

Regulations and other acts

Gouvernement du Québec

O.C. 531-2005, 8 June 2005

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

Bingo licences and bingo hall manager's licences — Suspension of the issue

CONCERNING the suspension of the issue of bingo licences and bingo hall manager's licences

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 (R.S.Q., c. L-6);

WHEREAS, under section 23 of that Act and section 34 of the Act respecting lotteries, publicity contests and amusement machines, the board is the body responsible for issuing the licences necessary to conduct bingo as a lottery scheme, for establishing the conditions attached to the licences and monitoring their use, and for seeing to the protection and safety of the public;

WHEREAS, under section 50.0.1 of the Act respecting lotteries, publicity contests and amusement machines, the board meeting in plenary session on 18 May 2005 decided, in the public interest, to suspend the issue of bingo licences and bingo hall manager's licences for a period of one hundred eighty days, calculated from the date on which the suspension measures become effective, for all of the territory of Québec with the exception of certain parts of the territory and certain types of 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 measures;

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

THAT the suspension measures concerning the issue of bingo licences and bingo hall manager's licences, taken by the Régie des alcools, des courses et des jeux on 18 May 2005 and attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Decision No. 1

CONCERNING the suspension of the issue of bingo licences

WHEREAS in the last few years the bingo sector has been undergoing major reform aimed at providing a solution to the various problems faced by charitable and religious organizations;

WHEREAS the main problems encountered with this lottery scheme concern the existence of tensions between the various stakeholders, deficiencies in control measures affecting the integrity of the game, a drop in the number of players in bingo halls and saturation of the market, especially in certain cities or regions of Québec owing to an excessive number of outstanding licences, the latter two factors combined resulting in a decrease in the percentage of profits going to the recipient organizations;

WHEREAS since 27 September 1997, the board has suspended the issue of bingo licences and, since 25 November 2000, the issue of bingo hall manager's licences, on the conditions prescribed by the applicable texts as they read at all material times, with a view to re-establishing orderly development of the bingo industry in Québec, those last two suspension measures being effective from 29 December 2004 to 26 June 2005;

WHEREAS in association with the taking of the suspension measures, the board consulted extensively in the spring of 1999, which resulted in the submission to the Minister of Public Security of a report entitled *Le Bingo au Québec, État de la question et pistes de solutions*, made public on 12 April 2000;

WHEREAS the report was an assessment of the bingo reform accomplished up to that date and identified the remaining problems associated with this area of activity; it also proposed a plan of action aimed at pursuing the impetus given to bingo activities in Québec, particularly where bingo serves as a fund-raising mechanism for charitable and religious organizations;

WHEREAS section 57.0.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), hereafter referred to as "the Act", established two consultative bodies in the bingo sector, namely the Forum des organismes de charité ou religieux titulaires de licence de bingo and the Secrétariat du bingo, each composed of partners in this field of activity, thereby creating exchange and coordination groups, with the additional objective of creating representative consultative bodies for dealings with the board;

WHEREAS an interim board of directors was named for each of the consultative bodies on 17 April 2002, following the appointment by the Minister of Public Security of members from the industry, although neither body has as yet elected its board of directors;

WHEREAS major efforts continue to be made and accomplishing the reform undertaken requires taking new suspension measures to apply in certain areas that have been especially affected by the different problems the reform is seeking to solve;

WHEREAS the survival of bingo as a lottery scheme intended to be a fund-raising mechanism for charitable and religious organizations requires an in-depth rationalization of the market in order for a balance to be achieved;

WHEREAS the primary objectives of the current reform are to enable bingo to develop harmoniously as a lottery scheme, to enhance the integrity of the game and to maximize the financial benefits for the eligible charitable and religious organizations;

WHEREAS it is therefore essential in the public interest and to the fulfilment of the above-mentioned objectives that the board once again suspend the issue of bingo licences in part of the territory of Québec;

WHEREAS certain Native communities maintain their desire to assume greater autonomy as regards the issue of bingo licences on their reserve or in their settlement determined by regulation, as authorized by the second paragraph of section 34 of the Act;

WHEREAS there is no need to deprive all charitable or religious organizations of the attendant benefits from the issue of a bingo licence when circumstances allow for the presence of new bingo licences because of the satisfactory profitability of the licences already issued;

WHEREAS the issue of recreational bingo licences under which the total maximum value of the prizes is \$200 or less has no significant impact on the profitability of the other bingo licences issued in the surrounding territory;

THEREFORE, the board, meeting in plenary session on 18 May 2005, hereby decides to suspend the issue of bingo licences for a period of one hundred eighty days, calculated from the effective date of this suspension measure, for all of the territory of Québec, except

(1) a territory where a Native community referred to in the second paragraph of section 34 of the Act resides and for which a local body is duly designated;

(2) the territory consisting of the territory of the following regional county municipalities:

Rimouski-Neigette, Charlevoix-Est, Charlevoix, L'Île d'Orléans, La Jacques-Cartier, La Nouvelle-Beauce, Robert-Cliche, L'Érable, Mékinac, Bécancour, Coaticook, Memphrémagog, La Haute-Yamaska, Maskinongé, Le Haut-Saint-Laurent, La Vallée-de-la-Gatineau, Témiscamingue, Sept-Rivières, Minganie;

(3) the territory consisting of the territory of the following local municipalities:

Les Îles-de-la-Madeleine, Ville de Shawinigan, Ville de Mirabel, Ville de Lévis, Côte-Nord-du-Golfe-du-Saint-Laurent, Gros-Mécatina, Saint-Augustin, Blanc-Sablon, Bonne-Espérance;

(4) the territory consisting of the territory of the Kativik Regional Government and the Category I lands of the Cree community of Whapmagoostui; and

(5) the territory consisting of the territory of the following Native reserves and settlements:

Uashat-Maliothenam, Mingan, Wôlinak, Kitigan Zibi, Timiskaming, Kebaowek, Winneway, Hunter's Point, La Romaine and Pakuashipi.

The suspension measure does not apply to an application for a recreational bingo licence under which the total maximum value of the prizes is \$200 or less.

The suspension measure applies to bingo licence applications received before or after the date on which the suspension measure becomes effective and in respect of which the board has not made a decision.

The suspension measure shall not prevent the board from modifying the operating conditions for a bingo licence in force on the date on which the suspension measure becomes effective, particularly with regard to the number of events, the hours, days and place of operation and the value of the prizes offered.

The suspension measure shall not prevent the board from issuing a bingo licence to a holder of a bingo licence in force on the date on which the suspension measure becomes effective.

Subject to its approval by the Government, this suspension measure becomes effective on 27 June 2005 or on the date of its publication in the *Gazette officielle du Québec* if that date is later.

Montréal, 18 May 2005

FRANÇOIS CÔTÉ,
Secretary of the board

Decision No. 2

CONCERNING the suspension of the issue of bingo hall manager's licences

WHEREAS, in the last few years the bingo sector has been undergoing major reform aimed at providing a solution to the various problems faced by charitable and religious organizations;

WHEREAS the main problems encountered with this lottery scheme concern the existence of tensions between the various stakeholders, deficiencies in control measures affecting the integrity of the game, a drop in the number of players in bingo halls and saturation of the market, especially in certain cities or regions of Québec owing to an excessive number of outstanding licences, the latter two factors combined resulting in a decrease in the percentage of profits going to the recipient organizations;

WHEREAS since 27 September 1997, the board has suspended the issue of bingo licences and, since 25 November 2000, the issue of bingo hall manager's licences, on the conditions prescribed by the applicable texts as they read at all material times, with a view to re-establishing orderly development of the bingo industry in Québec, those last two suspension measures being effective from 29 December 2004 to 26 June 2005;

WHEREAS in association with the taking of the suspension measures, the board consulted extensively in the spring of 1999, which resulted in the submission to the Minister of Public Security of a report entitled *Le Bingo au Québec, État de la question et pistes de solutions*, made public on 12 April 2000;

WHEREAS the report was an assessment of the bingo reform accomplished up to that date and identified the remaining problems associated with this area of activity; it also proposed a plan of action aimed at pursuing the impetus given to bingo activities in Québec, particularly where bingo serves as a fund-raising mechanism for charitable and religious organizations;

WHEREAS section 57.0.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), hereafter referred to as "the Act", established two consultative bodies in the bingo sector, namely the Forum des organismes de charité ou religieux titulaires de licence de bingo and the Secrétariat du bingo, each composed of partners in this field of activity, thereby creating exchange and coordination groups, with the additional objective of creating representative consultative bodies for dealings with the board;

