consult the clerk or secretary-treasurer of the local municipality concerned as well as the director of the Sûreté du Québec or of the police force established for that territory and authorized under section 111.”

*adopté
C.F.*

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Section 21

AMENDMENT:

Replace "30 minutes" in the first paragraph of proposed section 62 by "one hour".

*adopted
C.F.*

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Section 18.1

AMENDMENT:

Insert after section 18:

18.1. The Act is amended by inserting the following section after section 60:

“60.0.1. A cider seller’s permit may be used every day within the period comprised between 8 a.m. and 11 p.m. during which a patron may be admitted to the establishment in accordance with the Act respecting hours and days of admission to commercial establishments (chapter H-2.1).”

*adopte
C.F.*

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Section 10

AMENDMENT:

Add "and under municipal by-laws" at the end of the second paragraph of proposed section 46.

*adopted
C.P.*

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Section 28

AMENDMENT:

Strike out paragraph 5.

*adopted
C.R.*

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Section 33

AMENDMENT:

1. Replace “the following section” in the introductory clause by “the following sections”.
2. Add after proposed section 77.3:

“77.4. A permit holder who keeps or possesses in his establishment alcoholic beverages that are the subject of a recall order made in accordance with section 35.2.1 of the Act respecting the Société des alcools du Québec (chapter S-13) must comply with the order. For that purpose, he must immediately cease selling the alcoholic beverages subject to the recall and remove them from his display.”

*adopté
C.F.*

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Section 33

AMENDMENT:

Add after the third paragraph of proposed section 77.3:

During the hours during which a permit authorizing alcoholic beverages to be sold or served may be used, the permit holder or a member of the holder's personnel who has received training recognized by the board must be present in the establishment.

adopted
C. P.

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Section 45

AMENDMENT:

Replace paragraph 3 by:

(3) by replacing “, for the same hours, a restriction of the use of an authorization granted under section 73, if any” in the third paragraph by “, if applicable, a restriction for the same hours of the use of an authorization granted under section 73 or of the options attached to the permit”.

*adopted
C.P.*

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Section 45

AMENDMENT:

Insert after subparagraph *b* of paragraph 2:

- (c) by replacing “30 minutes” by “one hour”;

*adopted
C.F.*

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beverages**

Section 47.1

AMENDMENT:

Add after section 47:

47.1. The Act is amended by inserting the following section after section 90.1:

“90.2. Where alcoholic beverages are the subject of a recall order made in accordance with section 35.2.1 of the Act respecting the Société des alcools du Québec (chapter S-13), the board or, at its request, a member of a police force authorized under section 111 or a member of the Sûreté du Québec may put under seal the alcoholic beverages subject to that order that are then in the possession of the permit holder.”

*adopté
C.P.*

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Section 50

AMENDMENT:

Insert “, cider seller’s permit” after “delivery permit” in proposed paragraph 1.

*adopted
C.P.*

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Section 51

AMENDMENT:

Replace by:

51. Section 99 of the Act is amended, in the first paragraph,

(1) by striking out “and sworn”;

(2) by inserting “on grounds other than economic or competitive grounds” after “object”.

*adopted
C.F.*

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Section 54

AMENDMENT:

1. Replace paragraph 6 by:
 - (6) by replacing “it” in paragraph 7 by “the board”;
2. Replace paragraph 9 by:
 - (9) by replacing “it” in paragraph 11 by “the board”;

*adopte
C.P.*

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Section 54

AMENDMENT:

Replace paragraph 1 by:

(1) by replacing “The board may, in plenary session,” in the introductory clause by “The Government may also, after consulting the board,”;

*adapts
C.F.*

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Section 58

AMENDMENT:

Replace by:

58. Section 83 of the Act is amended

(1) by replacing “alcohol and spirits not purchased directly from the Corporation or a person authorized by it” in paragraph 1 by “and alcohol and spirits not purchased directly from the Corporation, from a person authorized by it or from a distiller’s permit holder”;

(2) by replacing “the holder of a grocery permit” in paragraph 4.1 by “a grocery permit or brewer’s permit holder”.

