



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 51

(2001, chapter 65)

An Act to amend the Act respecting lotteries, publicity contests and amusement machines and the Act respecting the Régie des alcools, des courses et des jeux

Introduced 13 November 2001

Passage in principle 5 December 2001

Passage 19 December 2001

Assented to 20 December 2001

EXPLANATORY NOTES

This bill amends the Act respecting lotteries, publicity contests and amusement machines so as to specify the powers of the Régie des alcools, des courses et des jeux and those of the Government as regards bingo lottery scheme licences, particularly with respect to any form of remuneration or determination of remuneration pertaining to bingo hall services or the determination of criteria for prize-giving during a bingo event.

The board is authorized to suspend the issue of lottery scheme licences for a maximum of one year with the approval of the Government, if justified by the public interest. The suspension may be extended subject to the same conditions.

The Forum des organismes de charité ou religieux titulaires de licence de bingo and the Secrétariat du bingo are established and their objectives determined. For the purpose of financing the Secrétariat, the Government is given the power to require an annual contribution from bingo lottery scheme licence holders and is authorized to establish a temporary financial assistance program for the benefit of organizations holding bingo licences.

The Act respecting the Régie des alcools, des courses et des jeux is also amended, with the number of commissioners comprising the board being increased from thirteen to seventeen.

Lastly, the bill contains a transitional measure concerning the suspension of the issue of bingo licences currently in effect.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6);
- Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1).

Bill 51

AN ACT TO AMEND THE ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES AND THE ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6) is amended by striking out subparagraph *m* of the first paragraph.

2. Section 20 of the said Act is amended

(1) by inserting “, places” after “dates” in subparagraph *d* of the first paragraph;

(2) by replacing subparagraph *h* of the first paragraph by the following subparagraph :

“(h) the determination of criteria for the assignment or redistribution of bingo lottery scheme licences;”;

(3) by striking out “, which may vary according to territories” in subparagraph *i.2* of the first paragraph;

(4) by replacing “operator’s” in the third line of subparagraph *i.3* of the first paragraph by “manager’s”;

(5) by inserting the following subparagraphs after subparagraph *i.3* of the first paragraph :

“(i.4) any form of remuneration or determination of remuneration pertaining to bingo hall services that is not provided for in subparagraph *i.2* or *i.3*;

“(i.5) the determination of criteria for prize-giving during a bingo event;”;

(6) by striking out “, which price may vary according to territories and according to criteria specified in the rules” in subparagraph *j.1* of the first paragraph;

(7) by inserting “, their frequency” after “reports” in subparagraph *l* of the first paragraph;

- (8) by replacing “Minister” in the third paragraph by “Government”;
- (9) by replacing “, *i.2, i.3*” in the first line of the fourth paragraph by “*i.2 to i.5*”;
- (10) by inserting the following paragraph after the third paragraph :

“The rules under subparagraphs *c, d, h* and *i to m* of the first paragraph shall be made after consultation with the Secrétariat du bingo.”

3. The said Act is amended by inserting the following section after section 36.1 :

“36.1.1. The board may, if it considers it advisable, conduct market surveys regarding the bingo lottery scheme ; the surveys must be made public.”

4. Section 49.0.1 of the said Act is amended

(1) by replacing “in the territory concerned” in subparagraph 3 of the second paragraph by “that may be affected thereby”;

(2) by striking out subparagraph 4 of the second paragraph ;

(3) by striking out the third paragraph.

5. The said Act is amended by inserting the following section after section 50 :

“50.0.0.1. An application for the issue or renewal of a licence that has been refused may not be reexamined by the board unless one year or more has elapsed from the date of the refusal or the applicant provides evidence that new circumstances have arisen since the application was refused.”

6. Sections 50.0.1 and 50.0.2 of the said Act are replaced by the following sections :

“50.0.1. 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. The suspension may, however, be extended subject to the same conditions.

A suspension measure under this section may be imposed in respect of licence applications filed before the suspension measure becomes effective and in respect of which the board has not made a decision. The suspension measure may indicate the licence applications that are exempted from its application.

A suspension measure or its extension 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.