WHEREAS an interim board of directors was named for each of the consultative bodies on 17 April 2002, following the appointment by the Minister of Public Security of members from the industry, although neither body has as yet elected its board of directors;

WHEREAS major efforts continue to be made and accomplishing the reform undertaken requires taking new suspension measures to apply in certain areas that have been especially affected by the different problems the reform is seeking to solve;

WHEREAS the survival of bingo as a lottery scheme intended to be a fund-raising mechanism for charitable and religious organizations requires an in-depth rationalization of the market in order for a balance to be achieved;

WHEREAS the primary objectives of the current reform are to enable bingo to develop harmoniously as a lottery scheme, to enhance the integrity of the game and to maximize the financial benefits for the eligible charitable and religious organizations;

WHEREAS it is therefore essential in the public interest and to the fulfilment of the above-mentioned objectives that the board once again suspend the issue of bingo hall manager's licences in part of the territory of Québec;

THEREFORE, the board, meeting in plenary session on 18 May 2005, hereby decides to suspend the issue of bingo hall manager's licences for a period of one hundred eighty days, calculated from the effective date of this suspension measure, for all of the territory of Québec, except

(1) a territory where a Native community referred to in the second paragraph of section 34 of the Act resides and for which a local body is duly designated;

(2) the territory consisting of the territory of the following regional county municipalities:

Rimouski-Neigette, Charlevoix-Est, Charlevoix, L'Île d'Orléans, La Jacques-Cartier, La Nouvelle-Beauce, Robert-Cliche, L'Érable, Mékinac, Bécancour, Coaticook, Memphrémagog, La Haute-Yamaska, Maskinongé, Le Haut-Saint-Laurent, La Vallée-de-la-Gatineau, Témiscamingue, Sept-Rivières, Minganie;

(3) the territory consisting of the territory of the following local municipalities:

Les Îles-de-la-Madeleine, Ville de Shawinigan, Ville de Mirabel, Ville de Lévis, Côte-Nord-du-Golfe-du-Saint-Laurent, Gros-Mécatina, Saint-Augustin, Blanc-Sablon, Bonne-Espérance;

(4) the territory consisting of the territory of the Kativik Regional Government and the Category I lands of the Cree community of Whapmagoostui; and

(5) the territory consisting of the territory of the following Native reserves and settlements:

Uashat-Maliothenam, Mingan, Wôlinak, Kitigan Zibi, Timiskaming, Kebaowek, Winneway, Hunter's Point, La Romaine and Pakuashipi.

The suspension measure applies to bingo hall manager's licence applications received before or after the date on which the suspension measure becomes effective and in respect of which the board has not made a decision.

The suspension measure shall not prevent the board from authorizing a change in the place of operation of a bingo hall manager's licence in force on the date on which the suspension measure becomes effective.

The suspension measure shall not prevent the board from issuing a bingo hall manager's licence to a holder of a bingo hall manager's licence in force on the date on which the suspension measure becomes effective.

The suspension measure shall not prevent the board from issuing a new bingo hall manager's licence on the condition that the issue of the licence does not operate to increase the number of bingo halls and is not contrary to the public interest, within the meaning of the Act itself, where the new licence application is made

(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 a person designated by them;

(2) by a trustee, a liquidator, a sequestrator or a trustee in bankruptcy who is temporarily administering a bingo hall for which a licence has been issued; or

(3) by any person where, following the cessation of operation of a bingo hall manager's licence, the holders of the bingo licence for that hall have no premises to operate the licence, as required by the regulation.

Subject to its approval by the Government, this suspension measure becomes effective on 27 June 2005 or on the date of its publication in the *Gazette officielle du Québec* if that date is later.

Montréal, 18 May 2005

FRANÇOIS CÔTÉ,
Secretary of the board

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Gouvernement du Québec

O.C. 539-2005, 8 June 2005

An Act respecting reciprocal enforcement of maintenance orders
(R.S.Q., c. E-19)

Designation of Vermont for the purposes of the Act

Designation of Vermont for the purposes of the Act respecting reciprocal enforcement of maintenance orders

WHEREAS section 10 of the Act respecting reciprocal enforcement of maintenance orders (R.S.Q., c. E-19) authorizes, by an order published in the *Gazette officielle du Québec*, the designation of any state, province or territory which the Government considers to have legislation substantially similar to the provisions of the Québec statute authorizing the execution of judgments ordering payment of maintenance rendered in Québec;