

Draft Regulations

Draft Regulation

An Act respecting liquor permits
(R.S.Q., c. P-9.1)

Liquor permits — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting liquor permits, the text of which appears below, may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation will allow the Régie des alcools, des courses et des jeux to issue periodic reunion permits.

To that end, it proposes to amend the Regulation respecting liquor permits to remove the maximum number of reunion permits that a person may apply for in the same year. It also provides that an event may be constituted of two or more activities that will require the issue of only one reunion permit. In addition, it establishes certain criteria the board is to take into account when issuing a reunion permit even though its use may constitute an operation for which another permit could be issued. The draft Regulation also proposes a consolidation of events for which a reunion permit to sell or serve may be issued by the board. The events involved are social, cultural, educational, sporting and family events.

The draft Regulation also introduces a provision to authorize a non-profit organization to apply for a reunion permit to support a funding activity the profits from which may be paid to another non-profit organization whose establishment is in Québec.

In addition, the draft Regulation authorizes participants to bring their alcoholic beverages to an event for which a reunion permit to serve has been issued.

Lastly, the draft Regulation removes the requirement for members of a non-profit organization to actively engage in the sport covered by the sporting event when applying for a reunion permit to serve and corrects a clerical error.

To date, study of the matter shows no negative impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Gilles Paquet, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, Québec (Québec) G1K 3J3; telephone: 418 646-2307; fax: 418 646-5204; e-mail: gilles.paquet@racj.gouv.qc.ca

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to François Côté, Secretary, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, Québec (Québec) G1K 3J3.

DENIS RACICOT,
*Chair, Régie des alcools,
des courses et des jeux*

Regulation to amend the Regulation respecting liquor permits*

An Act respecting liquor permits
(R.S.Q., c. P-9.1, s. 114, pars. 2 and 16)

1. The Regulation respecting liquor permits is amended by replacing sections 12 and 13 by the following:

“12. A reunion permit to sell or serve alcoholic beverages may be issued to a person only for a social, cultural, educational or sporting event if the person meets the requirements of this Division.

A natural person who meets the requirements may also obtain such a permit for a family event.

For the purposes of the first paragraph, an event may consist of two or more activities that take place during the period determined by the board under section 33 of the Act.

13. A reunion permit may be issued even if the proposed use of the permit were to constitute an operation for which another permit could be issued, provided that the operation does not constitute the main activity of the person applying for the permit.

* The Regulation respecting liquor permits (1983, *G.O.* 2, 3166) was last amended by the regulation approved by Order in Council 1118-92 dated 29 July 1992 (1992, *G.O.* 2, 4159). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 April 2006.

In such a case, the board shall take into account the nature and use of the place of the proposed operation, the nature and frequency of the activities planned and the persons who are to participate therein.”.

2. Section 14 of the French text is amended by replacing “à titre gratuit” in the first paragraph by “gratuitement”.

3. Section 15 is amended by replacing “the reunion” by “the event”.

4. Section 15.1 is amended by inserting “without charge” after “serve”.

5. Section 16 is amended by replacing “53” by “55”.

6. Sections 17 and 18 are revoked.

7. Section 20 is amended

(1) by replacing the part preceding paragraph 1 by the following:

“**20.** Subject to sections 12 to 19, a reunion permit to sell may be issued to a natural person if the natural person meets the following conditions:”;

(2) by replacing “financial gain” in paragraph 3 by “profit”;

(3) by replacing paragraph 4 by the following:

“(4) he sends an application to the board at least 15 days before the date of the event for which the permit is applied for or, if the event consists of two or more activities, at least 15 days before the date of the first activity.”.

8. Section 21 is replaced by the following:

“**21.** Subject to sections 12 to 19, a reunion permit to sell may be issued to a legal person if the legal person meets the following conditions:

(1) it is a non-profit legal person under its constituent Act and its income may not be used directly or indirectly for the benefit of its members;

(2) the profits from the event for which the permit is applied for, including any entry fees or admission charges, must be used only to achieve the purposes of the legal person or to achieve the purposes of another non-profit legal person;

(3) it sends its application to the board at least 15 days before the date of the event for which the permit is applied for or, if the event consists of two or more activities, at least 15 days before the date of the first activity.

If the profits from the event must be used to achieve the purposes of another non-profit legal person, that legal person must have an establishment in Québec and the applicant must attach to the application a copy of the agreement entered into with that legal person attesting that the profits will be paid to it.”.

9. Section 22 is amended by replacing “the reunion” by “the event”.

10. Sections 23 and 25 are revoked.

11. Section 26 is replaced by the following:

“**26.** A reunion permit to serve authorizes its holder to allow the consumption of alcoholic beverages brought by participants to the event or to serve alcoholic beverages without charge if the event takes place outside the holder’s residence or establishment.”.

12. Section 27 is replaced by the following:

“**27.** Subject to sections 12 to 19, a reunion permit to serve may be issued to a natural person or a legal person if the person meets the following conditions:

(1) in the case of a sporting event, the permit may be applied for only for sporting competitions during which there is no form of betting and no purses are awarded;

(2) the person must not charge an entry fee or admission charge for the event;

(3) the person must not make any profit from the event;

(4) the person sends an application to the board at least 15 days before the date of the event for which the permit is applied for or, if the event consists of two or more activities, at least 15 days before the date of the first activity.”.

13. Section 29 is revoked.

14. Section 30 is amended

(1) by replacing paragraph 1 by the following :

“(1) it must be a non-profit legal person under its constituent Act;”;

(2) by replacing “corporation” in paragraph 3 by “legal person”.

15. The Regulation is amended by replacing “corporation” wherever it appears in sections 3 and 4 by “legal person” and “deed of incorporation” in section 3 by “certificate of constitution”.

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