“50.0.2. The Government may, if it considers it expedient, establish according to the categories of licences and the terms and conditions it determines, a temporary program of financial assistance for the benefit of bingo licence holders to minimize the inconvenience that may be caused by, among other factors, the closing of a hall or the application of new rules.

“50.0.3. The Government may require an annual contribution from bingo lottery scheme licence holders for the purpose of financing the Secrétariat du bingo. The percentage of the contribution and the collection procedure shall be determined by the Government.”

7. Section 52 of the said Act is replaced by the following section :

“52. Licences are not transferable and may not be issued for a period that exceeds one year, except bingo lottery scheme licences which are issued for a period of not more than three years.

The duties prescribed by regulation shall be payable annually for the maintenance of a bingo lottery scheme licence. In the case of non-payment of the duties, the licence shall be without effect.”

8. The said Act is amended by inserting the following after Division III of Chapter III :

“CHAPTER III.1

“CONSULTATIVE BODIES IN THE BINGO SECTOR

“57.0.1. The following consultative bodies are hereby established :

(1) the “Forum des organismes de charité ou religieux titulaires de licence de bingo”, a legal person constituted of all the religious or charitable organizations holding a bingo licence.

The object of the Forum is to encourage concerted action among bingo licence holders, promote the interests of bingo licence holders and advise the Minister on any matter submitted to the Forum by the Minister.

The Forum shall be governed by the provisions of Part III of the Companies Act (chapter C-38).

The Forum shall establish an advisory committee in particular to represent each administrative region of Québec.

(2) the “Secrétariat du bingo”, a legal person whose object is to encourage and promote the development of bingo, make bingo development proposals to the Minister and carry out any mandate conferred on it by the Minister.

The Secrétariat’s board of directors shall be composed of five members, as follows :

(a) three members elected from the list of the persons designated by the Forum des organismes de charité ou religieux titulaires de licence de bingo, from among the members of organizations that are members of the Forum ;

(b) one member elected from the list of the persons designated by an organization accredited by the Minister to represent the holders of a bingo hall manager’s licence not acting for profit or, if not, elected from the list of the persons designated by the Minister ;

(c) one member elected from the list of the persons designated by an organization accredited by the Minister to represent the holders of a bingo hall manager’s licence acting for the purpose of profit or, if not, elected from the list of the persons designated by the Minister.

The president of the Société des bingos du Québec, or any person designated by the president, shall participate in the meetings of the board of directors without, however, being entitled to vote.

The Secrétariat shall be governed by the provisions of Part III of the Companies Act.”

9. Section 119 of the said Act is amended by inserting “, maintenance” after “modification” in the first line of subparagraph *c* of the first paragraph.

10. Section 3 of the Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1) is amended by replacing “thirteen” in the first line by “seventeen”.

11. Section 15 of the said Act is amended by replacing “Seven” in the second paragraph by “Nine”.

12. Section 25 of the said Act is amended by replacing “the organizer of a bingo game” in paragraph 3 by “a bingo hall manager”.

13. Section 24 of the Bingo Rules, made by ministerial order dated 29 September 1997 (1997, G.O. 2, 5116), is repealed.

14. The suspension imposed pursuant to section 50.0.2 of the Act respecting lotteries, publicity contests and amusement machines, as it read before being replaced by section 6, in respect of the issue of bingo licences and bingo hall operator’s licences is maintained until the date fixed for its expiry. The board

may, however, on the conditions set out in section 50.0.1 of the said Act, as replaced by section 6, lift the suspension for all or part of the territory of Québec.

15. The Minister of Public Security shall appoint the provisional directors of the Forum des organismes de charité ou religieux titulaires de licence de bingo, and of the Secrétariat du bingo established by section 57.0.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6).

The Forum shall have its head office in the territory of Ville de Montréal and its board of directors shall be composed of seven members. The Secrétariat shall have its head office in the territory of Ville de Montréal.

16. The provisions of this Act come into force on 20 December 2001, except the provisions of paragraph 1 of section 57.0.1, introduced by section 8, which come into force on 15 January 2002 and those of paragraph 2 of that section, which come into force on 1 February 2002.