



MANITOBA

ORDER IN COUNCIL

DATE: **March 12, 2014**

ORDER IN COUNCIL NO.: **110/2014**

RECOMMENDED BY: **Minister Responsible for the Liquor and Gaming Control Act**

ORDER

1. The Liquor and Gaming Authority of Manitoba is specified pursuant to paragraph 207(1)(b) of the *Criminal Code* (Canada) as an authority to license charitable organizations and religious organizations to conduct and manage lottery schemes in the province.
2. Every municipality and every council of an Indian Band, other than a council of an Indian Band located on a reserve where an Indian Gaming Commission is specified by the Lieutenant Governor in Council under paragraph 207(1)(b) of the *Criminal Code* (Canada), is specified as an authority to license charitable organizations and religious organizations located within its boundaries to conduct and manage a raffle lottery where the total prizes for each raffle lottery do not exceed three thousand dollars (\$3,000.00).
3. For the purpose 2 above:
 - (a) "council of an Indian Band" means a council of an Indian Band under the *Indian Act* (Canada),
 - (b) "municipality" means a municipality as defined in *The Interpretation Act*, a local government district incorporated under *The Local Government Districts Act* and an incorporated community incorporated under *The Northern Affairs Act*,
 - (c) "raffle lottery" means a lottery scheme within the meaning of subsection 207(4) of the *Criminal Code* (Canada) in which a prize, consisting of an article of value, or cash, or both, is awarded or disposed of by lot, by selling a chance of winning the prize to a number of persons for a fraction of the value of the prize.
4. The Liquor and Gaming Authority is specified pursuant to paragraph 207(1)(c) of the *Criminal Code* (Canada) as an authority to designate fairs and exhibitions where a lottery scheme may be conducted and managed and to issue licences for the conduct and management of the lottery scheme to the board of a fair and of an exhibition or to an operator of a concession leased by that board.
5. The Liquor and Gaming Authority of Manitoba is specified pursuant to paragraph 207(1)(d) of the *Criminal Code* (Canada) as an authority to license any person to conduct and manage a lottery scheme at a public place of amusement in the province.
6. The Liquor and Gaming Authority of Manitoba is designated pursuant to paragraph 207(1)(f) of the *Criminal Code* (Canada) as an authority to license any person to conduct and manage in the province a lottery scheme that is authorized to be conducted and managed in a province other than Manitoba.
7. Order in Council 524/1997 is rescinded.
8. This Order is effective April 1, 2014.

AUTHORITY

Criminal Code, R.S.C., 1985, c. C-46, states:

Permitted lotteries

207(1) Notwithstanding any of the provisions of this Part relating to gaming and betting, it is lawful

- (b) for a charitable or religious organization, pursuant to a licence issued by the Lieutenant Governor in Council of a province or by such other person or authority in the province as may be specified by the Lieutenant Governor in Council thereof, to conduct and manage

- a lottery scheme in that province if the proceeds from the lottery scheme are used for a charitable or religious object or purpose;
- (c) for the board of a fair or of an exhibition, or an operator of a concession leased by that board, to conduct and manage a lottery scheme in a province where the Lieutenant Governor in Council of the province or such other person or authority in the province as may be specified by the Lieutenant Governor in Council thereof has
 - (i) designated that fair or exhibition as a fair or exhibition where a lottery scheme may be conducted and managed, and
 - (ii) issued a licence for the conduct and management of a lottery scheme to that board or operator;
 - (d) for any person, pursuant to a licence issued by the Lieutenant Governor in Council of a province or by such other person or authority in the province as may be specified by the Lieutenant Governor in Council thereof, to conduct and manage a lottery scheme at a public place of amusement in that province if
 - (i) the amount or value of each prize awarded does not exceed five hundred dollars, and
 - (ii) the money or other valuable consideration paid to secure a chance to win a prize does not exceed two dollars;
 - (f) for any person, pursuant to a licence issued by the Lieutenant Governor in Council of a province or such other person or authority in the province as may be designated by the Lieutenant Governor in Council thereof, to conduct and manage in the province a lottery scheme that is authorized to be conducted and managed in one or more other provinces where the authority by which the lottery scheme was first authorized to be conducted and managed consents thereto;
 - (g) for any person, for the purpose of a lottery scheme that is lawful in a province under any of paragraphs (a) to (f), to do anything in the province, in accordance with the applicable law or licence, that is required for the conduct, management or operation of the lottery scheme or for the person to participate in the scheme; and

Definition of "lottery scheme"

207(4) In this section, "lottery scheme" means a game or any proposal, scheme, plan, means, device, contrivance or operation described in any of paragraphs 206(1)(a) to (g), whether or not it involves betting, pool selling or a pool system of betting other than

- (a) three-card monte, punch board or coin table;
- (b) bookmaking, pool selling or the making or recording of bets, including bets made through the agency of a pool or pari-mutuel system, on any race or fight, or on a single sport event or athletic contest; or
- (c) for the purposes of paragraphs (1)(b) to (f), a game or proposal, scheme, plan, means, device, contrivance or operation described in any of paragraphs 206(1)(a) to (g) that is operated on or through a computer, video device or slot machine, within the meaning of subsection 198(3), or a dice game.

BACKGROUND

1. The Manitoba Gaming Control Commission was previously designated and specified as an authority for the purpose of s. 207(1) of the *Criminal Code* (Canada) by Order in Council 524/1997.
2. On the coming into force of *The Liquor and Gaming Control Act*, the Manitoba Gaming Control Commission is continued as the Liquor and Gaming Authority of Manitoba.