

Gouvernement du Québec

O.C. 457-2001, 25 April 2001

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Alcoholic beverages

— **Terms of sale by holders of a grocery permit**

— **Amendments**

Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit

WHEREAS under paragraph 1 of section 37 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13), amended by section 20 of Chapter 8 of the Statutes of 1999, the Government, upon the recommendation of the Minister of Industry and Trade and the Minister of Public Security, may make regulations determining the conditions or modalities of purchase, making, bottling, keeping, handling, storing, sale or shipping of alcoholic beverages;

WHEREAS under paragraph 7 of section 37 of the Act, the Government may, in the same manner, make regulations determining which wines and alcoholic beverages made or bottled by the Corporation or a brewer's, cider maker's or wine maker's permit holder, other than alcohol and spirits, may be sold by grocery permit holders;

WHEREAS under paragraph 8 of section 37 of the Act, the Government may, in the same manner, make regulations determining, for grocery permit holders, the conditions and modalities of supplying, marketing and fixing the retail price of alcoholic beverages contemplated in paragraph 7 of that section;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit was published in Part 2 of the *Gazette officielle du Québec* of 30 August 2000 with a notice that it could be submitted to the Government which could make it upon the expiry of 45 days following that publication;

WHEREAS by Order in Council 218-2001 dated 8 March 2001, the Minister of Finance shall act in the stead of the Minister of Industry and Trade as provided for in the Act respecting the Société des alcools du Québec;

WHEREAS it is expedient to make the Regulation with amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Finance and the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit*

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13, s. 37, pars. 1, 7, 8 and 10; 1999, c. 8, s. 20)

1. The Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit is amended in section 2 by substituting the following for paragraph 2:

“(2) wines bottled in Québec bearing the mark of origin of the Société des alcools du Québec, provided that there are not more than 8 brand-sizes;”.

2. Section 3 is amended

(1) by deleting the words “a person authorized by the Société des alcools du Québec to sell alcoholic beverages under paragraph *h* of section 17 of the Act respecting the Société des alcools du Québec, or with” in subparagraph 5 of the first paragraph;

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

“In addition, the holder of a wine maker's permit may market a proprietary brand in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec.”.

* The Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit, made by Order in Council 2165-83 dated 19 October 1983 (1983, *G.O.* 2, 3668), was last amended by the Regulation made by Order in Council 1797-91 dated 18 December 1991 (1992, *G.O.* 2, 16). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

3. Section 4 is amended

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

“The holder of a wine maker’s permit that wishes to market a proprietary brand in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec shall file with the Corporation an additional declaration indicating his intention and attesting that he holds the rights to use the brand. The permit holder shall also have the declaration recorded in the register of proprietary brands kept by the Corporation.”;

(2) by inserting the words “provided that those brands and brand names of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec” after the words “recorded in the register and” in the second paragraph;

(3) by substituting the word “third” for the word “second” in the third paragraph.

4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 458-2001, 25 April 2001

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit — Amendments

Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit

WHEREAS under paragraph 1 of section 37 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13), amended by section 20 of Chapter 8 of the

Statutes of 1999, the Government, upon the recommendation of the Minister of Industry and Trade and the Minister of Public Security, may make regulations determining the conditions or modalities of purchase, making, bottling, keeping, handling, storing, sale or shipping of alcoholic beverages;

WHEREAS under paragraph 7 of section 37 of the Act, the Government may, in the same manner, make regulations determining which wines and alcoholic beverages made or bottled by the Corporation or a brewer’s, cider maker’s or wine maker’s permit holder, other than alcohol and spirits, may be sold by grocery permit holders;

WHEREAS under paragraph 8 of section 37 of the Act, the Government may, in the same manner, make regulations determining, for grocery permit holders, the conditions and modalities of supplying, marketing and fixing the retail price of alcoholic beverages contemplated in paragraph 7 of that section;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit was published in Part 2 of the *Gazette officielle du Québec* of 30 August 2000 with a notice that it could be submitted to the Government which could make it upon the expiry of 45 days following that publication;

WHEREAS under Order in Council 218-2001 dated 8 March 2001, the Minister of Finance shall act in the stead of the Minister of Industry and Trade as provided for in the Act respecting the Société des alcools du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Finance and the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif