

Rights and obligations of holders

- **Restaurant Sale Permits**
- **Restaurant Service Permits**
- **Bar Permits**
- **Pub Permits**
- **Tavern Permits**
- **Club Permits**



Moderation is always in good taste.

This document

sets out the principal rights and obligations of the holders of certain types of alcohol permits. It is by no means exhaustive. In addition, the legislative and regulatory texts applicable to the situations in question always take precedence over this document.

As the holder of an alcohol permit, you are required to post the permit in an easily accessible and clearly visible location in your establishment, so that you and your staff are able to consult it when necessary to remind yourselves of your obligations. Table enclosure presents the principal legal requirements, which differ by type of permit.

By complying with your obligations, you will not only help maintain the quality and prosperity of the alcoholic beverage retail trade, but you will also avoid situations with potentially damaging consequences. Always remember that the fact of holding an alcohol permit is a privilege.

Your permit must be posted in public view in the room or on the terrace to which it applies. Dues are payable annually, 30 days prior to the anniversary of the date on which the permit was issued.

Where can you purchase your alcoholic beverages?

The only alcoholic beverages permitted in your establishment are those purchased from a branch of the Société des alcools du Québec (SAQ) offering service for the holders of alcohol permits, brewer's permits, small-scale production permits, beer distributor's permits and cider maker's permits, or their agents holding permits issued by the Régie. This means, for example, that you cannot purchase your beer or wine from a grocery store or accommodation store.

All containers of alcoholic beverages stored in your establishment must, without exception, bear the duty stamp of the SAQ in the case of products purchased from the SAQ, the control sticker of the Régie in the case of products obtained from a small-scale producer, or the mark indicating that the product is for consumption on the premises in the case of beer obtained from a brewer. Alcoholic beverages used in the preparation of cooked meals must also be kept in their original, marked containers.

If a container is unidentified, you must return it as quickly as possible to the place at which it was purchased. You are not permitted to keep such containers, or beverages received as gifts from customers or suppliers, or those used for your own personal consumption in an office, cellar, dependency or other location in your establishment.

How should alcoholic beverages be stored?

Alcoholic beverages must be stored in their original containers until the time they are served to the customer. Once opened, a container may not be refilled, either partially or completely. You must not prepare combinations of alcoholic beverages – for example, sangria – in advance. However, the holder of a *restaurant sales permit* may prepare carafes of wine in advance, between 11:00 a.m. and 2:00 p.m. and between 5:00 p.m. and 8:00 p.m. Outside these times, all wine contained in carafes prepared in advance **must** be destroyed.

Registers and taxes

You must account for all your purchases and sales of alcoholic beverages, and keep all supporting documents. You must also remit all taxes collected on your sales to the government.

Opening hours

A permit authorizing the sale or service of alcoholic beverages for consumption on the premises may be used every day from 8:00 a.m. to 3:00 a.m. the following day.

Responsible service

The law states that alcoholic beverages must not be sold to individuals who are intoxicated. Permit holders who fail to be vigilant and prudent in this respect are at risk not only for administrative and penal measures, but also for civil action. To protect yourself against possible legal action, you refrain from serving alcoholic beverages to intoxicated individuals, give clear instructions to your employees, and enrol yourself and your employees in a training program such as *Action Service*, to learn how to recognize and deal with customers who have drunk or are in the process of drinking too much.

Remember that your business must not be detrimental to community well-being in general, and individual integrity in particular. For example, “drinking games” involving rapid consumption of alcohol can lead to fatal levels of intoxication and are considered unacceptable by the Société. Activities such as drinking competitions are contrary to the general standards established by law and by the courts for the conduct and actions of alcohol permit holders. Similarly, events encouraging excessive consumption, such as “open bars” and the sale of beverages at derisory prices, are examples of irresponsible conduct that is potentially harmful to customer safety.

You should also be aware that the advertising and promotion of alcoholic beverages are governed by a regulation that, among other things, prohibits all publicity likely to encourage irresponsible consumption of alcoholic beverages.

Minors

Minors must not be present in bars, breweries or taverns, as customers or employees, nor may they present or take part in a show in a room or on a terrace of such an establishment where alcoholic beverages may be sold. However, they may cross the room or terrace during opening hours.

