

Gouvernement du Québec

O.C. 1476-2022, 3 August 2022

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

Lottery Scheme Regulation

Lottery Scheme Regulation

WHEREAS, under subparagraph *a* of the first paragraph of section 119 of the Act respecting lotteries, publicity contests and amusement machines (chapter L-6), the Government may, by regulation, prescribe whatever is required to be prescribed by regulation under the Act;

WHEREAS, under subparagraph *b* of the first paragraph of section 119 of the Act, the Government may, by regulation, establish categories of licences according to the activities to be carried on;

WHEREAS, under subparagraph *c* of the first paragraph of section 119 of the Act, the Government may, by regulation, determine the amount of duties for the issue, modification, maintenance or renewal of a licence or the obtention of an authorization, the fees for the examination of an application for the issue, modification or renewal of a licence or the obtention of an authorization, the fees for the issue of a duplicate and the terms and conditions of payment or reimbursement, which may vary according to the category of licence or authorization, or according to factors specified in the regulation;

WHEREAS, under subparagraph *d* of the first paragraph of section 119 of the Act, the Government may, by regulation, determine, in respect of lottery schemes, the categories of persons who may apply for a licence and the category of licence that a person may obtain;

WHEREAS, under the second paragraph of section 119 of the Act, the Government may also make regulations it considers expedient for the application and enforcement of the Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Lottery Scheme Regulation was published in Part 2 of the *Gazette officielle du Québec* of 30 March 2022 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 with amendments;

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

THAT the Lottery Scheme Regulation, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Lottery Scheme Regulation

Act respecting lotteries, publicity contests
and amusement machines
(chapter L-6, s. 119, 1st par., subpars. *a*, *b*, *c* and *d*,
and 2nd par.)

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, or 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 charity casino, a payable duty of \$30.75 per day for each blackjack table or wheel of fortune; and

(4) for a wheel of fortune, a payable duty of \$60 per day for each wheel of fortune where the stake is from \$0.25 to \$2, and \$119 per day for other wheels 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 drawings, where the revenues from the sale of tickets for all drawings under the licence 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, approved by Order in Council 1475-2022 dated 3 August 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.

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, they are increased by \$1; and

(4) where the annual increase resulting from the adjustment is greater than \$1,

(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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Gouvernement du Québec

O.C. 1480-2022, 3 August 2022

Act respecting the determination of the causes and circumstances of death
(chapter R-0.2)

Financial assistance that may be granted to members of a deceased person's family to cover expenses incurred for legal assistance and representation during certain inquests by a coroner

Regulation respecting the financial assistance that may be granted to members of a deceased person's family to cover expenses incurred for legal assistance and representation during certain inquests by a coroner

WHEREAS, under section 168.1 of the Act respecting the determination of the causes and circumstances of death (chapter R-0.2), a government regulation may be made to determine the amounts, the eligibility requirements and the terms and conditions of payment of the financial assistance the Chief Coroner may grant to members of a deceased person's family under section 125.1 of that Act to cover expenses incurred for legal assistance and representation during a coroner's inquest following an independent investigation conducted by the Bureau des enquêtes indépendantes in accordance with section 289.1 of the Police Act (chapter P-13.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the financial assistance that may be granted to members of a deceased person's family to cover expenses incurred for legal assistance and representation during certain inquests by a coroner was published in Part 2 of the *Gazette officielle du Québec* of 20 April 2022 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 with amendments;

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

THAT the Regulation respecting the financial assistance that may be granted to members of a deceased person's family to cover expenses incurred for legal assistance and representation during certain inquests by a coroner, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif