

SCHEDULE “A”

TOWN OF IQALUIT

LOTTERY REGULATIONS

SECTION I - INTERPRETATION

In these regulations:

1. **“Fair or exhibition”** means a fair or exhibition designated as such by the Town.
2. **“By-Law Officer”** means a By-Law Officer appointed under **Section 171** of the Cities, Towns and Villages Act.
3. **“Charitable or religious objectives or purposes”** includes objectives or purposes which:
 - i. promote the relief of poverty or disease;
 - ii. promote the advancement of religion or education; or
 - iii. are of charitable or religious nature and are beneficial to the community as a whole.
4. **“Charitable or religious organization”** means an organization or foundation that carries out charitable or religious objectives or purposes:
 - i. registered as a charitable or religious organization under the **Income Tax Act** (Canada); or
 - ii. registered for a charitable or religious purpose under the **Societies Act**; or
 - iii. designated as a charitable or religious organization by the Town having a charitable or religious objective or purpose.
5. **“Community”** means the Municipal Corporation of the Town of Iqaluit in the Northwest Territories established under the Cities, Towns and Village’s Act.
6. **“Compensation”** includes any direct or indirect gain or reward.
7. **“Council”** means the Council of the Municipal Corporation of the Town of Iqaluit in the Northwest Territories.

8. **“Gross proceeds”** means all moneys and other things of value received by a person or organization in the conduct of a lottery or series of lotteries.
9. **“Honorarium”** means a reasonable fee charged for services for Bingo calling as approved by the By-Law Officer.
10. **“License”** means a license issued under Section 3 or 4 of these regulations.
11. **“Lottery”** includes those games of chance commonly known as Bingo, Nevada Ticket, Casino and Raffle Lotteries.
12. **“Nevada Ticket”** includes a pull-type or break-open ticket.
13. **“Town”** means the Municipal Corporation of the Town of Iqaluit in the Northwest Territories, established under the Cities, Towns and Villages Act, as represented by Council or their designates.
14. **“Unit”** means individual games as sealed in a separate box.

Section I of these regulations applies to all lotteries described in these regulations.

SECTION II - GENERAL

1. **General**

1. The Town may exercise the powers and shall perform the duties imposed on it under these regulations.

2. **Charitable Or Religious Organizations**

1. Subject to these regulations, the Town may issue a license to a charitable or religious organization to conduct and manage a lottery scheme within the boundaries of the Municipal Corporation of the Town of Iqaluit in the Northwest Territories.

3. **Fairs Or Exhibitions**

1. Subject to these regulations, the Town may issue a license to an agricultural fair or exhibition, or an operator of a concession leased by a fair or exhibition board, to conduct and manage a lottery scheme in the Town.

4. **Licenses**

1. An application for a lottery license shall be on a form similar to attached Appendix 1 as approved by the By-Law Officer and shall be sent to: **Town of Iqaluit, P.O. Box 460, Iqaluit, NT, XOA OHO** not less than one (1) month before the proposed lottery.
2. Notwithstanding **SECTION II, 4.1** the By-Law Officer may approve any application submitted less than one (1) month prior to the proposed lottery provided such application is accompanied by a Late Application Fee pursuant to **SECTION 6 of Schedule "B"** attached.
3. An application for a second or subsequent license, shall be accompanied by a statement of account from previous lotteries unless the statement(s) has been previously submitted.

The Town shall refuse to issue a license where:

4. A charitable or religious organization states in it's application that an insufficient proportion of the gross proceeds shall be paid to the charitable or religious object or purpose; or
5. The applicant or an officer or principal member of the applicant, has been convicted of an offense under Part VII of the **Criminal Code**.

It is a term of every license that:

6. The license is not transferrable.
7. The proceeds of the lottery scheme shall be disbursed either in accordance with objects or purposes set out on the application form, or in a manner expressly authorized by the Town.
8. All prizes are awarded in accordance with the prizes proposed in the application form.
9. The proceeds from all lotteries shall be kept in a separate bank account with separate records being maintained and all financial aspects of the lottery shall be conducted in accordance with these regulations.
10. Except in the case of a raffle lottery or a nevada ticket, no liquor shall be served, sold or consumed in an area where a lottery is being held.
11. The rules of all lotteries shall be approved by and shall be posted in accordance with the instructions of the Town.

