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Summary

Table of Contents
Regulations and other acts
Index

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Table of Contents**Page**

Regulations and other acts

185-2004	Suspension of the issue of video lottery machine site operator's licences	1089A
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Regulations and other acts

Gouvernement du Québec

O.C. 185-2004, 10 March 2004

An Act respecting lotteries, publicity contests and amusement machines
(R.S.Q., c. L-6)

Suspension of the issue of video lottery machine site operator's licences

WHEREAS, under section 138 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), the Minister of Public Security is responsible for the administration of that Act;

WHEREAS, under section 2 of the Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., c. R-6.1), the Régie des alcools, des courses et des jeux is responsible for the carrying out of the Act respecting lotteries, publicity contests and amusement machines;

WHEREAS, under paragraph 1 of section 23 of the Act respecting the Régie des alcools, des courses et des jeux and section 34 of the Act respecting lotteries, publicity contests and amusement machines, the board issues video lottery machine site operator's licences;

WHEREAS, under section 50.0.1 of the Act respecting lotteries, publicity contests and amusement machines, the board may, in plenary session, if the public interest so requires, suspend the issue of licences for all or part of the territory of Québec for a period not exceeding one year and may exempt from the application of that measure the licence applications indicated by the board;

WHEREAS, in its plenary session on 18 February 2004, the board decided, in the public interest, to suspend the issue of video lottery machine site operator's licences for all of the territory of Québec for the period from 15 March 2004 to 14 March 2005 and to exempt from the application of that measure certain licence applications;

WHEREAS, under the third paragraph of section 50.0.1 of the Act respecting lotteries, publicity contests and amusement machines, a suspension measure must be submitted to the Government for approval and shall take effect on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned therein;

WHEREAS it is expedient to approve the suspension measure;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the suspension measure concerning the issue of video lottery machine site operator's licences, taken by the Régie des alcools, des courses et des jeux in its plenary session on 18 February 2004 and attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Decision – Number 9 (2003-2004)

Suspension of the issue of video lottery machine site operator's licences for the period from 15 March 2004 to 14 March 2005

WHEREAS an interdepartmental consultative committee on games of chance and money was created by the Government in December 2000 to determine actions to be taken to improve the management of the social and economic repercussions connected with gaming;

WHEREAS the committee's work led to the tabling in the fall of 2002 of a government action plan on pathological gambling;

WHEREAS the government action plan provides for concerted implementation of means of action to prevent, reduce and treat the problems related to games of chance and money, and requires various government departments and public bodies intervene according to their respective fields of responsibility;

WHEREAS to determine the means of action and the most appropriate preventive, consistent and protective measures, it is in the public interest to terminate the studies and work in progress undertaken by the stakeholders, including as regards the protection of vulnerable persons and accessibility to gaming sites;

WHEREAS the board is the body responsible for regulating video lottery machines and issuing licences for such machines;

WHEREAS, under section 50.0.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), the board may, in plenary session, if the public interest so requires, suspend the issue of licences for all or part of the territory of Québec for the period, not exceeding one year, determined by the board;

WHEREAS a suspension measure taken under that section 50.0.1 applies to licence applications filed before the measure becomes effective and in respect of which the board has not made a decision;

WHEREAS a suspension measure may indicate the licence applications that are exempted from its application;

WHEREAS a suspension measure must be submitted to the Government for approval and shall take effect on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned therein;

WHEREAS, in a decision dated 27 February 2003, the board in plenary session suspended the issue of video lottery machine site operator's licences for the period from 15 March 2003 to 14 March 2004;

WHEREAS it is necessary, in order to pursue the above-mentioned objectives, for the board to once again suspend the issue of video lottery machine site operator's licences;

THEREFORE, the board, meeting in plenary session on 18 February 2004, decided to suspend the issue of video lottery machine site operator's licences for the period from 15 March 2004 to 14 March 2005, for all of the territory of Québec.

The suspension measure applies to video lottery machine site operator's licence applications received after 15 March 2004 and to those received before 16 March 2004 in respect of which the board has not made a decision.

The suspension measure shall not prevent the board from renewing a site operator's licence.

The suspension measure shall not prevent the board from issuing a new site operator's licence in respect of an establishment for which a licence is in force, to the extent that such issuance does not operate to increase the number of sites where video lottery machines are operated, where the new licence is applied for

(1) by reason of the death of the holder of the licence, by the liquidator of the succession, the legatee by particular title or heir of the holder of the licence or by a person designated by them;

(2) by a trustee, a liquidator, a sequestrator or a trustee in bankruptcy who is temporarily administering the establishment;

(3) by reason of the alienation of the establishment, of the leasing or retaking of possession following the exercise of a right to take in payment or the carrying out of a similar agreement; or

(4) by the holder if the holder is required to rearrange or change the site being operated under the liquor permit to which the licence is attached by reason of exceptional circumstances and for reasons beyond the holder's control.

FRANÇOIS CÔTÉ,
Secretary of the board

6206

Index

Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

	Page	Comments
Lotteries, publicity contests and amusement machines, An Act respecting... — Suspension of the issue of video lottery machine site operator's licences (R.S.Q., c. L-6)	1089A	N
Suspension of the issue of video lottery machine site operator's licences (An Act respecting lotteries, publicity contests and amusement machines, R.S.Q., c. L-6)	1089A	N