The presence of a minor may be permitted in the following circumstances:

- on a terrace before 8:00 p.m., if the minor is accompanied by his or her father, mother or the holder of parental authority;
- at a reception, where access to a room or terrace is limited to a group of persons, provided the minor is a member of that group.

The presence of a minor is also authorized in a bar if the bar permit is used in a theatre, amphitheatre, racetrack, sports centre, hunting or fishing lodge or on the production site of the holder of a small-scale producer's permit or a small-scale beer producer's permit.

You must never sell an alcoholic beverage to a minor, or even to a person of full age if you know he or she is purchasing it for a minor.

Public safety and peace

Your establishment must be run in a way that is respectful of public safety and peace. You must always remember that the neighbourhood in which your business is located is entitled to enjoy peace and quiet. You must therefore exercise proper control over all noise emanating from your establishment and over disturbances and vandalism caused by customers leaving your premises. It is also your duty to take the necessary steps to prevent, in your establishment, the presence of firearms, gestures or actions of a sexual nature likely to disturb the peace, the sale or consumption of narcotic drugs, acts of violence, illegal games of chance, bets and challenges. Events at which participants are encouraged to perform extreme stunts or challenges, such as so-called *JACKASS* events, are likely to be detrimental to public safety, in addition to having disastrous consequences for permit holders and participants alike. Lastly, you must operate your premises safely, in compliance with regulations respecting safety in public buildings.

Offences

A permit holder who contravenes the provisions of a law or regulation respecting alcoholic beverages is liable to a fine. Certain offences may also be punishable by administrative measures, including suspension or cancellation of the permit.

Changes

In the event of a change of partner, shareholder, director, manager or floor plan, you must inform the Régie of the change within ten days of its occurrence. If the permit is terminated voluntarily, the Régie will reimburse the portion of dues paid corresponding to the number of full days for which the permit was not used, from the date on which it receives the original of the permit.

Questions

If you would like further information, please contact our Customer Service department by telephone or e-mail:

Québec City: (418) 643-7667
Montréal: (514) 873-3577
Elsewhere in Québec: 1 800 363-0320 (toll-free)

Persons with a hearing impairment:
Québec City: (418) 528-7666
Elsewhere in Québec: 1 877 663-8172

racj.quebec@racj.gouv.qc.ca

You may also consult the Website of the Régie des alcools, des courses et des jeux at: www.racj.gouv.qc.ca/

	Bar	Brewery	Tavern	Club	Restaurant Sales	Restaurant Service
Alcoholic beverages that may be sold	All Except: <i>Draught beer</i> <i>Wine on tap</i>	Beer Sweet cider Wine on tap	Beer Sweet cider	All Except: <i>Draught beer</i> <i>Wine on tap</i>	All Except: <i>Draught beer</i>	None
Alcoholic beverages that may be brought onto the premises by customers	None	None	None	None	None	All Except : <i>Alcohols and spirits</i>
Consumption on the premises	Yes	Yes	Yes	Yes	Yes with meals	Yes with meals
Deliveries and counter sales	Not allowed	Not allowed	Not allowed	Not allowed	Yes with meals Between 8:00 a.m. and 11:00 p.m. Except: <i>Draught beer,</i> <i>alcohols and spirits</i>	Not allowed
Authorized opening hours	6:00 a.m. to 3:00 a.m.	6:00 a.m. to 3:00 a.m.	6:00 a.m. to 3:00 a.m.	8:00 a.m. to 3:00 a.m.	24 hours	24 hours
Authorized opening hours for the sale and service of alcoholic beverages	8:00 a.m. to 3:00 a.m.	8:00 a.m. to 3:00 a.m.	8:00 a.m. to 3:00 a.m.	8:00 a.m. to 3:00 a.m.	8:00 a.m. to 3:00 a.m.	8:00 a.m. to 3:00 a.m.
Presence of customers in a room where a permit is used	Not more than 30 minutes after the time at which the permit must cease to be used	Not more than 30 minutes after the time at which the permit must cease to be used	Not more than 30 minutes after the time at which the permit must cease to be used	Not more than 30 minutes after the time at which the permit must cease to be used	24 hours	24 hours
Advance preparation of alcoholic beverages	Not allowed	Not allowed	Not allowed	Not allowed	Carafes of wine Between 11:00 a.m. and 2:00 p.m. Between 5:00 p.m. and 8:00 p.m.	N.A.

N.A.: Non application



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