12. A complete statement of account, showing the total receipts, expenses and profits and indicating when and how such profits will be spent for the religious objects or purposes set out in the application, shall be filed with the town at the address stated in **SECTION II, 4.1** within 30 days of the holding of any lottery on a form similar to attached **Appendix III** as approved by the By-Law Officer.
13. Subject to these regulations, no person shall receive compensation specifically for conducting, managing, planning or assisting with any lottery scheme.
14. No person directly assisting in the conduct of a lottery shall participate as a player.
15. In addition to the terms set out in this section, the Town may impose on any license such additional terms or restrictions as deemed necessary.
16. Any license issued under these regulations shall be in a form similar to attached Appendix II as approved by the By-Law Officer.
17. No person or organization shall be issued more than five licenses under these regulations in any six month period, and no more than three licenses shall be series licenses.
18. The Town, on the request of the license holder, within a reasonable period of time before the scheduled lottery, may amend the license, and the amendment shall be subject to the terms the Town deems appropriate.
19. The Town may require that security be posted for all prizes in any proposed lottery.
20. No prize or combination of prizes in any single lottery shall exceed \$15,000.00 in cash or real or personal property having equivalent retail market value unless the approval of the Council is obtained before issuing of the license.
21. Where the total prizes awarded under a license for a series of lotteries exceed \$100,000.00 the license holder shall submit to the Town a financial report audited by an independent auditor within 90 days of expiration of the license.
22. Liquor shall not be offered as a prize or part of a prize in any lottery scheme licensed under these regulations.
23. Where the prize in any lottery is a firearm, the operator of the lottery shall not release possession of the firearm until a Firearm's Acquisition's Certificate is obtained by the winner of the prize in accordance with **Criminal Code**.

Posting of License:

24. Subject to this section, the license shall be posted in a conspicuous location on the premises where the lottery is being held.
25. In the case of a raffle lottery where tickets are sold from a booth, the license shall be displayed in a conspicuous place in the booth.
26. In the case of a television or radio bingo, the license shall be kept at the television or radio station offices for inspection at reasonable hours by any person.
27. Where a lottery is cancelled or postponed, the license holder shall notify the Town and comply with such additional instructions as the Town may issue regarding moneys collected or tickets purchased or any other matter concerning the lottery or license.
28. Nothing in these regulations authorized the sale or advertising for sale of any lottery tickets outside of the Town.
29. Unsold tickets, receipts, counterfoils, game forms and financial documents pertaining to a lottery shall be retained by the license holder for a period of not less than 12 months from the date of the lottery, and for such additional time as the Town may direct.
30. Where the Town considers it necessary, it may require an audit by an independent auditor in respect of any license and the cost of the audit shall be paid for by the license holder.
31. A license holder or former license holder shall make available, on the request of the Town, all books of accounts or documents relating to the operation of a lottery and shall, at all reasonable times, allow the access to the books or documents.

Notice of Organizational Executive Members:

32. A charitable or religious organization that has been granted a lottery license shall immediately notify the Town in writing of any changes of any members of its executive.
33. Until such notification is given, a license is deemed to be suspended.
34. Where, in the opinion of the Town, a lottery is being operated contrary to these regulations, the Town may confiscate the license.

Notwithstanding any other provision of these regulations:

35. A charitable organization may apply all of the proceeds of a lottery, after deductions for prizes and administrative expenses, to a community facility provided that the community facility is accessible to all members of the community.
36. A service club may apply up to 50% of the proceeds of a lottery, after deductions for prizes and administrative expenses to:
 - i. its building fund for the construction, repair, renovation or decoration of the service club building or to provide or replace capital items; or
 - ii. The equipment of the service club. A service club may not apply any of its proceeds to or in respect of any revenue producing equipment or facilities.
37. A license holder shall not use any proceeds from a lottery for social events or activities other than those for children or senior citizens.

