

chapter P-9.1

ACT RESPECTING LIQUOR PERMITS



In this Act, the word “board” means the “Régie des alcools, des courses et des jeux” (1993, c. 39, s. 95).

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CHAPTER I

INTERPRETATION AND APPLICATION

1999, c. 53, s. 12.

1. In this Act and the regulations hereunder, unless otherwise required by the context and except in the case of the word “permit”, the words and expressions defined in section 2 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) have the same meaning as in the latter Act.

1979, c. 71, s. 1; 1996, c. 34, s. 18.

1.1. The permits authorizing the sale or service of alcoholic beverages in the territory defined in an agreement concerning liquor permits concluded between the Government and a Mohawk community are determined in the agreement and issued by the authority designated in the agreement.

The designated authority and the persons authorized to act on its behalf have the powers necessary for verifying and ensuring compliance with the conditions for the issue of the permits and the conditions of the permits determined under the agreement, in particular the powers conferred on the board in matters of inspection, and cannot be sued or prosecuted for an official act performed in good faith in the exercise of their functions.

Permits authorizing the sale or service of alcoholic beverages in the defined territory issued by the board before the effective date of the agreement become, on that date, permits issued in accordance with that agreement.

1999, c. 53, s. 13.

CHAPTER II

Repealed, 1993, c. 39, s. 77.

1993, c. 39, s. 77.

2. *(Repealed).*

1979, c. 71, s. 2; 1993, c. 39, s. 77.

3. *(Repealed).*

1979, c. 71, s. 3; 1986, c. 96, s. 15; 1990, c. 21, s. 16; 1990, c. 67, s. 1; 1991, c. 51, s. 1; 1993, c. 39, s. 77.

4. *(Repealed).*

1979, c. 71, s. 4; 1993, c. 39, s. 77.

5. *(Repealed).*

1979, c. 71, s. 5; 1993, c. 39, s. 77.

6. *(Repealed).*

1979, c. 71, s. 6; 1993, c. 39, s. 77.

7. *(Repealed).*

1979, c. 71, s. 7; 1993, c. 39, s. 77.

8. *(Repealed).*

1979, c. 71, s. 8; 1993, c. 39, s. 77.

9. *(Repealed).*

1979, c. 71, s. 9; 1993, c. 39, s. 77.

10. *(Repealed).*

1979, c. 71, s. 10; 1993, c. 39, s. 77.

11. *(Repealed).*

1979, c. 71, s. 11; 1993, c. 39, s. 77.

12. *(Repealed).*

1979, c. 71, s. 12; 1993, c. 39, s. 77.

13. *(Repealed).*

1979, c. 71, s. 13; 1993, c. 39, s. 77.

14. *(Repealed).*

1979, c. 71, s. 14; 1983, c. 55, s. 161; 1993, c. 39, s. 77.

15. *(Repealed).*

1979, c. 71, s. 15; 1993, c. 39, s. 77.

16. *(Repealed).*

1979, c. 71, s. 16; 1991, c. 51, s. 3; 1993, c. 39, s. 77.

17. *(Repealed).*

1979, c. 71, s. 17; 1991, c. 51, s. 4; 1993, c. 39, s. 77.

18. *(Repealed).*

1979, c. 71, s. 18; 1993, c. 39, s. 77.

19. *(Repealed).*

1979, c. 71, s. 19; 1993, c. 39, s. 77.

20. *(Repealed).*

1979, c. 71, s. 20; 1987, c. 68, s. 94; 1993, c. 39, s. 77.

21. *(Repealed).*

1979, c. 71, s. 21; 1986, c. 86, s. 38; 1988, c. 46, s. 24; 1993, c. 39, s. 77.

22. *(Repealed).*

1979, c. 71, s. 22; 1986, c. 86, s. 38; 1988, c. 46, s. 24; 1993, c. 39, s. 77.

23. *(Repealed).*

1979, c. 71, s. 23; 1993, c. 39, s. 77.

24. *(Repealed).*

1979, c. 71, s. 24; 1986, c. 86, s. 38; 1988, c. 46, s. 24; 1993, c. 39, s. 77.

CHAPTER III

PERMITS

DIVISION 0.1

PRELIMINARY PROVISION

1991, c. 31, s. 1.

24.1. The board, in the performance of its functions and the exercise of its powers in cases involving public tranquility, may, among other factors, take into account:

(1) any noise, gathering or assembly which results or may result from the operation of the establishment that may disturb the peace in the neighbourhood;

(2) the measures taken by the applicant or permit holder for, and their efficiency in, preventing, in the establishment,

(a) the possession, consumption, sale, exchange or gift, in any manner, of a drug, narcotic or any other substance that may be held to be a drug or narcotic;

(b) the possession of a firearm or any other offensive weapon;

(c) gestures or actions of a sexual nature that may disturb the peace and related solicitation;

(d) acts of violence, including theft or mischief, that may disturb the peace of the customers or the citizens of the neighbourhood;

(e) games of chance or any wager or betting that may disturb the peace;

(f) any contravention of this Act or the regulations thereunder or of the Act respecting offences relating to alcoholic beverages (chapter I-8.1);

(f.1) any contravention of the Act respecting lotteries, publicity contests and amusement machines (chapter L-6) or the rules thereunder;

(g) any contravention of any Act or a regulation concerning safety, hygiene or sanitation in a public place or public building;

(3) the place where the establishment is situated and, in particular, whether the sector concerned is a residential, commercial, industrial or tourist sector.

1991, c. 31, s. 1; 1993, c. 39, s. 78, s. 95.

DIVISION I

CLASSES OF PERMITS

25. The permits issued under this Act are the restaurant sales, restaurant service, bar, club, grocery, cider seller's and reunion permits, the "Man and his World" and "Olympic Grounds" permits, the raw material and equipment wholesaler's permit and the raw material and equipment retailer's permit.

1979, c. 71, s. 25; 1986, c. 96, s. 16; 1996, c. 34, s. 19; 2016, c. 7, s. 21.

26. *(Repealed).*

1979, c. 71, s. 26; 2016, c. 7, s. 22.

27. *(Repealed).*

1979, c. 71, s. 27; 2016, c. 7, s. 22.

28. A restaurant sales permit entitles the holder to sell alcoholic beverages for consumption on the premises at a meal.

In the case of an establishment that primarily and ordinarily sells meals for consumption on the premises, the restaurant sales permit also entitles the holder to sell, for take out or delivery, alcoholic beverages with a meal, except draught beer, alcohol or spirits.

The restaurant sales permit also authorizes the permit holder to allow a patron to take home a partially consumed container of wine purchased and served with a meal in the establishment, provided it has been securely resealed.

1979, c. 71, s. 28; 1986, c. 96, s. 17; 2002, c. 58, s. 9; 2013, c. 16, s. 203; 2016, c. 7, s. 23.

28.1. A restaurant service permit entitles its holder to serve to his patrons or to allow them to consume alcoholic beverages which they bring into his establishment for consumption on the premises at a meal, provided such beverages are not alcohol or spirits.

1986, c. 96, s. 18; 2002, c. 58, s. 10.

29. A bar permit entitles the holder to sell alcoholic beverages for consumption on the premises.

A bar permit also authorizes the permit holder to allow a patron to take home a partially consumed container of wine purchased in the establishment, provided it has been securely resealed.

1979, c. 71, s. 29; 2013, c. 16, s. 204; 2016, c. 7, s. 24.

30. A club permit entitles the holder to sell alcoholic beverages for consumption on the premises by the members of a club and their guests.

1979, c. 71, s. 30; 2016, c. 7, s. 25.

31. A grocery permit entitles the holder to sell beer except draught beer, cider, and the wines and alcoholic beverages determined by regulation under subparagraph 7 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13), except alcohol, spirits, and beer blends containing more than 7% alcohol by volume, for consumption at a place other than the establishment and its dependencies.

A grocery permit also entitles the holder to offer free tasting in his establishment of any alcoholic beverage he is entitled to sell, on the conditions and in the circumstances determined by regulation.

LIQUOR PERMITS

A grocery permit also authorizes the holder to effect any transaction authorized under a raw material and equipment retailer's permit.

1979, c. 71, s. 31; 1983, c. 30, s. 23; 1990, c. 67, s. 2; 1996, c. 34, s. 20; 2018, c. 20, s. 138.

32. A cider seller's permit entitles the holder to sell cider for consumption at a place other than the establishment and its dependencies.

1979, c. 71, s. 32.

33. A reunion permit entitles the holder, for the period determined by the board, to sell or serve alcoholic beverages for consumption at the place indicated by it at events determined by regulation.

1979, c. 71, s. 33; 1993, c. 39, s. 95; 2016, c. 7, s. 26.

34. A "Man and his World" permit and an "Olympic Grounds" permit authorize, for consumption on the premises, the sale of alcoholic beverages specified in the permit.

A "Man and his World" permit authorizes the sale of alcoholic beverages at the place specified in the permit situated on any part of the site of the Universal and International Exhibition of 1967 where the manifestations and activities called "Man and his World" take place.

An "Olympic Grounds" permit authorizes the sale of alcoholic beverages at the place specified in the permit when it is situated on any part of the site contemplated in the first paragraph of section 13 of the Act respecting the Régie des installations olympiques (chapter R-7).

1979, c. 71, s. 34.

34.1. A raw material and equipment wholesaler's permit authorizes the holder to sell at wholesale specific constituents of beer or wine, including malt, extracts of malt, grapes, wort or must and concentrates, as well as equipment for the domestic manufacture of wine or beer for personal use.

1996, c. 34, s. 21.

34.2. A raw material and equipment retailer's permit authorizes the holder to sell retail specific constituents of beer or wine, including malt, extracts of malt, grapes, wort or must and concentrates, as well as equipment for the domestic manufacture of wine or beer for personal use.

The holder of a raw material and equipment retailer's permit must purchase such products from the holder of a raw material and equipment wholesaler's permit.

1996, c. 34, s. 21.

DIVISION II

ISSUE OF PERMITS

35. The board may, in accordance with this Act, issue a permit to a person or a partnership.

That permit is issued in the name of the person who intends to use it.

