



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 100

**An Act to amend the Act respecting
offences relating to alcoholic beverages,
the Act respecting lotteries, publicity
contests and amusement machines and
the Act respecting liquor permits**

Introduction

**Introduced by
Mr Normand Jutras
Minister of Public Security**

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EXPLANATORY NOTES

The bill amends certain rules most of which govern the sale of alcoholic beverages.

In future, it will be authorized under a restaurant sales permit to sell alcoholic beverages, for take out or delivery, incidentally to the sale of a meal, between the hours of eight in the morning and eleven in the evening. In addition, customers of a restaurant holding a restaurant service permit will be authorized to bring not only wine to the establishment but any other alcoholic beverage except alcohol and spirits. Furthermore, holders of a public house or tavern permit may henceforth allow a reception in their establishment to be held in a room or on a terrace other than where their permit is normally used.

As well, the bill alters, lifts or introduces prohibitions concerning advance preparation of carafes of wine, the mixing of alcoholic beverages, the keeping of alcoholic beverages in a tubing system and the keeping of alcoholic beverages containing an insect.

In another connection, the bill prohibits anyone from having in his or her possession, owning or using an amusement machine that is not registered with the Régie des alcools, des courses et des jeux.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1);
- Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6);
- Act respecting liquor permits (R.S.Q., chapter P-9.1).

Bill 100

AN ACT TO AMEND THE ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES, THE ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES AND THE ACT RESPECTING LIQUOR PERMITS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

1. Section 84.1 of the Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1) is amended

(1) by adding “or in a tubing system that meets the standards prescribed by regulation of the board” at the end of the first paragraph ;

(2) by adding the following paragraph at the end :

“However, the holder of a restaurant sales permit may, between 11 a.m. and 2 p.m. and between 5 p.m. and 8 p.m., prepare carafes of wine in advance, provided that outside those hours, the wine remaining in the carafes is destroyed or eliminated.”

2. Section 91 of the said Act is amended by adding the following paragraph at the end :

“(j) by a person if it has been acquired legally from the holder of a restaurant sales permit.”

3. Section 92 of the said Act is amended by adding the following paragraphs at the end :

“(g) by any person who acquired it legally from a holder of a restaurant sales permit ;

“(h) by any holder of a restaurant sales permit, for purposes authorized by his permit.”

4. Section 93 of the said Act is amended by adding the following paragraphs at the end of the first paragraph :

“(f) by a person who acquired it legally from a holder of a restaurant sales permit;

“(g) by a holder of a restaurant sales permit, for purposes authorized by his permit.”

5. Section 108 of the said Act, amended by section 3 of chapter 77 of the statutes of 2001, is again amended by inserting the following subparagraph after subparagraph 2 of the first paragraph :

“(2.1) keeps or allows to be kept in his establishment an alcoholic beverage containing an insect, unless that insect is an ingredient in the making of the alcoholic beverage;”.

6. Section 109 of the said Act is amended by inserting “, subject to the second paragraph of section 28 of the Act respecting liquor permits,” after “but” in the third line of paragraph 1.

7. Section 110 of the said Act is amended by striking out paragraph 4.

ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

8. Section 53 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6) is amended by replacing “he has a registration marker placed on it by” in the second and third lines by “the device is registered with”.

ACT RESPECTING LIQUOR PERMITS

9. Section 28 of the Act respecting liquor permits (R.S.Q., chapter P-9.1) is amended by adding the following paragraph at the end :

“The restaurant sales permit also entitles the holder to sell, incidentally to the sale of a meal, alcoholic beverages other than draught beer, alcohol or spirits, for take out or delivery.”

10. Section 28.1 of the said Act is amended by replacing “beer, alcohol, spirits or mixed alcoholic beverages commonly called “cooler”” by “alcohol or spirits”.

11. Section 59 of the said Act is amended

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

“However, the sale of alcoholic beverages, for take out or delivery, authorized by the restaurant sales permit may take place only during the period between 8 a.m. and 11 p.m.”;

(2) by replacing “However” in the first line of the second paragraph by “In addition” and by replacing “these hours” in that line by “the hours referred to in the first paragraph”.

12. Section 61 of the said Act is amended by replacing “, 58 and 59” in the second line of the first paragraph by “and 58 and in the first and third paragraphs of section 59”.

13. Section 68 of the said Act is amended

(1) by striking out “In the case of the holder of a restaurant permit or bar permit,” in the first line of the second paragraph;

(2) by replacing “his establishment” in the second and third lines of the second paragraph by “the establishment”.

14. Section 111 of the said Act is amended by adding the following paragraph at the end:

“A member of a police force authorized for such purpose by the Minister of Public Security or a member of the Sûreté du Québec may, in the exercise of his functions and to ascertain compliance with this Act and the regulations, stop a vehicle operated on a public highway, if he has reasonable grounds to believe that the vehicle is used by the holder of a permit to deliver alcoholic beverages, inspect any alcoholic beverages that is in the vehicle and examine any document relevant to the application of this Act and the regulations.”

15. Section 114 of the said Act is amended by inserting the following paragraph after paragraph 10:

“(10.1) prescribe the standards according to which the holder of a permit authorizing alcoholic beverages to be sold for consumption on the premises may keep the alcoholic beverages in a tubing system;”.

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