*adopted
C.P.*

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Section 53

AMENDMENT:

Replace by:

53. The Act is amended by inserting the following section before section 114:

“113.1. The Government may, by regulation, determine the conditions for obtaining or using a permit that do not apply to one or more classes of permits and, where that is the case, the rules applicable.

It may also determine the cases in which the authorisation provided for in section 73 is not required.”

*adopte
C.P.*

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Section 58.1

AMENDMENT:

Insert after section 58:

58.1. Section 83.2 of the Act is repealed.

adopted c.p.

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Section 58.2

AMENDMENT:

Insert after section 58.1:

58.2. Section 84 of the Act is repealed.

*adopted
C.P.*

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Section 66

AMENDMENT:

Replace paragraph 1 by:

(1) by replacing “or a brewer’s” in paragraph *f* by “, brewer’s permit or distiller’s”.

*adopted
C.P.*

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Section 67

AMENDMENT:

Replace by:

67. Section 93 of the Act is amended, in the first paragraph,
- (1) by striking out “sales” in subparagraph *f*;
 - (2) by replacing “sales” in subparagraph *g* by “or delivery”.

adopte - C.P.

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Section 80

AMENDMENT:

Replace "11 p.m." by "10 p.m."

*adopted
C.P.*

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Section 82

AMENDMENT:

Replace "11 p.m." by "10 p.m."

*adopted
C.P.*

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Section 83

AMENDMENT:

Replace "11 p.m." by "10 p.m."

*adopted
c.f.*

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Section 85

AMENDMENT:

Replace "subparagraph 1.3" in paragraph 3 by "subparagraphs 1.3 and 2".

adopted - C.P.

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Section 89

AMENDMENT:

Replace by:

89. Section 114 of the Act is amended

(1) by replacing paragraph 1 by the following paragraph:

“(1) sells a product containing alcoholic beverages that can be used as a beverage for a person as being one of the products listed in section 102 after the notice provided for in that section is notified to him;”;

(2) by striking out paragraph 3;

(3) by replacing “section 90.1 of the Act respecting liquor permits (chapter P-9.1) or section” in paragraph 4 by “sections 90.1 and 90.2 of the Act respecting liquor permits (chapter P-9.1) or sections 35.2.2 and”.

*adopted
C.P.*

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Section 95

AMENDMENT:

Strike out "other" in proposed section 23.1.

*Adelstein
C.P.*

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Section 97

AMENDMENT:

Strike out “or cider seller’s permits, for” in subparagraph *b* of paragraph 1.

adopte C.P.

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beverages**

Section 98.1

AMENDMENT:

Insert after section 98:

98.1. Section 32.1.1 of the Act is replaced by the following section:

“32.1.1. For the purposes of section 32.1, the board may grant a shorter period of time before the hearing

(1) in urgent circumstances and where continuation of the activities concerned could endanger human life or health or cause serious or irreparable damage to property.

(2) where the holder of a permit issued under the Act respecting the Société des alcools du Québec (chapter S-13) has made alcoholic beverages in contravention of that Act or the regulations or has sold alcoholic beverages to a person who holds a permit but is not authorized to sell them.

In addition, the board may use any means other than the one provided for in section 32.1 to inform the person concerned of the reasons for the summons and of the possible consequences provided for by law. In such a case, a copy of the notice of hearing and of the relevant documents on which it is based must be produced before or at the hearing.”

*adopté
C.P.*

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Section 100

AMENDMENT:

Withdraw.

*adepste
C.P.*

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Section 101

AMENDMENT:

Withdraw.

*adopted
C.P.*

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beverages**

Section 101.0.1

AMENDMENT:

Insert after section 101:

101.0.1. Section 24.1 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended, in the second paragraph,

(1) by striking out “, 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” at the end of subparagraph 2;

(2) by striking out “, provided that a numbered sticker issued by the board is affixed by the permit holder to each original container, in numerical order” at the end of subparagraph 3.

*adopté
C.F.*

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Section 101.1

AMENDMENT:

Insert after section 101.0.1:

101.1. Section 24.2 of the Act is amended

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

“He may also sell the alcoholic beverages he makes to the holder of an event permit issued under the Act respecting liquor permits.”;

(2) by inserting “, subject to the third paragraph,” after “or” in the fourth paragraph.

adopted C.F.

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Section 102

AMENDMENT:

Replace by:

102. Section 26 of the Act is amended

- (1) by striking out “also” in the second paragraph;
- (2) by inserting the following paragraphs after the second paragraph:

“He may also sell the alcohol and spirits that he makes at the place where they are produced for consumption elsewhere provided they were purchased from the Société. However, he may not sell them to the holder of a permit issued under the Act respecting liquor permits (chapter P-9.1).

The holder of a distiller’s permit may also sell the alcohol he makes to a user if the following conditions are met:

- (1) the alcohol is intended for making products other than alcoholic beverages that can be used as a beverage for a person;
- (2) the products are not the subject of a notice by the board under section 102 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1); and
- (3) he enters the sale in his register.”;

(3) by adding the following sentence at the end of the third paragraph: “Nor may such a holder hold a small-scale production permit authorizing him to make alcoholic beverages requiring the same raw materials, with the exception of cider and other apple-based alcoholic beverages”.

*adopté
C.P.*

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Section 102.1

AMENDMENT:

Insert after section 102:

102.1. Section 27 of the Act is amended by adding the following paragraph at the end:

“The holder of a wine maker’s permit may not hold a small-scale production permit authorizing him to make alcoholic beverages requiring the same raw materials.”

*adapte
C.P.*

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Section 103.1

AMENDMENT:

Insert after section 103:

103.1. Section 29.1 of the Act is repealed.

*adopte
c.f.*

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beverages**

Section 104.0.1

AMENDMENT:

Insert after section 104:

104.0.1. Section 33.1 of the Act is amended

(1) by replacing “, the quantity sold and the numbers of the stickers affixed to the containers of the alcoholic beverages sold” in the second paragraph by “and the quantity sold”;

(2) by replacing “, the brand of the products, the numbers of the stickers affixed to the containers and the date on which they were affixed” in the third paragraph by “and the brand of the products”.

*adopted
C.F.*

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Section 104.1

AMENDMENT:

Insert after section 104.0.1:

104.1. Section 33.2 is amended

(1) in the first paragraph,

(a) by inserting "59," after "sections";

(b) by replacing the second sentence by the following sentence:
"However, holders of a small-scale production permit, small-scale beer
producer's permit, brewer's permit or distiller's permit are subject to section
60.0.1 of that Act in the case of the sale of alcoholic beverages for consumption
elsewhere than at the place where they are produced.";

(2) by replacing "paragraphs 4 and" in the second paragraph by
"paragraph".

*adopted
C.F.*

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Section 106

AMENDMENT:

Replace by:

106. Section 35 of the Act is amended, in the first paragraph,

(1) by replacing subparagraph 4 by the following subparagraph:

“(4) the permit holder contravenes a provision of this section or a regulation made under it;”;

(2) by adding the following subparagraph after subparagraph 6:

“(7) the permit holder is guilty of a failure to comply referred to in the regulation made under paragraph 12 of section 114 of the Act respecting liquor permits (chapter P-9.1) other than one for which a monetary administrative penalty is prescribed by that regulation.”

*adopte
C.F.*

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Section 107.1

AMENDMENT:

Add after section 107:

107.1. The Act is amended by adding the following sections after section 35.2:

“35.2.1. Where a permit holder has made alcoholic beverages in contravention of this Act or the regulations or has sold alcoholic beverages to a person who holds a permit but is not authorized to sell them, the board may

(1) order the permit holder to immediately cease making and selling the alcoholic beverages;

(2) order the recall of the alcoholic beverages to the permit holder’s establishment, or order the permit holder to keep the alcoholic beverages if they are already there or to dispose of them at the permit holder’s expense within the time determined by the board;

(3) order the destruction of the alcoholic beverages at the permit holder’s expense; or

(4) order that the alcoholic beverages be turned over to the Société for disposal in the manner provided for in section 42 or 42.1.

Where the board makes an order in accordance with the first paragraph, the order is published on its website.

In addition, the permit holder shall promptly notify any holder of a permit issued under this Act or the Act respecting liquor permits (chapter P-9.1) to whom he sold the alcoholic beverages subject to the order of the nature of the order.