1979, c. 71, s. 35; 1993, c. 39, s. 95; 1999, c. 40, s. 210.

35.1. The board shall issue one permit only for each class of permit that may be used in an establishment. Once issued, the permit covers all the rooms and terraces for which it was applied for.

2016, c. 7, s. 27.

36. To obtain a permit, a person must be of full age; if he is not a Canadian citizen, he must have been residing in Québec as a permanent resident within the meaning of the Immigration Act (Revised Statutes of Canada, 1985, chapter I-2), unless he is applying for a reunion permit or a “Man and his World” permit as the authorized representative of a government, country, province or state.

1979, c. 71, s. 36; 1983, c. 28, s. 50; 1986, c. 95, s. 208; 1997, c. 51, s. 20.

37. *(Repealed).*

1979, c. 71, s. 37; 1997, c. 51, s. 21.

38. In the case of a partnership or a legal person, the issue of a permit is subject to the requirement that each partner or director, in addition to the partnership or legal person, and each shareholder holding 10% or more of the shares with full voting rights of the legal person also fulfil all the conditions except, if it is listed on a Canadian stock exchange, the conditions prescribed by section 36.

1979, c. 71, s. 38; 1997, c. 51, s. 22; 1999, c. 40, s. 210.

39. To obtain a permit, a person must

(1) be the owner or the lessee of the establishment or be specially authorized by the owner or the lessee of the establishment to use the permit or, in the case of a “Man and his World” permit or an “Olympic Grounds” permit, have obtained a concession from, respectively, the City of Montréal or the Régie des installations olympiques;

(2) have arranged the establishment in accordance with the standards prescribed by this Act and the regulations;

(3) hold, where such is the case, a classification certificate issued under the Act respecting tourist accommodation establishments (chapter E-14.2) and a certificate issued by the clerk or the secretary-treasurer of the municipality in whose territory the establishment is situated attesting that the establishment complies with the municipal planning by-laws;

(4) *(subparagraph repealed)*;

(5) pay the duties determined in accordance with the regulations.

If the applicant already holds a permit for the same establishment, the board shall, upon issuing the permit, reduce the amount of the duties referred to in subparagraph 5 of the first paragraph in proportion to the fraction of the year elapsed since the anniversary date of the permit already held by the applicant.

If the application for a permit is made by reason of the alienation or leasing of the establishment, or retaking of possession of the establishment following the exercise of a right to take in payment or the carrying out of an agreement, the applicant need not pay the amount of duties referred to in subparagraph 5 of the first paragraph before the anniversary date of the issue of the permit previously held. However, if, in relation to the permit previously held, the permit issued involves additional cost, the applicant shall pay, upon such issue, that part of the additional cost which corresponds to the fraction of the year remaining until the anniversary date of the issue of the permit previously held.

1979, c. 71, s. 39; 1987, c. 12, s. 51; 1991, c. 51, s. 5; 1993, c. 39, s. 95; 1992, c. 57, s. 635; 1997, c. 51, s. 23; 2000, c. 10, s. 27; 2017, c. 13, s. 188.

40. A person must, when applying for a permit,

(1) show that he fulfils the conditions provided in this division and, in the case of a reunion permit, “Man and his World” permit or “Olympic Grounds” permit, every other condition fixed by regulation,

(1.1) furnish the security prescribed by regulation if, within the five years preceding his application, the person contravened a provision referred to in subparagraph 1 of the first paragraph of section 42 or the permit or authorization that had been granted to him under this Act was suspended or cancelled,

(2) provide the address of the establishment and specify each room and terrace where the permit is to be used,

(2.1) file a detailed floor plan of the rooms and terraces where the permit is to be used, and

(3) produce, at the request of the board and within the time fixed by it, any other document pertinent to the examination of the application, including any document relating to the sources of financing of the activities concerned or of the establishment.

1979, c. 71, s. 40; 1993, c. 39, s. 95; 1997, c. 51, s. 24; 1999, c. 40, s. 210; 2016, c. 7, s. 28.

41. The board must refuse to issue a permit if it considers that

(1) the issue of the permit will be contrary to the public interest or may adversely affect public security or disturb public tranquility;

(1.1) the applicant is unable to establish his capacity to carry on with competence and integrity the activities for which he is applying for a permit, in view of his past behaviour regarding an activity to which this Act applies;

(1.2) the application for a permit is made on behalf of another person;

(2) the establishment does not comply with the standards prescribed by an Act respecting safety, hygiene or sanitation in public buildings or respecting the quality of the environment, or by a regulation made under such an Act.

The board must also refuse to issue a permit if the applicant was convicted of an indictable offence related to the activities to which this Act applies, within the five years preceding the application, or has not served the sentence imposed for such an indictable offence, unless he has obtained a pardon in relation to the indictable offence.

1979, c. 71, s. 41; 1991, c. 31, s. 2; 1993, c. 39, s. 95; 1997, c. 51, s. 25.

42. The board may refuse to issue a permit, if a time of five years has not elapsed since the date when the applicant

(1) was convicted of an offence against this Act or the regulations, the Act respecting offences relating to alcoholic beverages (chapter I-8.1), an Act respecting safety, hygiene or sanitation in public buildings or respecting the quality of the environment, or a regulation made under such an Act, section 44 of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2), section 135 of the Youth Protection Act (chapter P-34.1); or

(2) completed his sentence or, where such is the case, began his probation period, in the case of an indictable offence contemplated in the second paragraph of section 41.

Notwithstanding the foregoing, in no case may the board refuse to issue a permit if the applicant has obtained a pardon for such offence or such indictable offence.

1979, c. 71, s. 42; 1986, c. 95, s. 209; 1990, c. 4, s. 632; 1990, c. 67, s. 3; 1993, c. 39, s. 95; 1997, c. 51, s. 26; 1999, c. 40, s. 210; 2001, c. 60, s. 166; 2009, c. 30, s. 58; 2016, c. 1, s. 145.

42.1. The board shall not issue a permit where it has decided that no permit would be issued for the premises contemplated in the application, if the period for which the decision is effective has not expired.

In addition to the case contemplated in section 86.2, the board may make a decision described in the first paragraph in respect of reunion permits that could be issued for use in an establishment in which the board considers that a reunion permit has been used contrary to the public interest, to public security or to public tranquility, after notifying the owner of the establishment of the previous occurrence of such an incident. The board shall in such a case determine the period for which the decision is effective, which must not exceed six months.

1986, c. 96, s. 19; 1993, c. 39, s. 95; 1997, c. 51, s. 27.

42.2. The board shall not issue a restaurant service permit for an establishment in which a permit authorizing the sale of alcoholic beverages is already in use. Nor shall it issue a permit authorizing the sale of alcoholic beverages in an establishment where a restaurant service permit is already in use.

1986, c. 96, s. 19; 1993, c. 39, s. 95.

43. The board shall not issue a club permit except to a legal person having at least 100 members which operates an establishment for them without profit motive.

1979, c. 71, s. 43; 1993, c. 39, s. 95; 1999, c. 40, s. 210.

44. *(Repealed).*

1979, c. 71, s. 44; 1982, c. 26, s. 312; 1990, c. 67, s. 4.

45. The board may, even if one of the conditions provided in subparagraphs 1, 2 and 3 of the first paragraph of section 39 and paragraph 2 of section 41 are not fulfilled, decide to issue a permit if, at the time of the application, the applicant, as the case may be,

(1) is the holder of a promise to purchase or to lease the establishment conditional to obtaining the permit and undertakes to become the owner or the lessee of the establishment within the period fixed by the board;

(2) produces a detailed plan of the projected arrangement of the establishment and furnishes a sufficient undertaking to comply with the standards prescribed within the period fixed by the board; or

(3) undertakes to obtain the required permit and certificate within the period fixed by the board.

The board may also decide to issue a permit even if, at the time of the application, the applicant did not establish that he and, where applicable, the persons referred to in section 38 fulfil the conditions applicable to them under section 36, provided that he undertakes to file with the board, within the time it prescribes, any document it considers relevant.

However, the permit is then issued only if the applicant complies with his undertaking to the satisfaction of the board.

1979, c. 71, s. 45; 1987, c. 12, s. 52; 1991, c. 51, s. 6; 1993, c. 39, s. 95; 1997, c. 51, s. 28.

46. The board may issue an event permit despite the prohibitions or restrictions of any municipal by-law or the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

The issue of such a permit does not exempt the permit holder from the requirement to obtain any authorizations required under the Act respecting the preservation of agricultural land and agricultural activities and under municipal by-laws.

1979, c. 71, s. 46; 1993, c. 39, s. 95; 2018, c. 20, s. 10.

46.1. Upon issuing a permit for consumption on the premises, the board shall determine the number of persons who may be present simultaneously in each room and on each terrace of the establishment where the permit is to be used.

1991, c. 51, s. 7; 1993, c. 39, s. 95; 2016, c. 7, s. 29.

47. The board shall indicate, in a permit issued by it, the place where the establishment is situated, the rooms and terraces where that permit may be used, the date of payment of the annual duties and the number of persons who may be admitted to each of those places.

The board shall also indicate in the permit, where such is the case,

(1) if the presentation of shows, the projection of films or dancing is authorized and, where applicable, the type of show that is authorized;

(2) if the permit is used in a theatre, an amphitheatre, at a race-track, in a sports centre or a hunting or fishing lodge; and

(3) on which date the permit may be used.

1979, c. 71, s. 47; 1991, c. 51, s. 8; 1993, c. 39, s. 95; 1997, c. 51, s. 29; 2016, c. 7, s. 30.

48. *(Repealed).*

1979, c. 71, s. 48; 1981, c. 14, s. 53; 1993, c. 39, s. 79.

49. *(Repealed).*

1979, c. 71, s. 49; 1981, c. 14, s. 54; 1991, c. 51, s. 9.

50. Subparagraphs 1 to 3 of the first paragraph of section 39, the second and third paragraphs of the said section, paragraph 2.1 of section 40, subparagraphs 1 to 1.2 of the first paragraph of section 41, sections 42 and 45 and the second paragraph of section 47 do not apply to an application for a reunion permit.