SECTION III - BINGO LOTTERIES

1. An application for a bingo shall contain the following information:
 1. The charitable or religious object or purpose for which the bingo will be conducted.
 2. The name and address of the building or facility where the bingo will be held.
 3. The date and hours of operation of the bingo.
 4. The price of admission.
 5. A list of all games and prizes, including door prizes.
 6. The price of a master card and extra cards.
 7. If merchandise prizes or donated prizes are to be awarded, the value of the merchandise or donated prizes.
 8. Whether any “bonanza”, “share the wealth” or “half the hours”, bingos are to be run and if so the charges to play these games and an estimate of the prizes.
 9. Any other information that the Town may require.
2. Applicants requesting a license for a series of bingos and wishing to carry over jackpot amounts shall provide the following information:

- i. the amount of the opening jackpot and opening number of calls to be made;
 - ii. the amount of the subsequent increase in both jackpot and in number of calls;
 - iii. the maximum jackpot and maximum increases in the number of calls;
 - iv. the amount of consolation prizes, if any.
3. Jackpots which are carried over shall be played away on the expiry of the license, whether the license is to be renewed or not.
4. The Town on the request of the license holder, may establish age restrictions for persons attending or participating at the bingo and these age restrictions shall be posted in a conspicuous location on the premises in which the bingo is to be held.
5. A license issued for a series of bingos shall be for a period not exceeding six months.
6. License holders are limited to holding a maximum of one bingo a week under a license for a single bingo or a series of bingos.
7. Except for television bingos, administrative expenses shall not be more than 10% of the gross proceeds of the bingo, excluding the rental of the premises.
8. The balance of the gross proceeds of the bingo, after deducting the costs of prizes and the administrative expenses of conducting a lottery, shall be used for charitable or religious purposes specified in the application.
9. Organizations using their own premises to hold a bingo shall not charge rent for the premises or include it as an administrative expense.
10. The conduct and management of a bingo shall be the responsibility of the license holder and this may not be delegated to any other group or person who is not a member of the organization holding the license.
11. Each printed advertisement for a bingo shall state the following information:
 - i. the name of the organization;
 - ii. the location, date and time at which the bingo is to be held, and the location where advance tickets may be purchased;
 - iii. the total number of games and total prizes to be awarded, including door prizes;
 - iv. the price of admission and bingo cards;
 - v. the charitable or religious object or purpose for which the lottery is being conducted;
 - vi. the lottery license number.
12. Notwithstanding **SECTION II, 4.14**, volunteer bingo workers other than Individuals and/or Principal Officers of the Organization who are managing and/or conducting the

Bingo may play bingo before or after they have performed all their duties related to the bingo.

13. Notwithstanding **SECTION II, 4.13**, of these regulations, the caller may be paid an honorarium for his or her services in the operation of the bingo.
14. If liquor is served in the same building in which a bingo is held, volunteers shall be posted to ensure that liquor is not served, sold, carried or consumed in the bingo area.
15. Subject to **SECTION III, 16** of these regulations, only one bingo authorized by a license shall be held in the Town at one time.
16. Where a special event is planned for the Town and the Town is satisfied that the duration of the event and the number of people anticipated to take part in the event justify more than one bingo being held, the Town Council may authorize the issuance of additional licenses so that more than one bingo authorized by license may be held in the Town at one time during the special event.