*adopté
C.F.*

“35.2.2. Where alcoholic beverages are the subject of an order made in accordance with section 35.2.1, the board or, at its request, a member of a police force authorized under section 34 or a member of the Sûreté du Québec may put under seal the alcoholic beverages subject to the order that are then in the possession of the permit holder.”

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Section 102.2

AMENDMENT:

Insert after section 102.1:

102.2. Section 28 of the Act is amended by replacing “cider maker’s” in the second paragraph by “distiller’s”.

adapte C.P.

Bill 170

**An Act to modernize the legal regime
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Section 109.0.1

AMENDMENT:

Insert after section 109:

ACT RESPECTING THE QUÉBEC SALES TAX

109.0.1. Sections 485.1 and 485.2 of the Act respecting the Québec sales tax (chapter T-0.1) are repealed.

*adopté
C.P.*

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Section 109.0.2

AMENDMENT:

Insert after section 109.0.1:

109.0.2. Section 677 of the Act is amended by striking out subparagraph 22 of the first paragraph.

*adopted
C.P.*

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Section 109.0.3

AMENDMENT:

Insert after section 109.0.2:

REGULATION RESPECTING THE SIGNING OF CERTAIN DEEDS,
DOCUMENTS AND WRITINGS OF THE AGENCE DU REVENU DU
QUÉBEC

109.0.3. Section 13 of the Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec (chapter A-7.003, r. 1) is amended by striking out paragraph 3.

*adopté
C.P.*

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Section 109.1

AMENDMENT:

Insert after section 109.0.3:

REGULATION RESPECTING LIQUOR PERMITS

109.1. Section 15.1 of the Regulation respecting liquor permits (chapter P-9.1, r. 5) is amended by inserting “or a holder of a small-scale beer producer’s permit issued under the Act respecting the Société des alcools du Québec (chapter S-13)” after “grocery permit”.

*adopté
C.F.*

Bill 170

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Section 109.2

AMENDMENT:

Insert after section 109.1:

**REGULATION RESPECTING PROMOTION, ADVERTISING AND
EDUCATIONAL PROGRAMS RELATING TO ALCOHOLIC BEVERAGES**

109.2. Section 12 of the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages (chapter P-9.1, r. 6) is amended by replacing “a small-scale production permit” in subparagraph 1 of the first paragraph by “a small-scale production permit or a distiller’s permit”.

*adopte
C.P.*

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Section 109.3

AMENDMENT:

Insert after section 109.2:

**REGULATION RESPECTING THE PRESCRIBED MANNER OF
IDENTIFYING A BEER CONTAINER**

109.3. The Regulation respecting the prescribed manner of identifying a beer container (chapter T-0.1, r. 1) is repealed.

*adopted
C.F.*

Bill 170

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Section 109.4

AMENDMENT:

Insert after section 109.3:

REGULATION RESPECTING THE QUÉBEC SALES TAX

109.4. Sections 677R1 to 677R9.3 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2), and the heading “IDENTIFICATION OF CERTAIN BEVERAGE CONTAINERS” and subheading “DEFINITIONS” preceding section 677R1 are repealed.

*adopté
C.F.*

Bill 170

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Section 119.1

AMENDMENT:

Add after section 119:

119.1. Until the coming into force of section 2, the first paragraph of section 31 of the Act respecting liquor permits is to be read as follows:

“A grocery permit entitles the holder to sell beer except draught beer, cider, and the wines and alcoholic beverages determined by regulation under paragraph 7 of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13), except alcohol, spirits, and beer blends containing more than 7% alcohol by volume, for consumption at a place other than the establishment and its dependencies.”

*adopté
C.F.*

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Section 120

AMENDMENT:

Withdraw.

*adopte
C.F.*

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Section 121

AMENDMENT:

1. Insert "of paragraph 1" after "coming into force".
2. Insert "paragraph 1 of" after "being amended by".

*adopte
C.F.*

Bill 170

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Section 122

AMENDMENT:

Strike out “, except for applications for a cider seller’s permit, which are continued and decided in accordance with those provisions as they read before the coming into force of section 2”.