Subparagraphs 1 to 1.2 of the first paragraph of section 41 do not apply to an application for a grocery permit or a cider seller's permit.

Subparagraphs 2 and 3 of the first paragraph of section 39, paragraph 2.1 of section 40, sections 41 and 45 and the second paragraph of section 47 do not apply to an application for a "Man and his World" permit or an "Olympic Grounds" permit.

Subparagraphs 2 and 3 of the first paragraph of section 39, paragraph 2.1 of section 40, subparagraphs 1 to 1.2 of the first paragraph of section 41 and the second paragraph of section 47 do not apply to an application for a raw material and equipment wholesaler's or retailer's permit.

Paragraph 2.1 of section 40 and subparagraphs 1 to 1.2 of the first paragraph of section 41 do not apply to an application for a permit, other than a bar permit, made by reason of the alienation or leasing of the establishment or retaking of possession of the establishment following the exercise of a right to take in payment or the carrying out of a similar agreement if the permit applied for is of the same class as that which was used and there is no application for an additional permit or authorization, except if the board has initiated proceedings for the suspension or revocation of the permit or an application to that effect has been made to it in accordance with section 85.

1979, c. 71, s. 50; 1991, c. 51, s. 10; 1993, c. 39, s. 95; 1992, c. 57, s. 636; 1996, c. 34, s. 22; 1997, c. 51, s. 30; 2016, c. 7, s. 31.

DIVISION III

DURATION OF PERMITS AND PAYMENT OF ANNUAL DUTIES

1991, c. 51, s. 11.

51. A permit remains in force until it is cancelled.

However, a reunion permit, a “Man and his World” permit or an “Olympic Grounds” permit shall be in force only for the period determined by the board.

1979, c. 71, s. 51; 1981, c. 14, s. 55; 1991, c. 51, s. 11; 1993, c. 39, s. 95.

52. The holder of a permit shall pay, each year, the duties determined in accordance with the regulations and applicable on the anniversary date of the issue of the permit.

In the case of a permit to which the second or third paragraph of section 39 applies, the anniversary date of the issue of the permit is deemed to be the date of issue of the permit already or previously held.

1979, c. 71, s. 52; 1991, c. 51, s. 11.

53. Not less than 60 days before the anniversary date of the issue of a permit, the board shall send to the holder a notice informing him of the date on which the annual duties become payable to maintain the permit in force, the amount of such duties and, where such is the case, the amount of any administrative monetary penalty owed.

The holder shall send to the board, not less than 30 days before the anniversary date of the issue of his permit, the annual duties determined in accordance with the regulations for such permit and, where applicable, the amount of any administrative monetary penalty claimed.

1979, c. 71, s. 53; 1983, c. 28, s. 51; 1991, c. 51, s. 11; 1993, c. 39, s. 95; 2016, c. 7, s. 69.

54. Failure to receive the notice does not release the holder from the obligation to pay the annual duties.

Similarly, where the anniversary date of the issue of a holder’s permit falls on or after the date of coming into force of a regulation made under paragraph 4 of section 114, the holder shall pay the costs and duties payable under the regulation, despite any notice the board may have sent to him under section 53.

1979, c. 71, s. 54; 1991, c. 51, s. 11; 1993, c. 39, s. 95.

55. If a holder does not comply with section 53 ou 54 or if he fails to pay an administrative monetary penalty imposed under section 86 and for which no proceeding has been brought before the Administrative Tribunal of Québec, his permit is cancelled by operation of law. Such cancellation has effect from the anniversary date of the issue of the permit.

However, the board may decide that the permit is not cancelled if the holder proves, before the board has officially ascertained the permit’s cancellation by operation of law, that he had reasonable grounds for not complying with section 53 or 54 or not paying the amount claimed under section 86 and if he pays the annual duties and the administrative monetary penalty.

1979, c. 71, s. 55; 1991, c. 51, s. 11; 1993, c. 39, s. 95; 2016, c. 7, s. 70.

DIVISION IV

CONDITIONS ATTACHED TO A PERMIT

§ 1. — *Hours and days of use*

56. *(Repealed).*

1979, c. 71, s. 56; 2002, c. 58, s. 11.

57. *(Repealed).*

1979, c. 71, s. 57; 2002, c. 58, s. 11.

58. *(Repealed).*

1979, c. 71, s. 58; 2002, c. 58, s. 11.

59. A permit authorizing alcoholic beverages to be sold or served for consumption on the premises may be used every day, from 8:00 a.m. until 3:00 a.m. the following morning.

However, the sale of alcoholic beverages, for take out or delivery, authorized by the restaurant sales permit may take place only during the period between 8 a.m. and 11 p.m.

In addition, the board shall fix within the hours referred to in the first paragraph the hours during which each reunion permit may be used, and, by regulation, fix the days and hours during which a “Man and his World” permit and an “Olympic Grounds” permit may be used.

1979, c. 71, s. 59; 1993, c. 39, s. 95; 2002, c. 58, s. 12.

60. A grocery permit may be used every day within the period comprised between 7 a.m. and 11 p.m. during which a patron may be admitted to that establishment in accordance with the Act respecting hours and days of admission to commercial establishments (chapter H-2.1).

1979, c. 71, s. 60; 1990, c. 30, s. 33; 2018, c. 20, s. 18.

60.0.1. A cider seller’s permit may be used every day within the period comprised between 8 a.m. and 11 p.m. during which a patron may be admitted to the establishment in accordance with the Act respecting hours and days of admission to commercial establishments (chapter H-2.1).

2018, c. 20, s. 19.

60.1. A raw material and equipment wholesaler’s or retailer’s permit may be used on the days and at the hours the public may be admitted to the establishment in accordance with the Act respecting hours and days of admission to commercial establishments (chapter H-2.1).

1996, c. 34, s. 23.

61. Subject to section 61.1, the board may, on an application and if the board does not consider it to be contrary to the public interest or public security or likely to disturb public tranquility, change the hours during which a permit authorizing alcoholic beverages to be sold or served for consumption on the premises may be used on a statutory holiday or during a cultural, social, sporting or tourist event.

The board’s decision may concern one or more permit holders or one or more classes of permits and may apply to all or part of the territory of Québec.

Before rendering its decision, the board shall consult the clerk or secretary-treasurer of the local municipality concerned as well as the director of the Sûreté du Québec or of the police force established for that territory and authorized under section 111.

1979, c. 71, s. 61; 1991, c. 51, s. 12; 1993, c. 39, s. 95; 2002, c. 58, s. 13; 2017, c. 16, s. 41; 2018, c. 20, s. 21.

61.1. Ville de Montréal may, by by-law and with respect to any permit referred to in the first paragraph of section 59 that is used in its territory, fix hours of use that are different from those prescribed in that paragraph. Such hours may vary according to the time of year, by category of permit or by part of the city's territory.

The city may also, by resolution, exercise in its territory the power provided for in section 61 with respect to the hours of use specified in the first paragraph of section 59 or the hours it fixes under the first paragraph.

2017, c. 16, s. 42.

62. The holder of a bar permit shall not admit a person to the rooms or terraces indicated on the permit outside the hours during which the permit may be used, nor tolerate a person's remaining there for more than one hour after those hours, unless the person is an employee of the establishment.

However, between 6 a.m. and 8 a.m., the permit holder may admit a person to the rooms or terraces indicated on the permit if no alcoholic beverage is consumed there and no video lottery machine can be played there.

1979, c. 71, s. 62; 1981, c. 14, s. 56; 1993, c. 71, s. 49; 1996, c. 34, s. 24; 2018, c. 20, s. 22.

63. The holder of a permit authorizing alcoholic beverages to be sold or served for consumption on the premises, other than a bar permit, may admit a person to the rooms or terraces indicated on the permit outside the hours during which the permit may be used.

No alcoholic beverage may be consumed there more than 30 minutes after those hours.

1979, c. 71, s. 63; 1986, c. 96, s. 21; 1993, c. 71, s. 50; 2002, c. 58, s. 14; 2016, c. 7, s. 32; 2018, c. 20, s. 22.

64. Notwithstanding any general law or special Act, a permit authorizing alcoholic beverages to be sold or served may be used on a municipal or school polling day.

1979, c. 71, s. 64; 1981, c. 14, s. 57; 1989, c. 1, s. 607; 1996, c. 34, s. 25.

65. Notwithstanding section 59, in the passenger terminals at the Montréal Dorval and Mirabel International Airports and at the Québec/Jean-Lesage International Airport, a restaurant sales permit and a bar permit may be used at any time. The same rule applies to the device contemplated in the second paragraph of section 76.

1979, c. 71, s. 65; 1986, c. 96, s. 22; 1999, c. 20, s. 1.

§ 2. — *Posting*

66. The permit must be posted, in public view, at the main entrance of the establishment covered by the permit.

In the case of a permit to sell alcoholic beverages for consumption on the premises, a price list of the alcoholic beverages sold in the establishment covered by the permit must also be posted in each room or on each terrace where the permit is used. However, the holder of a restaurant sales permit may make the price list available to patrons in another manner.

In the case of a grocery permit, a price list of the beer sold in the establishment covered by the permit must be posted in each room where the permit is used.

1979, c. 71, s. 66; 1986, c. 96, s. 23; 2016, c. 7, s. 33.

67. The holder of a permit entitling him to sell alcoholic beverages for consumption on the premises must, if he imposes a minimum charge giving the right to one drink or an admission fee, keep posted, in public view, at the entrance to the room or terrace where he uses his permit, a notice indicating the amount of that charge or fee.

1979, c. 71, s. 67.

68. The holder of a restaurant permit or bar permit who allows, in a room or on a terrace of his establishment, the holding of a reception, access to which is restricted to a group of persons, must post at the entrance to that room or terrace, in public view, a notice indicating the holding of the reception. Furthermore, he must refuse to admit there any person who is not a member of the group having access to the reception.

A reception contemplated in the first paragraph may be held in a room or on a terrace of the establishment, other than that where the permit is used.

During such a reception, the permit holder may allow the presentation of a show, the projection of a film or dancing without having to obtain the authorization provided for in section 73.

1979, c. 71, s. 68; 2002, c. 58, s. 15; 2016, c. 7, s. 34; 2018, c. 20, s. 25.

