

Gouvernement du Québec

O.C. 1076-2014, 3 December 2014

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6)

**Lottery Scheme Rules
— Amendment**

Rules to amend the Lottery Scheme Rules

WHEREAS, under subparagraphs *c*, *i*, *l* and *m* of the first paragraph of section 20 of the Act respecting lotteries, publicity contests and amusement machines (chapter L-6), the Régie des alcools, des courses et des jeux may make rules, in particular, to determine the nature of lottery schemes, the conditions for obtaining prescribed licences and the standards, restrictions or prohibitions relating to the use thereof, and to determine the reports that licence holders must submit and the information that the reports must contain, as well as the registers and financial statements that licence holders must keep;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Rules to amend the Lottery Scheme Rules was published in Part 2 of the *Gazette officielle du Québec* of 10 September 2014 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with the fourth paragraph of section 20 of the Act respecting lotteries, publicity contests and amusement machines, the Secrétariat du bingo was consulted;

WHEREAS the board adopted, with amendments to take into account the comments received following the publication in the *Gazette officielle du Québec*, the Rules to amend the Lottery Scheme Rules at the plenary session of October 30th 2014;

WHEREAS it is expedient to approve the Rules;

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

THAT the Rules to amend the Lottery Scheme Rules, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Rules to amend the Lottery Scheme Rules

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6, s. 20, 1st par., subpars. *c*, *i*, *l* and *m*)

1. The Lottery Scheme Rules (chapter L-6, r. 12) are amended by inserting the following heading before section 1:

“**DIVISION I
LICENCE APPLICATION**”.

2. The following is inserted after section 4:

“**4.1.** Where the application for a licence for a drawing concerns the 50/50 activity where the value of each prize to be awarded is \$5,000 or less, paragraphs 2, 3, 4 and 7 of section 2, section 4, paragraph 3.1 of section 5 and sections 8 and 14 do not apply.

4.2. An application for a licence for a drawing concerning the 50/50 activity where the value of each prize to be awarded is \$5,000 or less may be made by a group of organizations, in which case the applicant must provide the name and address of the group and the name and address of the organizations it represents.

In addition, the application must be accompanied by a document evidencing the purposes or goals pursued by the group and by the organizations, as well as a copy of the resolution authorizing the person to make the application.

Should the board grant such an application, the licence is issued in the name of the group and is also valid for the organizations forming the group.”.

3. Section 5 is amended

(1) by adding “, except if the application concerns the 50/50 activity” at the end of paragraph 3;

(2) by inserting the following after paragraph 3:

“(3.1) where a licence for a drawing concerning the 50/50 activity is applied for:

(a) the maximum number of tickets to be sold;

(b) the total value of the prizes to be awarded and the value of each prize, which must be determined by the maximum number of tickets to be sold for each drawing and be equal to 50% of the revenues from the sale of all the tickets for the drawing, where applicable;

(3.2) where a licence for a drawing concerning the 50/50 activity is applied for where the value of each prize to be awarded is greater than \$5,000, in addition to the information provided for in paragraph 3.1:

(a) the written authorization of the organizer of the public event concerning the establishment and operation of the 50/50 activity on the premises of and during the event;”.

4. Section 9 is amended by adding “Except if the application for a licence for a drawing concerns the 50/50 activity,” at the beginning.

5. Section 14 is amended by inserting the following after the first paragraph:

“If the application for a licence for a drawing concerns the 50/50 activity where the value of each prize to be awarded is greater than \$5,000, security must be furnished to the board upon request.”.

6. The following headings are inserted after section 17:

“DIVISION II STANDARDS FOR THE USE OF LICENCES

§1. Miscellaneous”.

7. Section 18.1 is amended by adding the following paragraph at the end:

“The first paragraph does not apply to the holder of a licence for a drawing authorizing the 50/50 activity where the value of each prize to be awarded is \$5,000 or less.”.