*Adopted
C.F.*

Bill 170

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Section 123.1

AMENDMENT:

Insert after section 123:

123.1. A holder of a wine maker's permit or distiller's permit issued under the Act respecting the Société des alcools du Québec (chapter S-13) who, on *(insert the date of assent to this Act)*, also holds a small-scale production permit authorizing the holder to make alcoholic beverages requiring the same raw materials must, before *(insert the date that is one year after the date of assent to this Act)*, dispose of one of the two permits or cease making the alcoholic beverages covered by the prohibition under, as applicable, the second sentence of the fifth paragraph of section 26 or the third paragraph of section 27 of that Act, as enacted respectively by paragraph 3 of section 102 and section 102.1 of this Act, and notify the Régie des alcools, des courses et des jeux before that date.

The Régie must send a notice to the permit holder notifying the holder that his or her permits will be cancelled by operation of law on *(insert the date that is one year after the date of assent to this Act)* if the holder has not, before that date, applied for the cancellation of one of the two permits or ceased making the alcoholic beverages referred to in the first paragraph.

The holder may, until *(insert the date that is three years after the date of assent to this Act)*, sell alcoholic beverages the holder is no longer authorized to make under the second sentence of the fifth paragraph of section 26 and the third paragraph of section 27 of the Act respecting the Société des alcools du Québec, as enacted respectively by paragraph 3 of section 102 and section 102.1 of this Act, and which he has in stock. The rules applicable either to the cancelled permit or to the permit relating to alcoholic beverages he has ceased making apply to the sale of such alcoholic beverages.

*adopté
C.F.*

Bill 170

**An Act to modernize the legal regime
applicable to liquor permits and to
amend various other legislative
provisions with regard to alcoholic
beverages**

Section 124

AMENDMENT:

Replace by:

124. The provisions of this Act come into force on the date or dates to be set by the Government, except

(1) paragraph 1 of section 18, section 18.1, section 33 to the extent that it enacts section 77.4 of the Act respecting liquor permits, sections 47.1 and 58, paragraph 1 of section 66, paragraph 3 of section 89, sections 98.1 and 101.1, paragraphs 1, 2 to the extent that it enacts the third paragraph of section 26 of the Act respecting the Société des alcools du Québec, and 3 of section 102, and sections 102.1, 102.2, 104.1, 106, 107.1, 109.1, 109.2, 119.1, 123.1 and 123.2, which come into force (*insert the date of assent to this Act*);

(2) section 10, paragraph 2 of section 18, sections 20, 21, 24, 32 and 38, subparagraph *c* of paragraph 2 of section 45, paragraph 7 of section 54, section 59, paragraph 2 of section 60, section 61, paragraph 4 of section 66, sections 70 to 80, 82 and 83, paragraph 3 of section 85 to the extent that it strikes out subparagraph 1.3 of the first paragraph of section 108 of the Act respecting offences relating to alcoholic beverages, paragraph 4 of section 86, paragraphs 1 and 2 of section 88, paragraph 1 of section 89, section 95, paragraph 2 of section 102 to the extent that it enacts the fourth paragraph of section 26 of the Act respecting the Société des alcools du Québec, and sections 104 and 123, which come into force on 1 July 2018.

(3) sections 58.1 and 58.2, paragraph 3 of section 85 to the extent that it strikes out subparagraph 2 of the first paragraph of section 108 of the Act respecting offences relating to alcoholic beverages, paragraph 2 of section 89, and sections 101.0.1, 103.1, 104.0.1, 109.0.1, 109.0.2, 109.0.3, 109.3 and 109.4, which come into force on (*insert the date that is three years after the date of assent to this Act*).

adopté
C.F.

SAM 1
AM 60
s. 124

Bill 170

**An Act to modernize the legal regime
applicable to liquor permits and to
amend various other legislative
provisions with regard to alcoholic
beverages**

Section 124

AMENDMENT:

Replace "three" in paragraph 3 by "two".

*adopte
C.F.*

Bill 170

**An Act to modernize the legal regime
applicable to liquor permits and to
amend various other legislative
provisions with regard to alcoholic
beverages**

Section 123.2

AMENDMENT:

Insert after section 123.1:

123.2. Section 84.0.1 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1), as enacted by section 59, is repealed on (*insert the date that is two years after the date of assent to this Act*).

*adopted
C.F.*