69. *(Repealed).*

1979, c. 71, s. 69; 1986, c. 95, s. 210.

§ 3. — *Miscellaneous provisions*

69.1. Not more than one permit may be used at the same time in any room or on any terrace.

2016, c. 7, s. 35.

70. The holder of a permit authorizing alcoholic beverages to be sold or served must keep books respecting his purchases and sales of alcoholic beverages and indicate, for each purchase, the quantity, price, date and supplier; he must keep the vouchers of these purchases.

1979, c. 71, s. 70; 1996, c. 34, s. 26.

70.1. The holder of a raw material and equipment wholesaler's or retailer's permit and the holder of a grocery permit who carries on activities authorized by a raw material and equipment retailer's permit must keep books listing all purchases and sales of raw materials and equipment and indicating, for each transaction, the following information:

- (1) the name and address of the person from whom they purchased the products;
- (2) in the case of a raw material and equipment wholesaler, the name and address of the person to whom he sold the products concerned;
- (3) the nature and quantity of the products purchased or sold, and the cost or price thereof;
- (4) the date of the transaction.

In addition, such permit holders must keep the vouchers of each transaction.

They must, if so required, transmit such books and documents to the board.

1996, c. 34, s. 27.

71. The holder of a permit entitling him to sell or serve alcoholic beverages for consumption on the premises must notify the board in writing of the name, address and social insurance number of the person entrusted to manage his establishment, within 10 days of the beginning of his employment.

1979, c. 71, s. 71; 1986, c. 96, s. 24; 1993, c. 39, s. 95.

72. A partnership or a legal person contemplated in section 38, holding a permit, must make known to the board, on the form prescribed by the board, all the relevant information relating to a change among the persons contemplated in that section, within 10 days of the change.

1979, c. 71, s. 72; 1993, c. 39, s. 95; 1999, c. 40, s. 210.

72.1. The holder of a permit authorizing alcoholic beverages to be sold or served may tolerate the presence of alcoholic beverages in his establishment only if such beverages were acquired, in accordance with his permit, from the Société des alcools or from the holder of a small-scale production permit, a brewer's permit, a beer distributor's permit or a cider maker's permit issued under the Act respecting the Société des alcools du Québec (chapter S-13) or from an agent of such a permit holder.

In addition,

(1) in the establishment of the holder of a restaurant service permit, the presence of alcoholic beverages brought by patrons for consumption on the premises at a meal;

(2) in the establishment of a reunion permit holder, the presence of alcoholic beverages supplied by the holder of one of the following permits:

(a) a grocery permit or cider seller's permit;

(b) a small-scale production permit or small-scale beer producer's permit issued under the Act respecting the Société des alcools du Québec;

(3) in the establishment of the holder of a permit for consumption on the premises who is also the holder of a small-scale production permit or of a small-scale beer producer's permit, the presence of alcoholic beverages made by him,

is also permitted.

A permit holder shall not tolerate the presence in his establishment of a video lottery machine not registered under the Act respecting lotteries, publicity contests and amusement machines (chapter L-6).

1995, c. 4, s. 3; 1996, c. 34, s. 28; 1997, c. 32, s. 18; 1999, c. 40, s. 210; 2016, c. 9, s. 17.

73. The holder of a permit entitling him to sell or serve alcoholic beverages for consumption on the premises, other than a reunion permit, a "Man and his World" permit or an "Olympic Grounds" permit, shall not allow, in a room or on a terrace where he uses his permit, the presentation of a show, the projection of a film, or dancing, unless he is authorized to do so by the board.

However, that authorization is not required for the presentation of a show in a theatre or an amphitheatre, a race at a racetrack, or a sports event in a sports centre.

This section does not have the effect of preventing the use, in a room or on a terrace where a permit is used, of the radio, television or a device for the reproduction of sound.

1979, c. 71, s. 73; 1986, c. 96, s. 25; 1993, c. 39, s. 95.

74. The board shall grant the authorization provided for in section 73, on payment of the duties determined in accordance with the regulations, if

(1) it considers that the activity it authorizes is not likely to disturb public tranquility and that each room or terrace where that activity will take place is arranged in accordance with the standards prescribed for that purpose by regulation; and

(2) the permit holder holds a certificate issued by the clerk or the secretary-treasurer of the municipality in whose territory the establishment is situated attesting that the activity complies with the municipal planning by-laws.

Upon granting the authorization, the board shall certify the floor plan considered by means of a facsimile of the signature of its secretary.

The board may, in its decision, determine the type of show that it authorizes.

The provisions of the second and third paragraphs of section 39 and those of Division III, adapted as required, apply to the authorization.

1979, c. 71, s. 74; 1991, c. 51, s. 13; 1993, c. 39, s. 95; 1997, c. 51, s. 31; 2017, c. 13, s. 189; 2016, c. 7, s. 36.

74.1. The permit holder shall keep, in the establishment where he uses his permit, the detailed floor plan of the rooms or terraces where the activity is authorized, certified by the board pursuant to the second paragraph of section 74 or the third paragraph of section 84.1.

1997, c. 51, s. 32; 2016, c. 7, s. 37.

75. The holder of a permit must not use that permit in a manner that will disturb public tranquility.

1979, c. 71, s. 75; 1986, c. 96, s. 26; 1991, c. 51, s. 14.

76. The holder of a bar permit or of a restaurant sales permit may, during the hours when he uses his permit, sell alcoholic beverages in a room of his establishment, if it is a tourist accommodation establishment for which the holder is permitted under the Act respecting tourist accommodation establishments (chapter E-14.2) and the regulations to use the appellation “hotel”, “motel” or “inn”.

He may also, with the authorization of the board, install a device conforming to the standards prescribed by regulation, from which a person may at all times serve himself, in a room of that tourist establishment.

1979, c. 71, s. 76; 1986, c. 96, s. 27; 1987, c. 12, s. 53; 1993, c. 39, s. 95; 2000, c. 10, s. 28.

77. *(Repealed).*

1979, c. 71, s. 77; 2001, c. 77, s. 5.

77.0.1. In an establishment in which a video lottery machine is operated, the permit holder, his spouse and children, the person responsible for the management of the establishment, the members of the personnel and any person who participates in a show in the establishment are prohibited from playing or inciting a patron to play the video lottery machine.

1993, c. 39, s. 80; 2002, c. 6, s. 236.

77.1. *(Repealed).*

1990, c. 67, s. 5; 2018, c. 20, s. 33.

77.2. *(Repealed).*

1990, c. 67, s. 5; 2018, c. 20, s. 33.

Not in force

77.3. A permit holder, the person responsible for the management of the establishment where the permit is used, and the other members of the holder's personnel determined by government regulation must take training recognized by the board on the responsible consumption of alcoholic beverages.

The Government may, by regulation, determine the criteria the board must take into account in recognizing training offered in or outside Québec on the responsible consumption of alcoholic beverages, as well as the procedure for obtaining such recognition.

The Government may also, by regulation, determine any terms for implementing the training requirement, including with regard to the content of the training, which may vary according to the persons taking the training and the class of permit, and prescribe exemptions or transitional conditions for permit holders, persons responsible for the management of establishments, and permit holders' other personnel members.

During the hours during which a permit authorizing alcoholic beverages to be sold or served may be used, the permit holder or a member of the holder's personnel who has received training recognized by the board must be present in the establishment.

2018, c. 20, s. 34.

77.4. A permit holder who keeps or possesses in his establishment alcoholic beverages that are the subject of a recall order made in accordance with section 35.2.1 of the Act respecting the Société des alcools du Québec (chapter S-13) must comply with the order. For that purpose, he must immediately cease selling the alcoholic beverages subject to the recall and remove them from his display.

2018, c. 20, s. 34.

DIVISION V

TEMPORARY USE AND CHANGE OF PLACE OR FLOOR ARRANGEMENT

1997, c. 51, s. 33.

§ 1. — *Temporary use of a permit*

78. No permit may be used by a person other than its holder.

1979, c. 71, s. 78.

79. The board may, upon production of the relevant documents it may require and upon payment of the duties determined in accordance with the regulations, temporarily authorize a person other than a holder to use a permit, if that person is the liquidator of the succession of the permit holder, his legatee by particular title or heir or a person designated by them, a trustee in bankruptcy, a liquidator, a judicial or conventional sequestrator or a trustee who is provisionally administering an establishment in which a permit is in use.

The board may also, on the same conditions, temporarily authorize a person other than the holder to use the permit, if that person files an application to that effect with an application for a permit by reason of the

alienation, rental or retaking of possession of the establishment following the exercise of a right to take in payment or the carrying out of a similar agreement.

Where the issuance of a permit is decided by the board in circumstances described in the second paragraph, an administrative monetary penalty in the amount prescribed by regulation in accordance with section 85.1 is imposed as an additional requirement if the applicant failed to apply for an authorization for the temporary use of a permit and should have done so.

The board may refuse to grant its authorization if it has initiated proceedings for the suspension or cancellation of the permit or if an application to that effect has been made to it under section 85.

1979, c. 71, s. 79; 1981, c. 14, s. 58; 1983, c. 28, s. 52; 1991, c. 51, s. 15; 1993, c. 39, s. 95; 1992, c. 57, s. 637; 1999, c. 40, s. 210; 2016, c. 7, s. 71.

80. An application for authorization to use a permit temporarily is examined and decided by preference.

Upon payment of the duties determined in accordance with the regulations, the board may renew the authorization for the period it fixes.

1979, c. 71, s. 80; 1991, c. 51, s. 16; 1993, c. 39, s. 95; 1997, c. 43, s. 405.

81. The provisions of this Act and any other Act and those of the regulations thereunder which apply to a permit and to its holder apply, adapted as required, to an authorization for temporary use of a permit and to its holder.

1979, c. 71, s. 81; 1991, c. 51, s. 17.

§ 2. — *Change of place of the use of a permit*

82. No permit holder, without the authorization of the board, may, even inside his establishment, use his permit in places other than those specified in his permit.

A permit holder who applies for the board's authorization to use his permit in an additional place in his establishment must comply with the conditions provided in sections 39 and 40 that apply to him.

