

THIRD SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

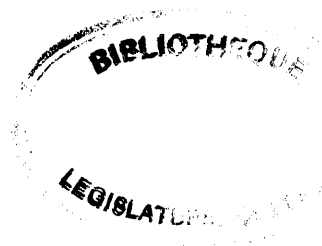
Bill 21

**An Act to authorize the sale of certain
wines in grocery stores**

First reading
Second reading
Third reading

RODRIGUE TREMBLAY

Ministre de l'industrie et du commerce



L'ÉDITEUR OFFICIEL DU QUÉBEC

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EXPLANATORY NOTES

This bill proposes amendments to the Québec Liquor Corporation Act and to the Liquor Permit Control Commission Act, in order to authorize the holders of a grocery permit to sell the wines designated by the Société des Alcools du Québec under the terms and conditions determined by the Lieutenant-Governor in Council.

Moreover, the Lieutenant-Governor in Council will be entitled to compel the holders of a grocery permit who offer wine for sale to also offer for sale the ciders that are to be designated by the Société des Alcools du Québec under the terms and conditions he will determine.

Sec. 1. *This section introduces new law. It entitles the Lieutenant-Governor in Council to make regulations concerning the sale of certain wines and ciders in licensed grocery stores.*

The wines and ciders that will be offered for sale in these grocery stores will be designated by the Société des Alcools du Québec.

Sec. 2. *The first paragraph of section 38 presently reads as follows:*

“38. Any person who carries on any activity authorized by a permit contemplated in section 24 without holding a permit or otherwise infringes the provisions of this act is guilty of an offence against this act, and may be arrested without warrant, provided that, without delay, he be brought before a court having jurisdiction, and is liable, in addition to costs, for the first offence, to a fine of not less than two hundred dollars nor more than two

Bill 21

An Act to authorize the sale of certain
wines in grocery stores

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1971, c. 20,
s. 37a,
added.

1. The Québec Liquor Corporation Act (1971, chapter 20) is amended by inserting, after section 37, the following section:

Regula-
tions by
Lt-Gov. in
C.

“37a. After consultation with the Corporation, the Lieutenant-Governor in Council may also make regulations to:

(a) determine the terms and conditions according to which the wines designated by the Corporation should be supplied, preserved, marketed and sold by the holders of a grocery permit contemplated in section 20 of the Liquor Permit Control Commission Act (1971, chapter 19);

(b) prescribe that any holder of a grocery permit who offers for sale the designated wines contemplated in subparagraph a must offer for sale the ciders designated by the Corporation;

(c) determine the terms and conditions of supplying, preserving, marketing and selling the ciders contemplated in paragraph b.

Coming
into force.

These regulations come into force on the day of their publication in the *Gazette officielle du Québec* or any later date fixed therein.”

1971, c. 20,
s. 38, am.

2. Section 38 of the said act is amended by replacing the first paragraph by the following paragraphs:

Offences
and
penalties.

“38. Any person who carries on any activity authorized by a permit contemplated in section 24 without holding a permit or otherwise infringes this act or the regulations is guilty of an offence against this act, and may be arrested without a warrant,

thousand dollars, and, for any subsequent offence, to a fine of two thousand to ten thousand dollars.”

Sec. 3. The proposed amendment gives a new definition.

Sec. 4. The proposed amendment authorizes the holders of a grocery permit issued by virtue of the Liquor Permit Control Commission Act to sell the wines designated by the Société des Alcools du Québec.

Sec. 5. Under the proposed amendment, the sale of designated wines is subject to the same hours of opening and closing as the sale of beer and cider in licensed grocery stores.

Sec. 6. Under the proposed amendment, designated wines sold in licensed grocery stores are exempt from the stamp of the Société des Alcools du Québec.

provided that, without delay, he is brought before a court having jurisdiction, and is liable, in addition to costs, for the first offence, to a fine of not less than two hundred dollars nor more than two thousand dollars, and, for any subsequent offence within two years, to a fine of two thousand to ten thousand dollars.

Offences
and
penalties.

However, any person who infringes a regulation made by virtue of section 37*a* is guilty of an offence and is liable, in addition to the costs, for the first offence, to a fine of not less than fifty dollars nor more than five hundred dollars, and, for any subsequent offence within two years, to a fine of not less than five hundred dollars nor more than one thousand dollars."

1971, c. 19,
s. 2, am.

