

Draft Regulation

An Act respecting liquor permits
(chapter P-9.1)

Liquor permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting liquor permits, appearing below, made by the Régie des alcools, des courses et des jeux in plenary session on May 12th 2017, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting liquor permits (chapter P-9.1, r. 5) to add administrative monetary penalties to the various penalties already at the disposal of the Régie to ensure compliance with the regulations and statutes respecting alcohol. The draft Regulation determines the amounts of the administrative monetary penalties imposed for certain violations of the Act and other violations for which such a penalty is imposed and the related amounts.

Study of the matter shows some impact on the public and on enterprises, including small and medium-sized businesses, who do not comply with their legal and regulatory obligations, in particular the costs for complying.

Further information may be obtained by contacting Marie-Christine Bergeron, secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3; telephone: 418 528-7225, extension 23003; fax: 418 646-5204; email: marie-christine.bergeron@racj.gouv.qc.ca

Any person wishing to comment on the Draft Regulation is requested to submit written comments within the 45-day period to Marie-Christine Bergeron, secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3.

MARTIN COITEUX,
Minister of Public Security

Regulation to amend the Regulation respecting liquor permits

An Act respecting liquor permits
(chapter P-9.1, s. 114, pars. 15.1 and 15.2)

1. The Regulation respecting liquor permits (chapter P-9.1, r. 5) is amended by inserting the following after Division VI:

“DIVISION VI.I ADMINISTRATIVE MONETARY PENALTIES

\$1. *Determination of the amounts (paragraphs 1 to 4 of section 85.1 of the Act)*

32.1. Permit holders who have contravened section 72.1 of the Act due to a quantity of non-compliant alcoholic beverages not exceeding 3 litres of spirits, 6 litres of wine or 10 litres of beer are required to pay an administrative monetary penalty of

(1) \$500 if the quantity of alcoholic beverages is

(a) 1 litre or less of spirits;

(b) 2 litres or less of wine;

(c) 3 litres or less of beer;

(2) \$1,000 if the quantity of alcoholic beverages is

(a) greater than 1 litre of spirits, but not exceeding 2 litres;

(b) greater than 2 litres of wine, but not exceeding 4 litres;

(c) greater than 3 litres of beer, but not exceeding 6 litres;

(3) \$2,000 if the quantity of alcoholic beverages is

(a) greater than 2 litres of spirits, but not exceeding 3 litres;

(b) greater than 4 litres of wine, but not exceeding 6 litres;

(c) greater than 6 litres of beer, but not exceeding 10 litres.

32.2. Permit holders who kept or allowed to be kept in their establishment 10 or fewer containers of alcoholic beverages containing an insect, unless that insect is an ingredient used in making those alcoholic beverages, are required to pay an administrative monetary penalty of

(1) \$300 if the quantity is 5 containers of alcoholic beverages or less;

(2) \$600 if the quantity is 6 to 10 containers of alcoholic beverages.

32.3. Permit holders who have contravened the second paragraph of section 79 of the Act by using a liquor permit without having applied for a temporary authorization to use it despite being required to do so are required to pay an administrative monetary penalty of \$500.

32.4. Permit holders who have not paid the duties payable for the permit within the time limit set out in section 53 of the Act are required to pay an administrative monetary penalty of \$75.

§2. Determination of failures and amounts (paragraph 5 of section 85.1 of the Act)

32.5. Permit holders who have contravened section 72.1 of the Act due to a quantity of non-compliant alcoholic beverages not exceeding 6 litres of cider or of an alcoholic beverage not referred to in section 32.1 are required to pay an administrative monetary penalty of

(1) \$500 if the quantity of alcoholic beverages is 2 litres or less;

(2) \$1,000 if the quantity of alcoholic beverages is greater than 2 litres, but not exceeding 4 litres;

(3) \$2,000 if the quantity of alcoholic beverages is greater than 4 litres, but not exceeding 6 litres.

32.6. The following failures result in the payment of an administrative monetary penalty of \$200:

(1) permit holders who have contravened section 66 of the Act

(a) by failing to post, in public view, the permit at the main entrance of the establishment concerned by the permit; or

(b) by failing to post the price list of the alcoholic beverages sold, if the permit entitles them to sell alcoholic beverages for consumption on the premises, or of the beer sold, if they have a grocery permit;

(2) permit holders who have contravened section 67 of the Act by failing to post in public view, at the entrance to the room or terrace where the permit is used, a notice indicating the amount of a minimum charge giving the right to one drink or an admission fee where they impose such charge or fee;

(3) permit holders who have contravened section 68 of the Act by failing to post in public view, at the entrance to the room or terrace of their establishment, a notice indicating the holding of a reception access to which is restricted to a group of persons;

(4) permit holders who have contravened section 70 of the Act by failing to keep vouchers of the purchases of alcoholic beverages;

(5) permit holders who have contravened section 74.1 of the Act by failing to keep, in the establishment where they use their permit, the floor plan of the room or terrace where the activity is authorized, certified by the board pursuant to the second paragraph of section 74 of the Act or the third paragraph of section 84.1;

(6) holders of a permit for consumption of alcoholic beverages on the premises who did not have a system for providing full lighting throughout the premises in emergencies or when needed contrary to section 5 of the Regulation respecting lay-out standards for establishments (chapter P-9.1, r. 4).

32.7. The following failures result in the payment of an administrative monetary penalty of \$500:

(1) permit holders who admitted simultaneously to a room or a terrace of their establishment where their permit is used more persons than the number determined by the board under section 46.1 of the Act, to the extent that the number of persons is not greater than 25% of the capacity permitted and does not exceed the evacuation capacity;

(2) permit holders who have contravened section 62 of the Act without complying with the conditions provided for in section 63 of the Act

(a) by admitting a person to a room or a terrace where a permit authorizing alcoholic beverages to be sold or served is used outside the hours during which the permit may be used; or

(b) by tolerating a person's remaining there for more than 30 minutes after the time the permit must cease to be used, unless the person is an employee of the establishment;

(3) permit holders who have contravened the first paragraph of section 73 of the Act by allowing in a room or on a terrace where they use their permit, the presentation of a show, the projection of a film, or dancing, when they have not been authorized to do so by the board;

(4) permit holders who have contravened the second paragraph of section 76 of the Act by installing a device from which a person may at all times serve himself or herself, in a room of a tourist establishment, when they have not been authorized to do so by the board;

(5) permit holders who have contravened section 82 of the Act by using their permit in a place other than that specified in their permit, when they have not been authorized to do so by the board;

(6) holders of a grocery permit who have contravened the first paragraph of section 31 of the Act by allowing consumption of alcoholic beverages in their establishment and its dependencies where it was not a tasting authorized under the second paragraph of that section;

(7) permit holders who have contravened the first paragraph of section 84.1 of the Act by changing the floor arrangement of a room or terrace for which an authorization has been granted for the presentation of shows, the projection of films or dancing, when they have not been authorized by the board;

(8) permit holders who have contravened paragraph 2 of section 109 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) by selling, serving or allowing to be consumed alcoholic beverages that their permit authorizes them to sell, serve or allow to be consumed outside the days or hours when they may use the permit;

(9) permit holders who have contravened section 71 of the Act by failing or omitting to notify the board in writing of the name, address and social insurance number of the person entrusted to manage their establishment, within 10 days of the beginning of the person's employment;

(10) a partnership or a legal person referred to in section 38 of the Act, holding a permit, who has contravened section 72 of the Act by failing or omitting to make known to the board all the relevant information relating to a change among the persons referred to in section 38, within 10 days of the change;

(11) permit holders who refused or failed to comply with a request made under section 110 of the Act.”.

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

102990

Draft Regulation

An Act respecting the Québec correctional system (chapter S-40.1)

Programs of activities for offenders — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting programs of activities for offenders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting programs of activities for offenders (chapter S-40.1, r. 3) to specify the conditions under which the reintegration support fund of a correctional facility may financially assist inmates. It also proposes amendments to set the wage of inmates performing remunerated work under the program of activities of a fund and to determine how to calculate the assessment that a fund must pay annually to the Fonds central de soutien à la réinsertion sociale. Lastly, it proposes amendments to allow the Minister to designate persons to exercise certain functions provided for in the Regulation.

The proposed regulatory amendments have no impact on the public or on enterprises.

Further information may be obtained by contacting Christine Tremblay, Programs Director, Direction générale des services correctionnels, Ministère de la Sécurité publique, 2525, boulevard Laurier, 11^e étage, tour du Saint-Laurent, Québec (Québec) G1V 2L2; telephone: 418 646-6777, extension 50050; fax: 418 644-5645; email: soutien-dp@msp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, 2525, boulevard Laurier, 5^e étage, tour des Laurentides, Québec (Québec) G1V 2L2; fax: 418 643-3500.

MARTIN COITEUX,
Minister of Public Security