1979, c. 71, s. 82; 1983, c. 28, s. 53; 1993, c. 39, s. 95; 2016, c. 7, s. 38.

83. A permit holder who applies to definitively change one place or all the places where he uses his permit must comply with the conditions provided in sections 39 and 40 that apply to him.

Subparagraphs 1 and 2 of the first paragraph of section 41 apply, with the necessary modifications, to the application.

1979, c. 71, s. 83; 1997, c. 51, s. 34; 2016, c. 7, s. 39.

84. Under exceptional circumstances, the board, upon production of the relevant documents it may require and upon payment of the duties determined in accordance with the regulations, may authorize the temporary change of any of the places covered by a permit.

That application is examined and decided by preference. The authorization may be renewed for the period fixed by the board.

1979, c. 71, s. 84; 1991, c. 51, s. 18; 1993, c. 39, s. 95; 1997, c. 43, s. 406; 2016, c. 7, s. 40.

84.0.1. When major changes are being made to the floor arrangement of a place where a permit is used, the board may, on payment of the duties determined by regulation, temporarily authorize a change of one or all of the places where the permit is used.

A permit holder who applies for an authorization for such a change must comply with the applicable conditions provided in sections 39 and 40.

The authorization may be renewed for the period fixed by the board.

2018, c. 20, s. 39.

§ 3. — *Change of floor arrangement*

1997, c. 51, s. 35.

84.1. Any change in 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 must be authorized by the board if the change involves new divisions, even removable or temporary divisions, of the space where patrons are admitted.

Subparagraph 2 of the first paragraph of section 39 and paragraphs 2, 2.1 and 3 of section 40 apply to such an application for authorization.

The board shall certify, by means of a facsimile of the signature of its secretary, the floor plan considered for the granting of the authorization.

1997, c. 51, s. 35.

DIVISION VI

PENALTIES

1997, c. 51, s. 36; 2016, c. 7, s. 72.

85. The board may cancel a permit or authorization or suspend it for such period as it may determine, of its own initiative or on the application of the permit holder, the Minister of Public Security, the local municipality in whose territory the permit is used or any other interested person.

1979, c. 71, s. 85; 1986, c. 86, s. 41; 1988, c. 46, s. 24; 1993, c. 39, s. 95; 1996, c. 2, s. 760; 1997, c. 51, s. 37.

85.1. The board may impose an administrative monetary penalty in an amount prescribed by regulation if

(1) the permit holder is in contravention of section 72.1 due to a quantity of non-compliant alcoholic beverages not exceeding 3 litres of spirits, 6 litres of wine or 10 litres of beer being found during the same visit;

(2) the permit holder keeps or allows to be kept in his establishment 10 or fewer containers of alcoholic beverages containing an insect, unless that insect is an ingredient used in making those alcoholic beverages;

(3) the permit holder has contravened the second paragraph of section 79 by using a liquor permit without having applied for a temporary authorization to use it despite being required to do so;

(4) the permit holder did not pay the duties payable for the permit within the time limit set out in section 53; or

(5) the permit holder is guilty of a failure to comply referred to in the regulation made under paragraph 15.2 of section 114.

2016, c. 7, s. 73.

85.2. If an administrative monetary penalty is imposed on a holder for a failure to comply under section 85.1, the board notifies a notice of claim to the holder.

Such a notice must state

- (1) the amount claimed and the reasons for it;
- (2) the terms of payment of the amount claimed;
- (3) the way the notice of claim may be contested; and
- (4) that the holder will be convened to a hearing before the board if the holder fails to pay the amount owed and that this failure could result in the cancellation by operation of law of his permit.

2016, c. 7, s. 73.

86. The board may cancel or suspend a permit, if

- (1) the permit has been obtained following false representations;
- (2) the permit holder or, if the permit holder is a partnership or a legal person referred to in section 38, any person mentioned in section 38 ceases to fulfil the conditions set out in section 36, subparagraphs 1 to 3 of the first paragraph of section 39 or subparagraphs 1.1 to 2 of the first paragraph of section 41;
- (3) *(subparagraph replaced)*;
- (4) *(subparagraph replaced)*;
- (5) *(subparagraph replaced)*;
- (6) in the case of a club permit the holder no longer fulfils one of the conditions provided in section 43 or one of the conditions respecting the issue of the permit and prescribed by regulation;
- (7) the establishment no longer fulfils the conditions established by regulation to be considered as a grocery, in the case of a grocery permit;
- (8) the permit holder contravenes any provision of section 75 or 78;
- (9) the permit holder or, where the holder is a partnership or legal person contemplated in section 38, a person mentioned in that section has been convicted of an offence against this Act or the regulations, the Act respecting offences relating to alcoholic beverages (chapter I-8.1), an Act respecting safety, hygiene or sanitation in public buildings or respecting the quality of the environment or a regulation made under such an Act, section 44 of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2), section 135 of the Youth Protection Act (chapter P-34.1) or section 33 of the Juvenile Delinquents Act (R.S.C. 1970, c. J-3);
- (10) the permit holder does not comply with an order given under section 87;
- (11) the permit holder contravenes section 72.1, except in the case of a failure to comply for which an administrative monetary penalty is prescribed by regulation;
- (12) the permit holder keeps or allows to be kept in the establishment more than 10 containers of alcoholic beverages containing an insect, unless that insect is an ingredient used in making those alcoholic beverages; or
- (13) an administrative monetary penalty was imposed on the permit holder under section 85.1 for the same failure to comply in the preceding three years.

The board may, instead of cancelling or suspending a permit for a reason set out in the first paragraph, impose on the permit holder an administrative monetary penalty in an amount not exceeding \$100,000.

In determining the penalty for contravening section 72.1, the board shall consider in particular the following factors:

- (1) the quantity of alcoholic beverages or the number of video lottery machines involved;
- (2) whether the alcoholic beverages involved are of bad quality or unfit for consumption;
- (3) whether the alcoholic beverages involved were made fraudulently or are adulterated;
- (4) whether the permit holder involved contravened section 72.1 in the preceding five years;
- (5) whether the alcoholic beverages involved are not marketed by the Société des alcools du Québec and are not made, bottled or delivered in accordance with a permit issued under the Act respecting the Société des alcools du Québec (chapter S-13).

The board must revoke or suspend a permit if

- (1) in the case of a bar permit, the permit holder has been convicted of an offence for having employed a minor or for having allowed a minor to present or to participate in a show, in a room or on a terrace of his establishment where alcoholic beverages may be sold;
- (2) the use of the permit adversely affects public security;
- (3) the permit holder or, if the permit holder is a partnership or a legal person referred to in section 38, any person mentioned in section 38 was convicted of an indictable offence referred to in the second paragraph of section 41;
- (4) *(subparagraph repealed)*;
- (5) the permit holder is not in compliance with a voluntary undertaking made under section 89;
- (6) the permit holder fails to pay the administrative monetary penalty after it is imposed on the holder in accordance with paragraphs 1 to 3 and 5 of section 85.1 and for which the time limit for contesting has expired.

The board may add an administrative monetary penalty to a permit suspension for a reason set out in this section. The amount of the penalty may not exceed \$100,000.

1979, c. 71, s. 86; 1983, c. 28, s. 54; 1986, c. 96, s. 28; 1990, c. 4, s. 633; 1993, c. 39, s. 95; 1995, c. 4, s. 4; 1997, c. 51, s. 38; 1999, c. 20, s. 2; 1999, c. 40, s. 210; 2001, c. 60, s. 166; 2009, c. 30, s. 58; 2016, c. 7, s. 74; 2016, c. 1, s. 145.

86.0.1. The board may cancel an authorization or suspend it for the period it determines if the conditions for obtaining it are no longer being complied with, if the authorization was obtained on false representations or if section 74.1, 75 or 84.1 has been contravened.

The board may, instead of cancelling or suspending an authorization, impose on the permit holder an administrative monetary penalty in an amount not exceeding \$10,000.

1997, c. 51, s. 39; 2016, c. 7, s. 75.

86.1. *(Repealed).*

1981, c. 14, s. 59; 1991, c. 51, s. 19.

86.2. When suspending or cancelling a permit, the board may decide that no permit may be issued for the establishment in which the permit was used, for the duration of the suspension or until the expiry of six months from the date of cancellation.

1986, c. 96, s. 29; 1993, c. 39, s. 95; 1996, c. 34, s. 29; 1997, c. 51, s. 40.

86.3. *(Repealed).*

1997, c. 51, s. 41; 2016, c. 7, s. 76.

87. The board may, in addition to imposing an administrative monetary penalty for contravening sections 70 to 73, 74.1, the second paragraph of section 76, section 82 or 84.1 or for refusing or neglecting to comply with the board's requirements under section 110, or instead of imposing an administrative monetary penalty or cancelling or suspending a permit for contravening section 75 or 78, order the permit holder to take the necessary corrective measures within the time it specifies or to restrict, for the period it determines, the hours during which the permit may be used.

The board may also issue an order relating to the necessary corrective measures instead of imposing an administrative monetary penalty or cancelling or suspending a permit for a reason set out in subparagraph 2, 6 or 7 of the first paragraph of section 86.

1979, c. 71, s. 87; 1993, c. 39, s. 95; 1997, c. 51, s. 42; 1999, c. 40, s. 210; 2016, c. 7, s. 77.

87.1. Where a restriction on the hours during which a permit may be used is imposed under section 87, the holder may, unless it is prohibited by the board in its decision, admit a person to a room or terrace where his permit is used and tolerate his presence there during the hours determined in Division IV of Chapter III if

- (1) no alcoholic beverage is sold or served during the hours subject to the restriction;
- (2) no alcoholic beverage is consumed more than 30 minutes after the beginning of the hours subject to the restriction;
- (3) a device which meets the standards prescribed by regulation is installed, during the hours subject to the restriction, to prevent access to the place where alcoholic beverages are kept.

Failing the device required by subparagraph 3 of the second paragraph, no person may be admitted to the room or terrace after the beginning of the hours subject to the restriction or be there more than one hour after the beginning of such hours.

A restriction of the hours during which a permit may be used entails, for the same hours, a restriction of the use of an authorization granted under section 73, if any.

