

What Should Be in Sweepstakes Rules for Quebec, Canada

 sweepstakes.com/official-rules-center/what-should-be-in-sweepstakes-rules-for-quebec-canada/

If you plan to run a Quebec sweepstakes, you may have noticed that many brands that run promotions in Canada exclude Quebec residents from entering due to **sweepstakes rules Quebec**. Nearly a third of Canadian citizens live in Quebec so there is a powerful incentive to include them in sweepstakes promotions. However, Quebec sweepstakes rules can make things more complicated.

As a Sweepstakes Company, here is what you should know about sweepstakes rules for Quebec, Canada in light of the recent changes.

RACJ Quebec

Sponsors who run Quebec sweepstakes are required to follow the sweepstakes laws set forth by the Regie des alcools, des courses et des jeux (RACJ). These laws are designed to protect consumers from scams and ensure that sweepstakes sponsors deliver prizes as promised. However, these consumer protections laws are expensive for brands to follow and the penalties are steep if they run afoul of the laws.

Fortunately, changes have been made to QC sweepstakes laws to remove the registration requirement if the promotion involves residents outside of Quebec, namely:

No Registration Required for International Promotions

Registration with the RACJ is no longer required for promotions that are International (open to Canadian residents and residents of any country outside of Canada). This applies only in the case where the promotion has no specific prize to be won only by Canadian residents, thus eliminating the requirement to register. The reasoning behind this change is that the prizes can be won by anyone who is eligible to enter, not just Quebec residents.

If Sweepstakes Prizes Are Allocated by Region, Registration With the RACJ Is Still Required

Opening a promotion up to residents of other territories outside of Quebec does not completely eliminate the requirement for registration. If the sweepstakes prizes are allocated by region, namely that an entrant from Quebec is guaranteed to win a prize, you must still register with the RACJ.

The sponsors of the promotion must register their official rules for the promotion and all advertisements with the RACJ prior to the launch of the promotion. The registration process requires a payment of duty. The payment of the duty varies based on the value of your prize, namely:

- If the aggregate prize value is over \$100 but less than \$1,000 CAD, 10% of the prize value must be paid and the promotion must be registered 5 days prior to the launch.
- If the prize is valued at \$1,000.01 to \$4,999.99 CAD, 10% of the prize value must be paid and the promotion must be registered within 30 days prior to the launch.
- If the value of any single prize in the promotion is greater than \$5,000 CAD or if the aggregate prize value is \$20,000 CAD or more, the promotion must be both registered and bonded with a fee of 10% of the prize value and the registration submitted 30 days prior to the start of the promotion.

The sweepstakes rules Quebec must also be publicly published at least 10 days prior to the start of the promotion.

Sweepstakes Official Rules for Quebec

Here is what sweepstakes official rules for Quebec must contain:

- **French Translation.** Sweepstakes rules must be translated into French in order to comply with Quebec's Charter of the French language.
- **Changes.** The sweepstakes rules must also mention that the government of Quebec is permitted to make changes or cancel the giveaway as necessary once it is underway.
- **Winner Test.** Your sweepstakes rules should mention that the prize won't be awarded until the winner correctly answers a skill-testing question. Typically, brands use a four-step math question.
- **Winner Report.** The sponsors of the sweepstakes must make a written report within 60 days of the end of the promotion to attest that they have delivered or tried to deliver the prizes to each winner with the inclusion of the winner's name and address for prizes worth \$100 CAD or more.
- **Dispute Disclaimer.** Sponsors are required to disclose that the government of Quebec may mediate any lawsuits arising from the sweepstakes promotion.

Next Steps

To summarize the recent RACJ changes:

- If a promotion is open to Quebec and other territories (such as the U.S.) and entrants from all territories are eligible to win all of the sweepstakes prizes, registration is NOT required. In other words, prizes can be won by **anyone from any country** who is eligible to enter.

- If a promotion is open to Quebec and other territories (such as the U.S.) and the sweepstakes prizes are allocated by **region**, (i.e. one prize awarded to a Canadian resident; one prize awarded to a U.S. resident) registration IS required.

Because these laws are significantly different from other Canadian province sweepstakes laws, as well as those of the United States, many brands typically void their promotions in Quebec. However, if you still want to proceed with running a sweepstakes in Quebec, contact us for a Quebec sweepstakes review.

Need help with sweepstakes or contest management? Call 305-505-5393 or email us with your questions.