8. Section 19 is amended by adding the following paragraph at the end:

“The first paragraph does not apply to the holder of a licence for a drawing authorizing the 50/50 activity where the value of each prize to be awarded is \$5,000 or less.”.

9. Section 21 is amended by adding the following paragraph at the end:

“The first paragraph does not apply to the holder of a licence for a drawing authorizing the 50/50 activity where the value of each prize to be awarded is \$5,000 or less.”.

10. Section 27 is amended by adding “, except in the case of a 50/50, in which case the value of each prize must be equal to 50% of the revenues from the sale of all the tickets for the drawing” at the end.

11. Section 28 is amended by adding “Except in the case of a 50/50,” at the beginning.

12. Section 29 is amended by adding “, except in the case of a 50/50, in which case it may not be less than 35%” at the end of paragraph 2.

13. The following is inserted after section 40:

“§2. 50/50

40.1. The licence for a drawing authorizing the 50/50 activity may only be issued to an organization within the meaning of section 1 of the Lottery Schemes Regulation (chapter L-6, r. 11) and may not be used during a bingo event or a bingo day governed by the Regulation respecting bingo (chapter L-6, r. 4) and the Bingo Rules (chapter L-6, r. 5).

40.2. Each prize won in a 50/50 must be an amount of money that may be given in the form of cash or cheque or by any other means recognized by financial institutions in Québec.

40.3. A 50/50 ticket is a winning ticket where the detachable part of the ticket given to the purchaser has the same number or identifier as the ticket that has been drawn and that appears on the other detachable part of the ticket kept by the licence holder.

40.4. To be declared a winning and valid ticket, the 50/50 ticket must be intact and must not have been modified, altered, reconstituted or counterfeited in any manner whatsoever.

In the case of a 50/50 where the value of the prize to be awarded is greater than \$5,000, the ticket must be signed by the winning player.

40.5. Each prize in a 50/50 is determined and announced to the participants after the sale of tickets has ceased and the sale of tickets must end at least 10 minutes before the drawing.

A person who holds a 50/50 winning ticket must be present at the drawing and must claim the prize not later than 15 minutes after the number or identifier on the winning ticket has been called. Otherwise, the licence holder must randomly draw another ticket until the prize is awarded.

The first and second paragraphs do not apply in the case of a 50/50 where the value of the prize to be awarded is \$5,000 or less.

40.6. In the case of a 50/50 where the value of the prize to be awarded is greater than \$5,000, the drawing must be an activity complementary to the public event for which the licence has been issued.

Such drawing may only take place during a social, cultural, educational or sporting public event. The licence holder must also have been authorized to establish and operate the drawing by the organizer of the event on the premises of and during the event, if applicable.

40.7. When a 50/50 where the value of the prize to be awarded is greater than \$5,000 is not drawn within 15 minutes after the time at which it is supposed to be drawn, the licence holder must inform the participating public of the time to which the drawing is postponed. The postponement of a 50/50 must occur while the public event for which the licence was issued takes place.

DIVISION III TYPES OF TICKETS”.

14. Section 41 is amended by inserting “, unless it is issued for the 50/50 activity,” in the part preceding paragraph 1 after “licence for a drawing”.

15. The following is inserted after section 41.2:

“**41.3.** A licence for a drawing that is issued for the 50/50 activity authorizes its holder to sell tickets where the purchasers take part in a drawing of lots for a prize.

The tickets must be composed of at least 2 parts bearing the same number or identifier.

41.4. Except in the case of a 50/50 where the value of the prize to be awarded is \$5,000 or less, the tickets must indicate the name of the holder and the holder’s licence number.

The stub must be retained by the licence holder. The detachable part must be given to the purchaser and must indicate

- (1) the selling price of the ticket; and
- (2) the time, place and date of the drawing.

41.5. Where the licence for a drawing authorizes its holder to establish and operate more than one 50/50 on the same date and where the value of each prize to be awarded is greater than \$5,000, the licence holder must use tickets that are distinguishable by their colour or their serial number.”.