1991, c. 51, s. 20; 1993, c. 39, s. 95; 1996, c. 34, s. 30; 1997, c. 51, s. 43; 2016, c. 7, s. 78; 2018, c. 20, s. 46.

88. *(Repealed).*

1979, c. 71, s. 88; 1993, c. 39, s. 95; 1996, c. 34, s. 31; 1997, c. 51, s. 44.

89. The board, if it has reasonable ground to believe that a permit holder is contravening an Act or a regulation referred to in subparagraph 9 of the first paragraph of section 86, may accept a voluntary undertaking from the holder to comply with that Act or regulation.

1979, c. 71, s. 89; 1993, c. 39, s. 95; 1997, c. 51, s. 45.

89.1. Where the board suspends or cancels a permit authorizing alcoholic beverages to be sold or served for consumption on the premises for a reason set out in subparagraph 8 of the first paragraph or in the fourth paragraph of section 86, the board may prohibit the holder from admitting a person to or tolerating the

presence of a person in a room or terrace to which the permit applies during the period of suspension of the permit or during a period not exceeding six months from the date of cancellation.

The board shall post the order on the premises to which it applies, along with a notice indicating the penalty to which any offender is liable.

The board may, upon an application, vary its decision where a change in the use of premises occurs.

1997, c. 51, s. 46; 2016, c. 7, s. 79.

89.2. The board may confiscate the security furnished by a permit holder

(1) if it suspends or cancels the permit holder's permit;

(2) if the permit holder is convicted of an offence against a provision referred to in subparagraph 1 of the first paragraph of section 42.

Sections 32.19 to 32.21 of the Act respecting the Ministère de la Justice (chapter M-19), adapted as required, apply to any sums so confiscated.

1997, c. 51, s. 46.

90. *(Repealed).*

1979, c. 71, s. 90; 1993, c. 39, s. 81.

90.1. Where a permit authorizing alcoholic beverages to be sold or served is suspended, the board or, at its request, a member of a police force authorized under section 111 or a member of the Sûreté du Québec, shall put under seal all receptacles containing alcoholic beverages then in the possession of the permit holder.

Upon the application of the permit holder and according to the circumstances and to the duration of the suspension, the board may also authorize the holder to take any conservatory measure which the board deems appropriate.

1986, c. 96, s. 30; 1993, c. 39, s. 95; 1996, c. 34, s. 32.

90.2. Where alcoholic beverages are the subject of a recall order made in accordance with section 35.2.1 of the Act respecting the Société des alcools du Québec (chapter S-13), the board or, at its request, a member of a police force authorized under section 111 or a member of the Sûreté du Québec may put under seal the alcoholic beverages subject to that order that are then in the possession of the permit holder.

2018, c. 20, s. 49.

91. When a permit is cancelled, the board shall seize and confiscate the permit and any alcoholic beverages and receptacles in the possession of the person who held the permit, and hand them over to the Société des alcools du Québec.

At the request of the board, a member of a police force authorized under section 111 or a member of the Sûreté du Québec may seize the alcoholic beverages and their receptacles and hand them over to the Société des alcools du Québec.

1979, c. 71, s. 91; 1986, c. 96, s. 31; 1993, c. 39, s. 95; 1996, c. 34, s. 33.

92. The Société shall establish the value of the alcoholic beverages so seized and confiscated and pay to the person who held the permit the value of these beverages, less transportation costs and an amount of 10% of the first \$50,000 and 7.5% of the excess.

1979, c. 71, s. 92.

93. A person whose permit has been cancelled by the board shall not make a new application before the expiry of a period of one year from the cancellation, unless he himself had applied for the cancellation.

1979, c. 71, s. 93; 1993, c. 39, s. 95.

94. Sections 91 to 93 do not apply in the case of alienation or rental of the establishment or retaking possession of the establishment following the exercise of a right to take in payment or the carrying out of a similar agreement, if a new permit is issued for that establishment.

1979, c. 71, s. 94 (*part*); 1983, c. 28, s. 55; 1991, c. 51, s. 22; 1992, c. 57, s. 638.

94.1. Where a permit holder himself has applied for cancellation of his permit, the board shall remit to the person who held the cancelled permit the portion of the duties paid corresponding to the number of days in which the permit is not used following its cancellation.

1979, c. 71, s. 94 (*part*); 1983, c. 28, s. 55; 1991, c. 51, s. 22; 1993, c. 39, s. 95; 1993, c. 71, s. 51.

CHAPTER IV

PROCEDURE AND PROOF

95. Every application for a permit, except a reunion permit, every application for a change in the number of persons who may be present in an establishment, every application for temporary authorization under the first paragraph of section 79, every application for a change of floor arrangement referred to in section 84.1 and every application under section 96 must, in order to be examined, be accompanied with payment of the costs determined in accordance with the regulations. These costs are not reimbursed.

1979, c. 71, s. 95; 1991, c. 51, s. 23; 1997, c. 51, s. 47.

96. Upon receiving an application for a permit, an application to add a terrace to a permit, an application to change the place where a permit is used, an application to increase by more than one-half the number of persons who may be admitted to one of the places covered by a permit, an application to obtain the authorization to present a show, project a film or dance in one of the places covered by a permit, or an application for a change in hours, the board shall

(1) cause a notice of the application to be published in at least one newspaper circulated in the local municipal territory where the establishment is to be situated;

(2) notify the secretary-treasurer or the clerk of the local municipality in whose territory the applicant intends to use his permit and the director of the Sûreté du Québec or of the police force established for that territory and authorized under section 111.

(3) (*subparagraph repealed*).

The cost of publication provided for in subparagraph 1 of the first paragraph shall be paid by the applicant in accordance with the modalities determined by the board.

1979, c. 71, s. 96; 1986, c. 58, s. 69; 1986, c. 86, s. 41; 1988, c. 46, s. 24; 1991, c. 51, s. 24; 1993, c. 39, s. 95; 1996, c. 2, s. 761; 1997, c. 51, s. 48; 2016, c. 7, s. 41.

97. Section 96 does not apply to

(1) an application for a reunion permit, a “Man and his World” permit, or an “Olympic Grounds” permit;

(1.1) an application for a grocery permit or a cider seller’s permit;

(1.2) an application for a raw material and equipment wholesaler’s permit or a raw material and equipment retailer’s permit;

(2) an application for a temporary authorization;

(3) an application for a permit, other than a bar permit, made by reason of the alienation or rental of the establishment or the retaking of possession of the establishment following the exercise of a right to take in payment or the carrying out of a similar agreement, if the permit applied for is of the same class as that which was being used and if there is no application for an additional permit or authorization;

(4) an application for a permit made within 30 days after the board officially ascertained the cancellation *pleno jure* of a permit, if the application is made by the holder of the permit so cancelled, if the permit applied for is of the same class as that which was being used and there is no application for an additional permit or authorization.

1979, c. 71, s. 97; 1983, c. 28, s. 56; 1991, c. 51, s. 25; 1993, c. 39, s. 95; 1992, c. 57, s. 639; 1996, c. 34, s. 34; 1997, c. 51, s. 49; 2016, c. 7, s. 42.

98. The notice provided for in section 96 must indicate the name of the applicant, the nature of the application and the place where the permit will be used. The notice must substantially reproduce the first paragraph of section 99 and indicate the address of the office of the board where objections and interventions are to be sent.

1979, c. 71, s. 98; 1993, c. 39, s. 95.

99. Any person, partnership or association within the meaning of the Civil Code may, in a substantiated and sworn writing sent to the board, object to an application contemplated in section 96 within 30 days of the publication of the notice contemplated in paragraph 1 of that section or intervene in favour of that application, if an objection has been made, within 45 days of the publication of that notice.

The Minister of Public Security may, within the same period, intervene of right in an application contemplated in section 96.

The board may require of any association referred to in the first paragraph that it establish its representativeness.

1979, c. 71, s. 99; 1986, c. 86, s. 41; 1988, c. 46, s. 24; 1993, c. 39, s. 95; 1992, c. 57, s. 640; 1997, c. 51, s. 50; 1997, c. 43, s. 407.

100. The board may follow the procedure provided in sections 96, 98 and 99 in other cases where it deems it expedient.

1979, c. 71, s. 100; 1993, c. 39, s. 95.

100.1. If an objection is addressed to it in accordance with section 99, the board shall call a hearing to allow any interested person to make representations.

At least 10 days before the hearing, the board shall send to the applicant and to any person who has filed an objection or an intervention, by registered mail or by service on the person, a notice indicating the date, place and time fixed by it for the holding of the hearing.

1997, c. 43, s. 408; I.N. 2016-01-01 (NCCP).

101. (*Repealed*).

1979, c. 71, s. 101; 1993, c. 39, s. 81.

102. The board may, upon mere examination of the record,

(1) grant an application contemplated in section 96, if there is no objection;

(2) grant an application for a reduction in the number of persons who may be admitted to an establishment or for the removal of a place from the list of places covered by a permit;

(3) grant an application for a temporary authorization;

(4) cancel or suspend a permit, upon the application of its holder;

(5) declare a decision nul if the applicant fails to produce a document required by the board under section 45.

1979, c. 71, s. 102; 1991, c. 51, s. 26; 1993, c. 39, s. 95; 2016, c. 7, s. 43.

103. *(Repealed).*

1979, c. 71, s. 103; 1993, c. 39, s. 95; 1997, c. 43, s. 409.

104. *(Repealed).*

1979, c. 71, s. 104; 1993, c. 39, s. 81.

104.1. *(Repealed).*

1986, c. 96, s. 32; 1993, c. 39, s. 81.

105. *(Repealed).*

1979, c. 71, s. 105; 1997, c. 43, s. 409.

106. *(Repealed).*

1979, c. 71, s. 106; 1997, c. 43, s. 409.

107. *(Repealed).*

1979, c. 71, s. 107; 1993, c. 39, s. 81.

108. The board may cancel a decision made under section 45 if the applicant has failed to produce the relevant documents to the satisfaction of the board.

1979, c. 71, s. 108; 1991, c. 51, s. 27; 1993, c. 39, s. 82, s. 95.

