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Overhaul of Québec Legislation Concerning Publicity Contests

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Québec recently repealed the province's strict regulations concerning contests open to Québec participants by amending the *Act respecting lotteries, publicity contests, and amusement machines* (Act) and by abolishing the *Rules Respecting Publicity Contests* (Rules).

Historically, unlike other provinces, Québec had "publicity contest" requirements applicable to all contests and lotteries promoting the commercial interests of the contest's sponsor. These requirements included

- the obligation to provide certain information to the Régie des alcools, des courses et des jeux (Régie) and to seek permission from the Régie for any modification to a contest once it had started;
- the need to obtain authorization from the Régie to conduct a contest that was open to Québec participants;
- the payment of duties and, in some cases, a security deposit, to the Régie;
- strict standards regarding the rules and advertising of a publicity contest; and
- the obligation to file a report concerning the prizewinner or prizewinners.

As a result of the repeal of Québec's publicity contest legislation on October 27, 2023, and consistent with other provinces in Canada, contests open to Québec participants are now governed by federal marketing and advertising laws and the federal *Criminal Code*, and are no longer subject to the regulatory jurisdiction of the Régie.

Although this is a step toward lessening the administrative burden placed on sponsors of contests open to Québec residents, it is important to note that publicity contests will remain subject to French language laws. Moreover, all publicity contests registered with the Régie prior to October 27, 2023, will continue to be governed by the Act and the Rules.

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