



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 698

**An Act to temporarily limit the
charges that restaurateurs may be
required to pay for online order
services and meal delivery services**

Introduction

**Introduced by
Mr. Monsef Derraji
Member for Nelligan**

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EXPLANATORY NOTES

The purpose of this bill is to support restaurateurs during the public health emergency declared by the Government to protect public health in the context of the COVID-19 pandemic. To that end, it limits the charges that restaurateurs may be required to pay for online order services and meal delivery services.

Bill 698

AN ACT TO TEMPORARILY LIMIT THE CHARGES THAT RESTAURATEURS MAY BE REQUIRED TO PAY FOR ONLINE ORDER SERVICES AND MEAL DELIVERY SERVICES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE

1. The purpose of this Act is to support restaurateurs by temporarily limiting the charges they may be required to pay by an online order services provider or a meal delivery services provider.

For the purposes of this Act, “restaurateur” means any person who serves or sells meals or refreshments for consumption in return for remuneration.

CHAPTER II

MAXIMUM SERVICE CHARGES

2. An online order services provider or a meal delivery services provider may not require a restaurateur to pay charges greater than

(1) 20% of the total cost of the customer’s order, before provincial and federal taxes, where the charges cover food and beverage delivery services and online order services as well as any other related service;

(2) 15% of the total cost of the customer’s order, before provincial and federal taxes, where the charges cover services for food and beverage delivery to the customer; and

(3) 10% of the total cost of the customer’s order, before provincial and federal taxes, where the charges cover online order services and any other related service in cases where the customer chooses restaurant pick-up or where the restaurateur does not request delivery service.

The first paragraph does not apply with regard to a restaurateur who operates a chain restaurant.

For the purposes of this Act, “chain restaurant” means a restaurant that is part of a set of restaurants operated under the same or substantially the same name, consisting of a minimum of 10 food service locations in Canada, and that offer the same or substantially the same food items.

3. Online order services providers and meal delivery services providers may not, in order to comply with this Act, reduce the compensation they pay to an employee or a contractor.

CHAPTER III

MISCELLANEOUS AND FINAL PROVISIONS

4. The Minister of Agriculture, Fisheries and Food is responsible for the administration of this Act.

5. This Act comes into force on (*insert the date of assent to this Act*) and has effect as long as the public health emergency declared by Order in Council 177-2020 dated 13 March 2020 is renewed.