109. *(Repealed).*

1979, c. 71, s. 109; 1993, c. 39, s. 83.

CHAPTER V

INVESTIGATION AND INSPECTION

110. The board may require a permit holder to provide any information relating to the application of this Act and the regulations, and to produce any document relating thereto.

It may also require the holder of a permit authorizing alcoholic beverages to be sold or served to furnish to it, within the time it indicates and in respect of the period it determines, a report of his purchases and sales of alcoholic beverages. In the case of the holder of a grocery permit, that report may deal with any product purchased or sold in the grocery.

1979, c. 71, s. 110; 1993, c. 39, s. 95; 1996, c. 34, s. 35.

111. A member of the personnel of the board designated by the chairman or, at the request of the board, a member of a police force authorized for such purpose by the Minister of Public Security or a member of the Sûreté du Québec may, during the business hours of an establishment, enter the establishment and its dependencies and inspect them; he may, in particular, examine the products found there, take samples, require the production of the books and other documents relating to the purchase and sale of alcoholic beverages or of raw materials and equipment used for beer or wine making or, in the case of a grocery, of any product, require any other information or document useful for the application of this Act or the regulations and require any person on the premises to provide him reasonable assistance.

A member of a police force authorized for such purpose by the Minister of Public Security or a member of the Sûreté du Québec may, in the exercise of his functions and to ascertain compliance with this Act and the regulations, stop a vehicle operated on a public highway, if he has reasonable grounds to believe that the vehicle is used by the holder of a permit to deliver alcoholic beverages, inspect any alcoholic beverages that is in the vehicle and examine any document relevant to the application of this Act and the regulations.

1979, c. 71, s. 111; 1983, c. 28, s. 57; 1986, c. 86, s. 41; 1988, c. 46, s. 24; 1993, c. 39, s. 95; 1994, c. 26, s. 6; 1996, c. 34, s. 36; 1997, c. 51, s. 51; 2002, c. 58, s. 16.

112. Every person is prohibited from hindering the activities of a person contemplated in section 111 in the exercise of his duties, from misleading him by concealment or false declarations, from refusing to furnish him with information or a document he is entitled to require or examine under this Act or the regulations, or to conceal or destroy a document or property relating to an investigation.

1979, c. 71, s. 112; 1983, c. 28, s. 58.

113. A member of the personnel of the board must, on demand, present a certificate signed by the chairman or the secretary of the board, attesting his capacity.

1979, c. 71, s. 113; 1983, c. 28, s. 59; 1993, c. 39, s. 95.

CHAPTER VI

REGULATIONS

114. The board may, in plenary session, make regulations

(1) establishing the conditions which an establishment must fulfil to be considered a grocery;

(1.1) determining the conditions on and circumstances in which a grocery permit holder may offer free tasting in his establishment of the alcoholic beverages he is entitled to sell;

(2) determining the other conditions relating to the issue and use of a club permit, a reunion permit, a “Man and his World” permit or an “Olympic Grounds” permit and the events for which a reunion permit may be issued;

(3) determining the conditions relating to the use of a reunion permit issued to a person who uses a permit authorizing the sale of alcoholic beverages for consumption on the premises, depending on whether the meeting takes place inside or outside his establishment;

(3.1) determining the form and content of permits and prescribing any form intended to facilitate the application of this Act and the regulations thereunder;

(4) determining the amount of the costs and duties that are payable under this Act or standards permitting to establish such amount and prescribing the terms and conditions of payment;

(5) (*paragraph repealed*);

(6) prescribing, particularly in respect of the surface area, lighting and furnishings, standards of arrangement applicable to establishments and their rooms and terraces, and the standards of arrangement required to allow the presentation of shows, the projection of films, or dancing;

(6.1) determining the amount of security according to the classes of permits or the reasons for which security is required;

(7) prescribing the standards it must apply to fix the number of persons who may be admitted at one time to an establishment or to each room or on each terrace of the establishment;

(8) *(paragraph repealed)*;

(9) determining, for the application of sections 66 to 68, the form and tenor of notices and of price lists;

(10) prescribing the standards with which the devices contemplated in section 87.1 must comply;

(10.1) prescribe the standards according to which the holder of a permit authorizing alcoholic beverages to be sold for consumption on the premises may keep the alcoholic beverages in a tubing system;

(11) determining the form and tenor of the reports it may require from a permit holder under the second paragraph of section 110;

(12) establishing standards, limits, restrictions, prohibitions and an approval procedure relating to promotion, advertizing and educational programs in respect of alcoholic beverages applicable in whole or in part to persons or categories of persons determined by regulation;

(12.1) controlling the giving of alcoholic beverages by the Société des alcools du Québec, by the holder of a permit issued under this Act or the Act respecting the Société des alcools du Québec (chapter S-13), by the agents or employees thereof or by any agent, broker or mandatary in Québec of a person who makes alcoholic beverages outside Québec;

(13) prohibiting or governing the granting of an advantage calculated to encourage the sale of alcoholic beverages;

(13.1) so as not to encourage the irresponsible consumption thereof, determining the minimum retail price of beer, which may vary according to the category of permit or apply only to certain of such categories;

(14) determining, in the case of a permit used in a means of public transportation or in a trading post, which provisions of this Act, of the regulations and of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) do not apply and, where that is the case, the rules then applicable;

(14.1) *(paragraph repealed)*;

(15) *(paragraph repealed)*;

(15.1) determining the amount of the administrative monetary penalty for each failure to comply provided for in paragraphs 1 to 4 of section 85.1 on the basis of the types of alcoholic beverages and the quantities specified per container or otherwise;

(15.2) determining when failure to comply with this Act, the Act respecting offences relating to alcoholic beverages and the regulations made under them may be subject to an administrative monetary penalty and determining the amount of such penalty on the basis of the types of alcoholic beverages and the quantities specified per container or otherwise; and

(16) providing any other measure useful to the application of this Act.

1979, c. 71, s. 114; 1983, c. 28, s. 60; 1986, c. 95, s. 211; 1990, c. 67, s. 6; 1991, c. 31, s. 3; 1991, c. 51, s. 28; 1993, c. 39, s. 84, s. 95; 1993, c. 71, s. 52; 1997, c. 51, s. 52; 1999, c. 20, s. 3; 2002, c. 58, s. 17; 2016, c. 7, s. 80; 2018, c. 20, s. 56.

115. *(Repealed).*

1979, c. 71, s. 115; 1993, c. 39, s. 85.

116. Any regulation made by the board must be submitted to the approval of the Government, which may then amend it.

1979, c. 71, s. 116; 1993, c. 39, s. 95.

116.1. *(Repealed).*

1986, c. 58, s. 70; 1990, c. 67, s. 7.

117. *(Repealed).*

1979, c. 71, s. 117; 1990, c. 67, s. 7.

117.1. *(Repealed).*

1986, c. 58, s. 71; 1990, c. 67, s. 7.

117.2. *(Repealed).*

1986, c. 58, s. 71; 1991, c. 51, s. 29.

CHAPTER VII

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

118. *(Amendment integrated into c. I-8.1, Title).*

1979, c. 71, s. 118.

119. *(Amendment integrated into c. I-8.1, s. 2).*

1979, c. 71, s. 119.

120. *(Amendment integrated into c. I-8.1).*

1979, c. 71, s. 120.

121. *(Amendment integrated into c. I-8.1, s. 81).*

1979, c. 71, s. 121.

122. *(Omitted).*

1979, c. 71, s. 122.

123. *(Amendment integrated into c. I-8.1, s. 84).*

1979, c. 71, s. 123.

124. *(Amendment integrated into c. I-8.1, s. 84.1).*

1979, c. 71, s. 124.

125. *(Amendment integrated into c. I-8.1, s. 85).*

1979, c. 71, s. 125.

126. *(Omitted).*

1979, c. 71, s. 126.

127. *(Amendment integrated into c. I-8.1, s. 87).*

1979, c. 71, s. 127.

128. *(Amendment integrated into c. I-8.1, Division XI.1, ss. 103.1-103.9).*

1979, c. 71, s. 128.

129. *(Amendment integrated into c. I-8.1, s. 104).*

1979, c. 71, s. 129.

130. *(Omitted).*

1979, c. 71, s. 130.

131. *(Omitted).*

1979, c. 71, s. 131.

132. *(Amendment integrated into chapter I-8.1, s. 109).*

1979, c. 71, s. 132.

133. *(Amendment integrated into chapter I-8.1, s. 110).*

1979, c. 71, s. 133.

134. *(Amendment integrated into c. I-8.1, ss. 110.1-110.2).*

1979, c. 71, s. 134.

135. *(Amendment integrated into chapter I-8.1, s. 112).*

1979, c. 71, s. 135.

136. *(Amendment integrated into c. I-8.1, s. 118).*

1979, c. 71, s. 136.

137. *(Amendment integrated into c. I-8.1, s. 119).*

1979, c. 71, s. 137.

138. *(Amendment integrated into c. I-8.1, s. 122).*

1979, c. 71, s. 138.

139. *(Amendment integrated into c. I-8.1, s. 129).*

1979, c. 71, s. 139.

140. *(Amendment integrated into c. I-8.1, s. 134).*

1979, c. 71, s. 140.

141. *(Amendment integrated into c. I-8.1, s. 146).*

1979, c. 71, s. 141.

142. *(Amendment integrated into c. I-8.1, s. 153).*

1979, c. 71, s. 142.

143. *(Omitted).*

1979, c. 71, s. 143.

144. *(Omitted).*

1979, c. 71, s. 144.

145. *(Omitted).*

1979, c. 71, s. 145.

146. *(Amendment integrated into c. I-8.1).*

1979, c. 71, s. 146.

147. *(Amendment integrated into c. I-8.1).*

1979, c. 71, s. 147.

CHAPTER VIII

TRANSITIONAL AND FINAL PROVISIONS

148. The Régie des permis d'alcool du Québec acquires the rights of the Commission de contrôle des permis d'alcool du Québec and assumes the obligations thereof.

The Régie is authorized to use any document or means of identification already drawn up in the name of the Commission de contrôle des permis d'alcool du Québec, until it is able to replace it by documents or means of identification drawn up in the name of the Régie des permis d'alcool du Québec.