3. Section 2 of the Liquor Permit Control Commission Act (1971, chapter 19), amended by section 1 of chapter 14 of the statutes of 1974, is again amended by inserting, after paragraph 28, the following paragraph:

"designa-
ted wines";

"(28*a*) "designated wines": the wines the Corporation designates by virtue of subparagraph *a* of section 37*a* of the Québec Liquor Corporation Act (1971, chapter 20);".

1971, c. 19,
s. 20, am.

4. Section 20 of the said act, amended by section 2 of chapter 18 of the statutes of 1972 and by section 13 of chapter 14 of the statutes of 1974, is again amended by inserting, after the first paragraph, the following paragraph:

Sale of des-
ignated
wines au-
thorized.

"The grocery permit also authorizes the sale of designated wines."

1971, c. 19,
s. 72, am.

5. Section 72 of the said act, amended by section 56 of chapter 14 of the statutes of 1974, is again amended by replacing subparagraph *k* of the first paragraph by the following subparagraph:

"(*k*) for the use of a grocery permit, on work-days, from eight o'clock in the morning to eleven o'clock at night; but a user of a grocery permit shall not sell beer, cider and designated wines under such permit except during the hours, between eight o'clock in the morning and eleven o'clock at night, when groceries may be open under the Commercial Establishments Business Hours Act (1969, chapter 60);".

1971, c. 19,
s. 88, am.

6. Section 88 of the said act, amended by section 65 of chapter 14 of the statutes of 1974, is again amended by replacing the second paragraph by the following paragraph:

Rule not
to apply.

"The rule provided in the first paragraph does not apply in the case of a meeting or a reception given by the holder of a reception permit other than the reception permit mentioned

Sec. 7. The proposed amendment allows consumers to transport designated wines from a licensed grocery store to their residence.

It also allows grocers to make home delivery of designated wines under the same conditions as beer and cider.

Sec. 8. The amendment proposed in paragraph a is in concordance with section 6 of this bill, under which designated wines sold in licensed grocery stores are exempt from the stamp of the Société des Alcools du Québec.

The amendment proposed in paragraph b forbids any licensed grocer to receive anything other than money for the sale of designated wines.

Sec. 9. The proposed amendment prohibits the consumption of designated wines on the premises, and their unlawful home delivery.

Sec. 10. The transitional provision proposed in this section will enable the Ministre de l'industrie et du commerce to fix a schedule for 1978, for the Société des Alcools du Québec, for the supplying of those holders of grocery permits who will be offering for sale the wines and ciders designated by the Corporation.

in the third paragraph of section 37, nor does it apply in the case of the sale of designated wines by the holder of a grocery permit."

1971, c. 19,
s. 96, am.

7. Section 96 of the said act is amended by replacing paragraph *f* by the following paragraph:

"(f) in the case of strong cider or of designated wines, directly from the store of a person holding a grocery permit to the residence in the province of Québec of a person who has purchased it for his personal use."

1971, c. 19,
s. 112, am.

8. Section 112 of the said act, amended by section 71 of chapter 14 of the statutes of 1974, is again amended:

(a) by replacing subparagraph 2 by the following subparagraph:

"(2) sells or has in his possession bottles containing alcoholic beverages other than beer or cider to which the Corporation's stamp is not affixed, except bottles of designated wines offered for sale by the holder of a grocery permit;"

(b) by replacing subparagraph 4 by the following subparagraph:

"(4) receives, directly or indirectly, by exchange or otherwise, for beer or cider sold in a public house or "pub", tavern or grocery, or for designated wines sold in a grocery, anything other than money;"

1971, c. 19,
s. 114, am.

9. Section 114 of the said act, amended by section 73 of chapter 14 of the statutes of 1974, is again amended by replacing subparagraph 8 by the following subparagraph:

"(8) being the holder of a permit to sell beer, cider and designated wines in a grocery, allows any beer, cider and designated wines sold therein to be drunk in such grocery or delivers it contrary to the provisions of section 98; or"

Supplying
wine, etc.,
in 1978.

10. For the year 1978, the Société des Alcools du Québec shall supply the holders of a grocery permit contemplated in section 20 of the Liquor Permit Control Commission Act (1971, chapter 19) with wine and, where that is the case, with cider, on the dates and in the areas determined by the Ministre de l'industrie et du commerce. The decisions of the Minister are published in the *Gazette officielle du Québec*.

Coming
into force.

11. This act comes into force on the day of its sanction.