SECTION IV - NEVADA TICKET LOTTERIES

1. An application for a nevada ticket lottery shall contain the following information:
 - i. the charitable or religious objective or purpose for which the proceeds of the ticket sales are to be used;
 - ii. the name and address of the building where the tickets are to be sold;
 - iii. the estimated number of units of tickets to be sold during the license period;
 - iv. the period of ticket sales;
 - v. the frequency and hours of ticket sales;
 - vi. any other ticket information the Town may require.
2. A license for a nevada ticket lottery may be issued to a charitable or religious organization if the tickets are sold to its members, guests or the public during a bingo, casino or any other activity approved by the Town and specified on the license which the organization is holding or sponsoring.
3. A license for a nevada ticket lottery may be issued to a charitable or religious organization if the tickets are sold to its members or guests from a booth within the organization's premises or premises which the organization has specifically acquired for the purpose of selling nevada tickets.
4. A license for a nevada ticket lottery may be issued to a society incorporated under the **Societies Act**, the primary purpose of which is to provide a local broadcasting service, if

the tickets are sold to the public from a booth within the society's premises or premises which the society has specifically acquired for the purpose of selling nevada tickets.

5. Notwithstanding the definition of "Charitable or religious organization" in **SECTION I, 1.4**, for the purposes of **SECTION IV, 4**, a society described in **SECTION IV, 4** is a charitable organization.
6. Nevada tickets shall not be sold outside the premises specified on the license.
7. A license issued for a series of nevada ticket lotteries shall be for a period not exceeding six months.
8. An organization shall not hold more than two licenses for a series of nevada ticket lotteries at any one time.
9. A license may authorize the sale of a variety of types of tickets.
10. In addition to any series of nevada ticket lotteries, a license may be issued to a charitable or religious organization for a single event nevada ticket lottery in conjunction with a bingo or casino lottery, providing the maximum number of licenses permitted under these regulations is not exceeded.
11. A maximum of 10% of the gross proceeds of nevada tickets, after deducting the cost of prizes and tickets, may be used towards the administrative expenses of conducting the lottery.
12. The balance of the gross proceeds of a nevada ticket lottery shall be used for the charitable or religious objects or purposes specified in the application.
13. The conduct and management of nevada ticket sales shall be the responsibility of the license holder and this may not be delegated to any other group or person who is not a member of the license holder.
14. The license holder shall maintain strict control and accounting of the sales of nevada tickets.
15. Only the types of ticket and the number of units specified in the license shall be sold.
16. One unit shall be completely sold before another unit may be opened.
17. Each unit, whether complete or partial, when not under the control of the vendor, shall be kept in a locked secure container and stored in a safe place.
18. Cheques shall not be cashed or credit extended for the purchase of tickets.

19. The license holder shall display a notice in a conspicuous place on the premises where the lottery is to be held in the following form:

“All winning tickets shall be redeemed for prizes at the time of purchase”.

20. No person under 16 years of age shall purchase or sell nevada tickets.
21. Vendors shall not purchase tickets while they are acting as vendors.
22. License holders shall not sell any unit amount in their possession to any group or organization without the written permission of the Town.

SECTION V - CASINO LOTTERIES

1. An application for a license for a casino shall contain the following information:
 - i. the charitable or religious object or purpose for which the casino shall be conducted;
 - ii. the name and address of the building where the casino will be held;
 - iii. the dates and hours of operation of the casino;
 - iv. the type and number of games.
the minimum and maximum bet limits;
 - v. the method of pay-out on bets;
 - vi. any other information the Town may require.
2. A license holder shall only hold one license for a casino at any one time.
3. Only one license for a casino shall be issued to any one applicant in any six month period.
4. Subject to **SECTION V, 5** of these regulations, only one casino authorized by a license shall be held in the Community at one time.
5. Where a special event is planned for the Community and the Town is satisfied that the duration of the event and the number of people anticipated to take part in the event justify more than one casino being held in the Community at one time, the Town Council may authorize the issuance of additional licenses so that more than one casino authorized by license may be held in the Community at one time during the special event.
6. A license for a casino shall not be issued for a period exceeding three consecutive days.
7. Casinos shall not operate between the hours of 2 a.m. and 1:30 p.m. on a Sunday.