1979, c. 71, s. 148.

149. The secretary-general and the members of the personnel of the Commission de contrôle des permis d'alcool du Québec in office at the coming into force of this section become, respectively, the secretary and the members of the personnel of the Régie.

1979, c. 71, s. 149.

150. This Act and the Act respecting offences relating to alcoholic beverages apply in respect of a permit issued before the coming into force of this section, as if it were a permit issued by the Régie under this Act.

However, the rules respecting the conditions of use of an Olympic Stadium permit, a hunting or fishing lodge permit, a public carrier permit, a trading post permit or a reception permit, which were in force before the coming into force of this section, continue to apply until the date provided for in section 151.

1979, c. 71, s. 150.

151. A permit issued by the Commission de contrôle des permis d'alcool du Québec or by the Régie is, in 1981, renewable by the Régie in accordance with this Act on the first day of the month of birth of the holder of the permit.

Notwithstanding the first paragraph, a reception permit or a reunion permit remains in force until its date of expiry and shall not be renewed.

1979, c. 71, s. 151.

152. Upon a renewal contemplated in section 151,

(1) a hunting or fishing lodge permit, a public carrier permit or a trading post permit is converted by the Régie to a permit of the appropriate class provided for by this Act, according to what the permit authorizes;

(2) a permit held by a natural person for the benefit of a third person is renewed in the name of the person who intends to use it;

(3) an Olympic Stadium permit is converted to an “Olympic Grounds” permit.

1979, c. 71, s. 152.

153. The date on which a permit is renewed in accordance with section 151 is deemed to be the date on which it was obtained.

That permit is renewed for two years if the permit holder was born in an odd year and for one year if the holder was born in an even year.

1979, c. 71, s. 153.

154. The Government shall determine by regulation the duties payable upon a renewal provided for by section 151. That regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

1979, c. 71, s. 154.

155. The Régie shall compute the duties payable by each holder whose permit is renewed in accordance with section 151 in proportion to the duration of renewal of the permit.

1979, c. 71, s. 155.

156. At least two months before the date provided for in section 151 but not later than 1 March 1981, the Régie shall send a notice to a permit holder informing him of the date and duration of renewal of his permit, of the duties he must pay and of his obligation to do so at least ten days before the date of renewal.

Furthermore, if the renewal of a permit takes place

(1) on 1 January, February, March or April 1981, the Régie shall credit to the permit holder the amount he has already paid upon the issue or the last renewal of the permit for the period comprised between the date of renewal and 30 April 1981;

(2) on 1 June, July, August, September, October, November or December 1981, the Régie shall indicate the supplementary duties the holder must pay to maintain his permit in force for the period from 1 May 1981 to the date of renewal of the permit, and his obligation to pay these duties at least ten days before 1 May 1981, under pain of cancellation of the permit on that date.

Section 53 applies, with the necessary modifications, if a permit holder does not pay the prescribed duties within the allotted time. The date of expiry of the permit is then deemed to be the date provided for the renewal, or 1 May 1981 in the case contemplated in paragraph 2 of the second paragraph.

1979, c. 71, s. 156.

157. The holder of a permit authorizing the sale of alcoholic beverages for consumption on the premises must, within thirty days of the coming into force of section 71, forward in writing to the Régie the information prescribed by section 71 if a person is entrusted with the management of his establishment.

1979, c. 71, s. 157.

158. Matters pending at the coming into force of this section are continued and decided by the Régie in accordance with this Act.

Within thirty days after the sending of a notice of the Régie to that effect, an application for a permit must, under pain of being dismissed, be amended in the following manner:

(1) in the case of an application for a hunting or fishing lodge permit, a trading post permit or a public carrier permit, the applicant must amend it so as to make it conform with the classes established by section 25;

(2) in the case of an application made by a natural person for the benefit of a third person, the latter person must take the place of the applicant.

An application for a reception permit is deemed to be an application for a reunion permit, and an application for an Olympic Stadium Permit is deemed to be an application for an “Olympic Grounds” permit.

Nothing in this section has the effect of shortening any period that may have begun to run nor of invalidating what may have already been validly done.

1979, c. 71, s. 158.

159. Regulations made under the Act respecting the Commission de contrôle des permis d’alcool in force at the coming into force of this section continue to be in force to the extent that they are not inconsistent with this Act or a regulation made thereunder, until they are repealed or replaced in accordance with this Act or, in the case of a regulation determining the duties to be collected by the Société, in accordance with the Act respecting the Société des alcools du Québec (chapter S-13).

However, Sections I and II of Part II of the regulations adopted by Order in Council 2658 of 28 July 1971, as amended to 31 May 1980, remain in force until 17 November 1981. From 18 November 1981, they are repealed with the exception of the first paragraph of subsection 4 and subsections 5, 6 and 7 of the said Section II which remain in force until they are repealed or replaced in accordance with the Act respecting the Société des alcools du Québec.

1979, c. 71, s. 159; 1982, c. 4, s. 9.

160. In any Act, regulation, order in council, contract or document,

(1) a reference to a provision of the Act respecting the Commission de contrôle des permis d’alcool is a reference to the equivalent provision of this Act or the Act respecting offences relating to alcoholic beverages, if such a provision exists;

(2) the expressions “Commission de contrôle des permis d’alcool” and “Commission de contrôle des permis d’alcool du Québec” are replaced by the expression “Régie des permis d’alcool du Québec”;

(3) the word “Commission”, where it designates the Commission de contrôle des permis d’alcool du Québec, is replaced by the word “Régie”;

(4) the word “commissioner”, where it designates a member of the Commission de contrôle des permis d’alcool du Québec, is replaced by the word “director”; and

(5) the expression “secretary-general”, where it designates the secretary-general of the Commission de contrôle des permis d’alcool du Québec, is replaced by the word “secretary”.

1979, c. 71, s. 160.

160.1. In addition to the permits mentioned in section 25, the Régie may issue “Québec 1534-1984” permits.

A permit issued under this section authorizes the sale, for consumption on the premises, of the alcoholic beverages indicated on the permit, from 15 June to 4 September 1984, and at the place designated on the permit when that is situated, in the city of Québec, on any part of the site of the Vieux Port de Québec, if access to the site is controlled by the Québec 1534-1984 corporation and the Canada Lands Company (Vieux Port de Québec) Inc. or, in the city of Lévis, on any part of the site known as the “Quai Paquet” if access to the site is controlled by the Québec 1534-1984 corporation. A person requesting such a permit is required to have obtained the approval of the Québec 1534-1984 corporation.

The permit may be operated in a room or on a terrace even if another permit authorizing consumption on the premises is in use there. In such a case, the operating conditions applicable to the “Québec 1534-1984” permit prevail for the duration of the permit.

The provisions of any Act and of any regulation applicable to a “Man and his World” permit apply, with the necessary modifications, to a “Québec 1534-1984” permit.

1984, c. 9, s. 1.

161. *(Omitted).*

1979, c. 71, s. 161.

162. *(Omitted).*

1979, c. 71, s. 162.

163. *(Omitted).*

1979, c. 71, s. 163.

164. *(Amendment integrated into c. R-12, s. 55).*

1979, c. 71, s. 164.

165. *(Amendment integrated into c. T-16, s. 82).*

1979, c. 71, s. 165.

166. *(Omitted).*

1979, c. 71, s. 166.

167. *(Amendment integrated into c. S-13, s. 1).*

1979, c. 71, s. 167.

168. *(Amendment integrated into c. S-13, s. 37).*

1979, c. 71, s. 168.

169. *(Omitted).*

1979, c. 71, s. 169.

170. *(Amendment integrated into c. C-64.1, appendix 2).*

1979, c. 71, s. 170.

171. *(Repealed).*

1979, c. 71, s. 171; 1985, c. 30, s. 65.

172. Section 164 does not affect the right of a member of the Commission de contrôle des permis d'alcool du Québec who was contributing to the Government and Public Employees Retirement Plan on 31 October 1979 to continue to participate in that plan as a civil servant or to benefit by all the advantages provided by that plan.

1979, c. 71, s. 172.

172.1. A person who, on 15 October 1980, was holding a grocery permit issued pursuant to the fourth paragraph of section 20 of the Act respecting the Commission de contrôle des permis d'alcool (chapter C-33) may continue to use the permit, in accordance with this paragraph, and have it renewed.

This section, however, ceases to have effect if the grocery permit is cancelled.

1981, c. 14, s. 60.

172.2. In addition to the costs and duties payable under this Act, the holder of a brewer's permit shall pay a duty equal to 13.4% of the value of the wine on tap he buys for the purposes of resale; such additional duty shall be collected by the Société des alcools du Québec.

1982, c. 4, s. 10.



Section 172.2 applies to the period beginning on 15 October 1980 and ending on 17 November 1981. (1982, c. 4, s. 10, subs. 2).

173. The sums required for the application of this Act are taken for the fiscal periods 1980-1981 and 1981-1982 out of the Consolidated Revenue Fund and, for subsequent fiscal periods, out of the moneys granted each year by Parliament for that purpose.

1979, c. 71, s. 173.

174. *(Repealed).*

1979, c. 71, s. 174; 1990, c. 4, s. 634.

175. The Minister of Public Security is responsible for the application of this Act.

1979, c. 71, s. 175; 1986, c. 86, s. 38; 1988, c. 46, s. 24.

176. *(Omitted).*

1979, c. 71, s. 176.

177. *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

REPEAL SCHEDULES

In accordance with section 17 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter 71 of the statutes of 1979, in force on 1 November 1980, is repealed, except sections 166 and 176, effective from the coming into force of chapter P-9.1 of the Revised Statutes.

In accordance with section 17 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), sections 48, 49, the first paragraph of section 51, section 129, paragraph 7 enacted by paragraph 3 of section 132, paragraph 5 enacted by paragraph 1 of section 133 and paragraph 9 enacted by section 135 of chapter 71 of the statutes of 1979, in force on 31 December 1981, are repealed effective from the coming into force of the updating to 31 December 1981 of chapter P-9.1 of the Revised Statutes.