16. Section 42 is amended by adding the following at the end:

“The first paragraph does not apply if the licence is issued for the 50/50 activity.”.

17. The following headings are inserted after section 42:

“DIVISION IV CONDITIONS FOR THE SALE OF TICKETS

§1. *Miscellaneous”.*

18. The following is inserted after section 43:

“§2. *50/50*

43.1. Tickets for a 50/50 must be sold by a natural person, who must give them directly to the purchaser.

43.2. In the case of a 50/50 where the value of the prize to be awarded is greater than \$5,000, the tickets must be sold while the public event for which the licence was issued takes place and at the price indicated on the detachable part.

43.3. The sale of the 50/50 tickets and the related drawing must take place on the same day.”.

19. The following heading is inserted before section 45:

“DIVISION V STATEMENT OF PROFIT AND REPORT ON USE OF PROFITS”.

20. Section 45 is amended by inserting “, unless the licence authorizes the 50/50 activity,” in the first paragraph after “licence for a drawing”.

21. The following is inserted after section 45.2:

“**45.3.** The holder of a licence for a drawing authorizing the 50/50 activity where the value of each prize to be awarded is greater than \$5,000 must prepare and keep a statement of gross and net profit. The licence holder must send a copy of the statement to the board not later than 60 days following the expiry date of the holder’s licence or when applying for a new licence.

The statement must include, for each drawing,

- (1) the time, place and date of the drawing;
- (2) the number of tickets printed;

- (3) the number of tickets sold;
- (4) the selling price of the tickets;
- (5) the total proceeds from the sale of tickets;
- (6) the value of the prize awarded;
- (7) the administration expenses related to the drawing;
- (8) the profit or loss from the drawing;
- (9) the name and address of the winner of the prize;
- (10) an attestation that the prize was awarded, or if not, the reasons why a prize was not awarded.

If more than one 50/50 takes place on the same date, the statement must indicate the colour or serial number of the tickets used for each drawing.”.

22. Section 47.1 is replaced by the following:

“**47.1.** An organization holding a licence for a drawing authorizing the 50/50 activity must, upon request by the board, demonstrate that the profits made in conducting and managing the activity have been used for the purposes for which the licence was issued.

Any other organization holding a licence must file a report on the use of the profits not later than 120 days following the date of expiry of the licence or when applying for a new licence.”.

23. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

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M.O., 2014

Order number 2014-12 of the Minister of Transport dated 5 December 2014 amending the Minister’s Order of the Minister of Transport dated 22 May 1990 concerning the approval of weigh scales

Highway Safety Code
(chapter C-24.2, s. 467)

THE MINISTER OF TRANSPORT,

CONSIDERING section 467 of the Highway Safety Code (chapter C-24.2) which provides that the axle load and the total loaded mass of a road vehicle or combination of road

vehicles are determined by means of devices designed for that purpose, approved by the Minister of Transport and used in the manner the Minister determines;

ORDERS AS FOLLOWS:

1. The Minister’s Order of the Minister of Transport dated 22 May 1990 concerning the approval of weigh scales (chapter C-24.2, r. 4) is amended in Schedule III

(1) by striking out “CABANO: 13070-185-NORD” and CANDIAC: 67020-015-NORD”; and

(2) by inserting “TÉMISCOUATA-SUR-LE-LAC: 13073-085-NORD” after “STONEHAM: 22035-175-NORD”.

2. This Minister’s Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

ROBERT POËTI,
Minister of Transport

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M.O., 2014-09

Order number V-1.1-2014-09 of the Minister of Finance, December 1, 2014

Securities Act
(chapter V-1.1)

CONCERNING the Regulation to amend Regulation 58-101 respecting Disclosure of Corporate Governance Practices

WHEREAS subparagraphs 1, 8 and 19.5 of section 331.1 of the Securities Act (chapter V-1.1) stipulate that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;