8. A minimum of 25% of the gross proceeds of the casino shall be set aside for the charitable or religious objects or purposes specified in the application before the deduction of the administration expenses of conducting a casino.
9. A license holder which holds a casino on its own premises shall not include a fee for the rental of the premises in its administrative expenses.
10. Where a casino is held in conjunction with any other activity, it shall be held within an area which has been physically separated from other activities of a non-lottery nature.
11. No person under 19 years of age shall be permitted in the casino area.
12. Minimum and maximum bet limits shall be posted and clearly visible to all players.
13. Maximum bet limits in excess of \$20.00 (twenty dollars) per bet must be approved by Council by resolution.
14. Rules of play relating to each game or table shall be posted and be clearly visible to all players.
15. If liquor is served in the same building in which a casino is held, volunteers shall be posted to ensure alcohol is not served sold, carried or consumed in the casino area.
16. Each printed advertisement for a casino shall contain the following information:
 - i. the name of the organization;
 - ii. the location, date and hours of operation of the casino;
 - iii. the types of games, tables, and wheels of fortune to be played;
 - iv. the price of admission, if any;
 - v. the charitable or religious object or purpose for which the casino is being conducted;
 - vi. the lottery license number.

SECTION VI - RAFFLE LOTTERIES

1. An application for a raffle license shall contain the following information:
 - i. the charitable or religious object or purpose for which the raffle will be conducted;
 - ii. the name and address of the building in which the raffle will be held;
 - iii. the date and time of the draw or draws for prizes;
 - iv. the price to purchase a ticket or tickets;
 - v. the number and value of the prizes to be awarded;
 - vi. If merchandise prizes or donated prizes are to be awarded, the value of the merchandise or donated prizes;

- vii. the maximum number of tickets to be printed;
 - viii. any other information the Town may require.
2. A draft or sample copy of each type of ticket to be printed shall be forwarded with the application.
3. Subject to **SECTION IV, 4**, a raffle shall be issued for a period not exceeding six months.
4. Where the Town is satisfied that it is not feasible to conduct a raffle within a six month period, the Town may issue a raffle license for a period that exceeds six months but does not exceed 18 months.
5. The expiry date of a license shall be endorsed on the license.
6. Administrative expenses for conducting a raffle shall not exceed 10% of the gross proceeds of the raffle.
7. The balance of the gross proceeds of the raffle, after deducting the cost of prizes and administrative expenses, shall be used for the charitable or religious objects or purposes specified in the application.
8. Maximum ticket sales shall not exceed \$50,000 for a license unless the license specifically allows sales in excess of this amount.
9. A raffle ticket shall contain the following information:
 - i. the name of the charitable or religious organization;
 - ii. the location, date and time of the draw or draws;
 - iii. the price to purchase a chance;
 - iv. the prizes to be awarded;
 - v. the maximum number of tickets printed;
 - vi. the ticket number, if any;
 - vii. the lottery license number.
10. The final draw for a raffle shall be held on or before the expiry date endorsed on the raffle license.
11. All ticket stubs shall be kept by the Licensed Organization until all prizes have been awarded.
12. Prize winners shall be notified within a 24-hour period after a draw, and prizes shall be awarded not later than three days following a draw, or such period of time as may be deemed reasonable by the Town.

13. In the event a prize winner is unable to be notified for any reason, the Licensed Organization shall contact the Town in writing. Upon receipt of such notice, the Town shall advise the Licensed Organization as required.
14. In the event a prize(s) cannot be awarded to the prize winner after three (3) months of the draw date, the Licensed Organization shall apply to the Town to have the prize winner declared null and void, and a new draw for that prize shall take place upon receipt of written approval of the Senior Administrative Officer.
15. No compensation or commission shall be paid to a member of the license holder or any person for ticket sales.
16. Notwithstanding **SECTION II, 4.14**, persons assisting in the conduct of the raffle may purchase tickets from other members of the sponsoring charitable or religious organizations.
17. Each printed advertisement for a raffle shall contain the following information:
 - i. the name of the sponsoring organization;
 - ii. the location, date and time of the draw or draws;
 - iii. the price to purchase a chance;
 - iv. the prizes to be awarded;
 - v. the maximum number of tickets printed;
 - vi. the charitable or religious object or purpose for which the raffle is being conducted;
 - vii. the lottery license number.

END OF LOTTERY REGULATIONS