



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 20

(1999, chapter 20)

An Act to amend the Act respecting liquor permits and the Act respecting the Régie des alcools, des courses et des jeux

Introduced 11 May 1999

Passage in principle 27 May 1999

Passage 17 June 1999

Assented to 19 June 1999

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EXPLANATORY NOTES

This bill amends the Act respecting liquor permits to introduce the obligation for the Régie des alcools, des courses et des jeux to consider certain aggravating factors when sanctioning offences involving the presence in an establishment of alcoholic beverages acquired otherwise than in accordance with the proper permits. Consequently, the bill repeals the legislative provision authorizing the board to make regulations to sanction such offences.

This bill also amends the Act respecting liquor permits to allow alcoholic beverages to be served in the passenger terminal at the Québec/Jean-Lesage International Airport without restriction as to time.

Lastly, the bill amends the Act respecting the Régie des alcools, des courses et des jeux to better harmonize the decision-making process of the board with the one established in the Act respecting administrative justice.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting liquor permits (R.S.Q., chapter P-9.1) ;
- Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1).

Bill 20

AN ACT TO AMEND THE ACT RESPECTING LIQUOR PERMITS AND THE ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

ACT RESPECTING LIQUOR PERMITS

1. Section 65 of the Act respecting liquor permits (R.S.Q., chapter P-9.1) is amended by replacing “at the Dorval and Mirabel international airports” by “in the passenger terminals at the Montréal Dorval and Mirabel International Airports and at the Québec/Jean-Lesage International Airport”.

2. Section 86 of the said Act, amended by section 875 of chapter 43 of the statutes of 1997 and by section 38 of chapter 51 of the statutes of 1997, is again amended by adding the following paragraph at the end :

“In determining the administrative sanction for a contravention of section 72.1, the board shall consider in particular the following aggravating factors :

(a) the quantity of alcoholic beverages or the number of video lottery machines involved ;

(b) the fact that the alcoholic beverages involved are of bad quality or unfit for consumption ;

(c) the fact that the alcoholic beverages involved were made fraudulently or are adulterated ;

(d) the fact that the permit holder involved contravened section 72.1 in the five preceding years ;

(e) the fact that the alcoholic beverages are not marketed by the Société des alcools du Québec and are not made, bottled or delivered in accordance with a permit issued under the Act respecting the Société des alcools du Québec (chapter S-13).”

3. Section 114 of the said Act, amended by section 52 of chapter 51 of the statutes of 1997, is again amended by striking out paragraph 14.1.

ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET
DES JEUX

4. Sections 31 and 32 of the Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1), amended by sections 573 and 574, respectively, of chapter 43 of the statutes of 1997, are again amended by striking out “evidence and”.

5. Section 32.1 of the said Act, enacted by section 57 of chapter 51 of the statutes of 1997 and amended by section 49 of chapter 79 of the statutes of 1997, is again amended by replacing that part of the first paragraph after “person concerned” by “in writing as provided in section 5 of the Act respecting administrative justice (1996, chapter 54) and allow the person at least 20 days to present observations and to file an application to meet, alone or accompanied, with the board. The notice must be accompanied with a copy of the documents upon which it is based.”

6. Section 32.2 of the said Act, enacted by section 57 of chapter 51 of the statutes of 1997 and amended by section 50 of chapter 79 of the statutes of 1997, is repealed.

7. Section 32.4 of the said Act, enacted by section 57 of chapter 51 of the statutes of 1997, is repealed.

8. Section 33 of the said Act, amended by section 58 of chapter 51 of the statutes of 1997 and section 51 of chapter 79 of the statutes of 1997, is repealed.

9. Section 39 of the said Act, amended by section 577 of chapter 43 of the statutes of 1997 and section 61 of chapter 51 of the statutes of 1997, is again amended by replacing the second paragraph by the following paragraph :

“The decision is executory once the persons concerned have received a copy of it or from the time indicated therein, provided that the persons concerned have previously received a copy or that they have been otherwise notified. In cases of suspension or revocation of a permit or authorization issued under the Act respecting liquor permits (chapter P-9.1), notification of the decision may be made to any reasonable person working in the establishment to which the permit applies.”

10. This Act comes into force on 19 June 1999.