

- (5) the reasons for the request; and
- (6) the documents in support of the request, including the evaluation concerned if it was given to the student.
- 5.** On ascertaining that the request for review is compliant, the principal sends it without delay to the teacher to whose care the student is entrusted, so that the teacher is able to review the result.

6. Within 5 working days after the request is sent by the principal of the institution, the teacher must give the principal, in writing, the result obtained by the student further to the review with the reasons, and send any documents in support of the result. The principal communicates the result, the reasons and the documents, if applicable, to the student or the student's parents without delay.

Despite the previous paragraph, in the case of an evaluation made as part of vocational training or adult education services, the teacher has 10 working days to give the result with the reasons and send any documents.

7. If the teacher to whose care the student is entrusted is scheduled to be absent for a period of at least 10 working days, the principal communicates with the teacher to inquire about whether the teacher is able to review the result within the prescribed time limit.

If the teacher does not reply within 5 working days, or confirms that he or she is unable to review the result within the prescribed time limit, the principal entrusts the request for review to another teacher. The teacher to whom the request for review is entrusted is selected on the basis of his or her expertise in the subject or field of teaching concerned by the request for review.

8. If, within the time limit prescribed in the previous section, the principal of the institution becomes aware that the teacher is unable to review the result, the principal must, without delay, entrust the request to another teacher selected in accordance with the second paragraph of section 7.

9. The result obtained further to a request for review is final.

10. The teacher to whose care the student is entrusted must make all documents relevant to the request for review available at all times so that they may be consulted by the student or the student's parents or by a teacher to whom the request for review is entrusted in accordance with the second paragraph of section 7.

11. The institution must make a request for review form available in paper form and on its website.

12. This Regulation comes into force on 1 July 2022. It does not apply to results obtained as of that date for the purposes of the preceding school year.

105601

Draft Regulation

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

Lottery schemes

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

The draft Regulation replaces the Lottery Schemes Regulation (chapter L-6, r. 11) in order to modernize the legislative framework applicable to lottery scheme licences, allow new types of drawings and create a new electronic schemes supplier licence used to conduct and manage drawings.

Study of the matter has shown no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Andrée-Anne Garceau, Secretary, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3; telephone: 418 528-7225, extension 23251; fax: 418 646-5204; email: andree-anne.garceau@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 Andrée-Anne Garceau, Secretary, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3.

GENEVIÈVE GUILBAULT
Minister of Public Security

Lottery Scheme Regulation

Act respecting lotteries, publicity contests and amusement machines (chapter L-6, s. 119)

DIVISION I DEFINITIONS

1. In this Regulation,

“card” means a printed card used in the context of an instant lottery or a manufactured object accompanied by a medium that contains the same information as a card; (*carte*)

“charitable purposes” means purposes intended to relieve suffering or poverty and those intended to promote education or achieve any other objective favourable to the population in the fields of culture, the arts, sports or community interests; (*fins charitables*)

“drawing” means a drawing with a fixed prize, a drawing whose prize is determined based on the percentage of gross revenues such as a 50/50, a progressive drawing such as chase the ace, as well as a mixed drawing that combines more than one type of drawing; (*tirage*)

“electronic drawing” means a drawing that uses an electronic scheme to sell tickets, choose a winner or award a prize; (*tirage électronique*)

“electronic scheme” means a computer, device, machine or computer platform used to establish or operate an electronic drawing that does not constitute a video lottery machine within the meaning of the Act respecting lotteries, publicity contests and amusement machines (chapter L-6); (*système électronique*)

“fair or exhibition” means a fair or exhibition within the meaning of subsection 3.1 of section 206 of the Criminal Code (R.S.C. 1985, c. C-46); (*foire ou exposition*)

“instant lottery” means a lottery scheme in which a card contains sufficient information, in itself, to determine if the holder is entitled to a prize; (*loterie instantanée*)

“organization” means a partnership, association or non-profit legal person engaged in charitable or religious purposes; (*organisme*)

“religious purposes” means purposes intended to promote a religious doctrine; (*fins religieuses*)

“ticket” means a regular ticket or a simplified ticket used in the context of a drawing, or a manufactured object accompanied by a medium that contains the same information as a ticket. (*billet*)

DIVISION II LICENCES

§1. Lottery schemes licence

2. A licence is prescribed to conduct and manage the following lottery schemes:

- (1) drawings;
- (2) instant lotteries;
- (3) charity casinos;
- (4) wheels of fortune.

3. An organization may apply for a licence to conduct and manage all the lottery schemes set out in section 2, except wheels of fortune, where the profits from the lottery scheme are used for charitable or religious purposes compatible with the purposes pursued by the organization.

The board of a fair or exhibition may apply for a licence to conduct and manage, at a fair or exhibition it organizes, a drawing, an instant lottery or a wheel of fortune.

The operator of a concession leased from the board of a fair or exhibition may apply for a licence to conduct and manage a wheel of fortune that is operated when the fair or exhibition is held.

4. An application for a lottery schemes licence or any application to add a new lottery scheme must be filed with the board at least 30 days before the sale of tickets or instant lottery cards, or the date that the charity casino or the wheel of fortune is held.

§2. Electronic schemes supplier licence

5. An electronic schemes supplier licence is prescribed to provide an organization with an electronic scheme used in the context of a drawing.

DIVISION III PAYABLE DUTIES AND FEES

6. An applicant for a lottery schemes licence must pay, upon applying, examination fees of \$30.75, as well as

(1) for a drawing, subject to section 7, a payable duty representing 0.9% of the total selling price of the tickets estimated by the applicant;

(2) for an instant lottery, a payable duty representing 0.9% of the total selling price of the instant lottery cards;

(3) for a wheel of fortune, a payable duty of \$60.00 per day for each wheel of fortune where the stake is from \$0.25 to \$2.00, and \$119.00 per day for other wheels of fortune; and

(4) for a charity casino, a payable duty of \$30.75 per day for each blackjack table or wheel of fortune.

Despite subparagraph 1 of the first paragraph, for a progressive drawing, a payable duty representing 0.9% of the total selling price of the tickets must be sent to the Régie des alcools, des courses et des jeux every quarter as of the first drawing.

7. In the case of a licence to conduct and manage a drawing, where the revenues from the sale of all tickets exceed 10% of the total selling price of the tickets estimated at the time of the application, the holder is required to pay a duty representing 0.9% of the excess amount. The payment of duties must accompany the copy of the statement of profit sent to the board pursuant to section 75 of the draft Lottery Schemes Rules published in Part 2 of the *Gazette Officielle du Québec* of 30 March 2022, or be sent not later than 60 days after the date of expiry of the licence.

8. An applicant for an electronic schemes supplier licence must pay, upon applying, examination fees of \$30.75 and a payable duty of \$225.00.

9. The board will reimburse only the duty paid by an applicant upon applying for a licence where the application is refused, except examination fees.

10. Where a lottery scheme for which a licence was issued is not held during the period of validity of the licence, the holder may ask the board to reimburse the duty paid, except examination fees, not later than on the thirtieth day after the date of expiry of the licence.

11. The duties and fees payable under this Regulation, except the duties determined using the percentages provided for in subparagraphs 1 and 2 of the first paragraph of section 6 and in section 7, are adjusted on 1 January of each year, based on the percentage change in the

All-Items Consumer Price Index for Canada, for the 12-month period ending on 30 September of the preceding year, as determined by Statistics Canada. The adjustment rate may not be less than zero.

The adjusted duties and fees are rounded off as follows:

(1) where the annual increase resulting from the adjustment is between \$0.01 and \$0.25, they are increased by \$0.25;

(2) where the annual increase resulting from the adjustment is between \$0.25 and \$0.50, they are increased by \$0.50;

(3) where the annual increase resulting from the adjustment is between \$0.50 and \$1.00, they are increased by \$1.00; and

(4) where the annual increase resulting from the adjustment is greater than \$1.00,

(a) they are reduced to the nearest dollar if they contain a fraction of a dollar less than \$0.50; or

(b) they are increased to the nearest dollar if they contain a fraction of a dollar equal to or greater than \$0.50.

The board informs the public of the results of the adjustments under this section by publishing them in Part 1 of the *Gazette officielle du Québec* and, if the board considers it appropriate, by any other means.

DIVISION IV FINAL AND TRANSITIONAL

12. The licences issued pursuant to the Lottery Schemes Regulation (chapter L-6, r. 11) remain in force until the date on which they would have expired in accordance with that Regulation and the holders may, until that date, carry on the operations authorized by those licences.

13. This Regulation replaces the Lottery Schemes Regulation (chapter L-6, r. 11).

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

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