

Regulations and other acts

Gouvernement du Québec

O.C. 1140-2008, 10 December 2008

An Act respecting hours and days of admission to commercial establishments
(R.S.Q., c. H-2.1)

Periods of admission to commercial establishments

Regulation respecting periods of admission to commercial establishments

WHEREAS, under section 4.1 of the Act respecting hours and days of admission to commercial establishments (R.S.Q., c. H-2.1), the Government may, by regulation, change the hours or days of admission specified in section 2, 3 or 3.1 of the Act or determine special periods of admission to certain commercial establishments, which may vary according to criteria established by regulation and have precedence over sections 5 to 10 of the Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting special periods of admission to certain commercial establishments was published in Part 2 of the *Gazette officielle du Québec* of 11 October 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, the reason justifying such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such coming into force:

— the Regulation respecting periods of admission to commercial establishments must come into force before the holidays to allow persons operating commercial establishments to make the required adjustments;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Economic Development, Innovation and Export Trade:

THAT the Regulation respecting periods of admission to commercial establishments, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting periods of admission to commercial establishments

An Act respecting hours and days of admission to commercial establishments
(R.S.Q., c. H-2.1, s. 4.1)

DIVISION I COMMERCIAL ESTABLISHMENTS

1. Despite paragraph 2 of section 3 and subject to section 2 and sections 3.1 to 14 of the Act respecting hours and days of admission to commercial establishments (R.S.Q., c. H-2.1), the public may be admitted to a commercial establishment on 2 January.

DIVISION II COMMERCIAL ESTABLISHMENTS THAT OFFER FOR SALE PHARMACEUTICAL, HYGIENIC OR SANITARY PRODUCTS

2. Despite paragraph 5 of section 3 of the Act, the public may be admitted to a commercial establishment that offers for sale pharmaceutical, hygienic or sanitary products on the conditions provided in subparagraph 1 of the first paragraph of section 7 of the Act, on 1 July between 8:00 a.m. and 5:00 p.m., if that day falls on a Saturday or a Sunday, or between 8:00 a.m. and 9:00 p.m., if that day falls on another day of the week.

The periods of admission referred to in the first paragraph have precedence over section 7 of the Act.

**DIVISION III
GROCERY STORES**

3. In this section,

(1) “grocery store” means a grocery store as defined in the second paragraph of section 3.1 of the Act;

(2) “small-surface grocery store” means a grocery store with a sales area of 375 square metres or less;

(3) “large-surface grocery store” means a grocery store with a sales area of more than 375 square metres.

The sales area of a grocery store corresponds to the total area reserved for sale, services related to sales and for the public to have access to products and services, including circulation areas, food preparation areas where a person assigned to that area is also responsible for serving clients, and spaces where payment is made.

4. Despite paragraph 5 of section 3 of the Act, the public may be admitted to a grocery store on 1 July between 8:00 a.m. and 8:00 p.m., if that day falls on a Saturday or a Sunday, or between 8:00 a.m. and 9:00 p.m., if that day falls on another day of the week.

The periods of admission referred to in the first paragraph have precedence over section 6 of the Act.

5. Despite paragraphs 1, 3, 4, 6 and 7 of section 3 and subparagraph 3 of the first paragraph of section 3.1 of the Act, the public may be admitted to a small-surface grocery store on

- (1) 1 January;
- (2) Easter Sunday;
- (3) 24 June;
- (4) the first Monday in September;
- (5) 25 December;
- (6) before 1:00 p.m. on 26 December.

The periods of admission referred to in the first paragraph have precedence over section 6 of the Act.

6. Despite section 6 of the Act, the public may not be admitted to a large-surface grocery store on

- (1) 1 January;
- (2) Easter Sunday;

(3) 24 June;

(4) the first Monday in September;

(5) 25 December;

(6) before 1:00 p.m. on 26 December.

**DIVISION IV
COMING INTO FORCE**

7. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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