



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 110

(1997, chapter 32)

**An Act to amend the Act respecting the
Société des alcools du Québec and other
legislative provisions**

**Introduced 29 April 1997
Passage in principle 13 May 1997
Passage 6 June 1997
Assented to 12 June 1997**

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EXPLANATORY NOTES

The object of this bill is to authorize the holder of a brewer's permit to sell, on the production premises, alcoholic beverages he makes, for consumption on the premises or for consumption elsewhere.

The bill specifies the conditions governing such sale so as to make the brewer subject to the same requirements as are applicable to holders of liquor permits.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1);
- Act respecting liquor permits (R.S.Q., chapter P-9.1);
- Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13).

Bill 110

AN ACT TO AMEND THE ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

1. Section 25 of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13) is amended by inserting, after the second paragraph, the following paragraph :

“However, the holder may sell, at the place where they are produced, alcoholic beverages he makes, for consumption on the premises at the place indicated on the permit or for consumption elsewhere.”

2. Section 30 of the said Act, amended by section 6 of chapter 34 of the statutes of 1996, is again amended by replacing the word “third” in the third line of the last paragraph by the word “fourth”.

3. Section 30.1.2 of the said Act, enacted by section 7 of chapter 34 of the statutes of 1996, is amended by inserting the words “or to the third paragraph of section 25” after the figure “24.1” in the second line.

4. Section 33.2 of the said Act, enacted by section 9 of chapter 34 of the statutes of 1996, is amended

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

“33.2. Where a permit holder sells alcoholic beverages pursuant to subparagraph 1 or 2 of the second paragraph of section 24.1 or pursuant to the third paragraph of section 25, he is subject to the same requirements as those imposed on the holder of a permit for the sale of alcoholic beverages by sections 62, 66 to 68, 73, 74.1, 75, 77.1 to 78 and 82 to 84.1 of the Act respecting liquor permits. In addition, the holder of a small-scale production permit is subject to the requirement imposed by section 59 of that Act and the holder of a brewer’s permit, to the requirement imposed by section 57 of that Act ; however, as regards the sale of alcoholic beverages for consumption elsewhere than at the place where they are produced, both are subject to section 60 of that Act.”;

(2) by inserting the words “, paragraph 6 of section 109 and paragraphs 4 and 5 of section 110 of that Act” after the word “beverages” in the second line of the second paragraph;

(3) by replacing the word “holder” in the third line of the second paragraph by the word “holders”.

5. Section 35 of the said Act, amended by section 12 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or any provision referred to in section 33.2” after the words “or 33.1” in subparagraph 4 of the first paragraph.

6. Section 35.1.1 of the said Act, enacted by section 13 of chapter 34 of the statutes of 1996, is amended by inserting the words “or in the third paragraph of section 25” after the figure “24.1” in the third line.

7. Section 35.4 of the said Act is amended by replacing the word “third” in the fourth line by the word “fourth”.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

8. Section 88 of the Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1), amended by section 42 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or a brewer’s permit” after the word “permit” in the second line of the second paragraph.

9. Section 91.1 of the said Act, amended by section 43 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or a brewer’s permit” after the words “small-scale production permit”.

10. Section 92 of the said Act, amended by section 44 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or a brewer’s permit” after the word “permit” in the second line of paragraph *f*.

11. Section 93 of the said Act is amended by inserting the words “or a brewer’s permit” after the word “permit” in the second line of subparagraph *e* of the first paragraph.

12. Section 103.1 of the said Act, amended by section 45 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or a brewer’s permit” after the words “small-scale production permit” in the first paragraph.

13. Section 109 of the said Act, amended by section 49 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or brewer’s permit” after the words “small-scale production permit” in paragraph 3.

14. Section 112 of the said Act, amended by section 50 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or a brewer’s permit” after the words “small-scale production permit” in paragraph 3.

15. The French text of section 114 of the said Act, amended by section 51 of chapter 34 of the statutes of 1996, is again amended

(1) by replacing the words “qui imite ceux dont se sert la Régie” in paragraph 3 by the words “de la Régie”;

(2) by replacing the words “un autocollant numéroté de la Régie” in paragraph 3 by the words “ un autocollant numéroté qui imite celui dont se sert la Régie”.

16. Section 116 of the said Act, amended by section 52 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or a brewer’s permit” after the words “small-scale production permit”.

17. Section 132.1 of the said Act, enacted by section 53 of chapter 34 of the statutes of 1996, is amended by inserting the words “or a brewer’s permit” after the word “permit” in the fourth line.

ACT RESPECTING LIQUOR PERMITS

18. Section 72.1 of the Act respecting liquor permits (R.S.Q., chapter P-9.1), amended by section 28 of chapter 34 of the statutes of 1996, is again amended by inserting the words “or of a small-scale beer producer’s permit” after the word “permit” in the third line of subparagraph 3 of the second paragraph.

FINAL PROVISIONS

19. Until the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages, approved by Order in Council 1529-91 (1991, G.O.2, 4466), is amended to fix the price for the retail sale of beer by the holder of a brewer’s permit, the price fixed under the first and second paragraphs of section 18 of that regulation also applies to the retail sale of beer by the holder of a brewer’s permit for consumption elsewhere than at the place where it is produced.

20. This Act comes into force on 12 June 1997.