

**67.102.** At the showdown, the winning hand must be identified. The player having made the last bet must be the first to show all his cards. The other players who have not folded must, clockwise in turn, show all their cards. A player who holds a losing hand may forfeit the pot by folding. The person authorized by the Société may require a folded hand to be shown.

**67.103.** To win the pot, a player must

(1) have the highest ranking hand at the showdown except if the type of poker being played demands the contrary; or

(2) have made a bet during any betting round that is neither called nor raised by at least one other player at the table.

**67.104.** A player who does not take the necessary precautions to protect his hand has no recourse if the hand is excluded from the game because of non-compliant conduct or the person authorized by the Société picking it up by mistake.

**67.105.** The person authorized by the Société may determine that a player has folded if, at the time for making a bet or calling, the player drops his cards face down in the direction of the pot or towards the place reserved for cards no longer in play.

**67.106.** When a player is required to make a bet arising from a verbal announcement or a forced bet, folding does not exempt the player from that obligation.

**67.107.** During a game, a player must play in a way that increases his chances of winning and at no time may the player engage in any conduct to improve another player's chances of winning. A player cannot disclose any information to another player that would aid that player in any manner or that would have an effect on the play of the game.

**67.108.** For each game, the person authorized by the Société may take from the pot, as a commission, an amount not exceeding 10% of the pot value. The person may also require each player to pay, as a commission, an amount determined on the basis of game time, in accordance with the limits posted at the table.

**67.109.** Where the person authorized by the Société has reason to believe that a player is not complying with any of the provisions of this subdivision or the rules specific to each game of poker, the player may be directed by the person to leave the poker room.

**67.110.** In the event of a dispute that pertains to the playing of a game, the person authorized by the Société decides the issue and the decision is immediately effective and binds the players.”.

**4.** This By-law 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. 1042-2007, 28 November 2007**

Consumer Protection Act  
(R.S.Q., c. P-40.1)

**Regulation**  
— **Amendments**

Regulation to amend the Regulation respecting the application of the Consumer Protection Act

WHEREAS, under paragraphs *l* and *r* of section 350 of the Consumer Protection Act (R.S.Q., c. P-40.1), the Government may make regulations determining the cases where security may be required, exempting, in whole or in part, any class of persons, goods, services or contracts from the application of the Act, and fixing conditions for that exemption;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 26 September 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the application of the Consumer Protection Act, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the application of the Consumer Protection Act\*

Consumer Protection Act  
(R.S.Q., c. P-40.1, s. 350, pars. *l*, *r* and *y*; 2006, c. 56)

**1.** The Regulation respecting the application of the Consumer Protection Act is amended in section 4 by replacing “sections 22, 254 to 256” by “sections 54.3, 254 to 256”.

**2.** Section 6 is amended by replacing “Section 22 of the Act” by “Section 54.3 of the Act”.

**3.** The following is inserted after section 6:

“**6.1.** Division I.1 of Chapter III of Title I of the Act does not apply to

(a) a contract subject to the Act respecting prearranged funerals and sepultures (R.S.Q., c. A-23.001) and entered into in accordance with the provisions of that Act;

(b) a contract for the sale of goods likely to deteriorate rapidly;

(c) a contract entered into during an auction sale;

(d) a contract entered into following an offer made by a merchant through a vending machine;

(e) a parking space lease if the rental rate is calculated by the minute or on a hourly or daily basis;

(f) a telephone service contact established by the insertion of a coin or credit card into a public telephone; or

(g) a contract for the sale of a lottery ticket by a legally authorized person.

**6.2.** Section 54.3 of the Act does not apply to a travel agent who complies with the Travel Agents Act (R.S.Q., c. A-10) and the regulations made under that Act with regard to the trust account.

**6.3.** Contracts of credit, contracts of service involving sequential performance within the meaning of Division VI of Chapter III of Title I of the Act, even if entered into by a person listed in section 188 of the Act, and contracts of service or for the lease of goods entered into at the time of the entering into or performance of a contract of service involving sequential performance are exempt from the application of Chapter II of Title I and sections 54.8 to 54.16 of the Act and section 26 of this Regulation if they are distance contracts.

**6.4.** Long-term contracts of lease of goods within the meaning of section 150.2 of the Act and contracts for the sale or long-term lease of a used car or motorcycle are exempt from the application of Chapter II of Title I of the Act and section 26 of this Regulation if they are distance contracts.”

**4.** Section 8 is amended

(1) by adding “even if the soliciting was done by the merchant elsewhere than at the merchant’s address” at the end of paragraph *c*;

(2) by replacing “a public telephone utility company” in paragraph *g* by “a telecommunications common carrier to which the Telecommunications Act (S.C. 1993, c. 38) applies”.

**5.** Division V of Chapter VIII is revoked.

**6.** Schedules N-28, N-29 and N-32 are revoked.

**7.** A merchant is not entitled to a refund of the amounts remitted to the president of the Office de la protection du consommateur as security pursuant to section 309 of the Consumer Protection Act, repealed by section 9 of chapter 56 of the Statutes of 2006, before the expiry of 3 years following 15 December 2007 which is the period during which legal action against the merchant or the merchant’s representative may still be taken for a breach, prior to 15 December 2007, of the provisions of the Act concerning distance contracts or the obligations arising from such contracts.

On the expiry of the 3-year period, the merchant is entitled to a refund of the amounts, or the balance thereof, only if the amounts are no longer necessary to guarantee

(a) compensation in principal, interest and costs to any consumer who obtained a judgment within or before that period against the merchant or the merchant’s representative following an action for a breach referred to in the first paragraph;

\* The Regulation respecting the application of the Consumer Protection Act (R.R.Q., 1981, c. P-40.1, r.1) was last amended by the Regulation made by Order in Council 636-2003 dated 4 June 2003 (2003, *G.O.* 2, 1922). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

(b) compensation in principal, interest and costs to any consumer who entered into a transaction with the merchant, the merchant's representative or the syndic within or before that period in relation to an action for a breach referred to in the first paragraph;

(c) compensation in principal, interest and costs to any consumer who within or before that period took and reported to the president of the Office an action against the merchant or the merchant's representative for a breach referred to in the first paragraph; or

(d) the payment of the fine and costs that the merchant or the merchant's representative was ordered to pay within or before that period by reason of a breach referred to in the first paragraph.

**8.** This Regulation comes into force on 15 December 2007.

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