

# Terms and Conditions for Lottery Licensing

Department of Public Safety

Province of New Brunswick

LOTN:0700 (10/02)

## Applications require a 30 day leadtime for processing.

### Definitions

"In these, "Terms and Conditions for Lottery Licensing":

- a) **"Commission"** means the Lotteries Commission of New Brunswick.
- b) **"Charitable or Religious object or purpose"** means any object for
  - (i) the relief of poverty,
  - (ii) education,
  - (iii) advancement of religion, or
  - (iv) any purpose beneficial to the community;
- c) **"Charitable or Religious organization"** means an organization which performs services of public good or welfare without profit and includes an organization designated as such by the Licensing Authority;
- d) **"Purpose beneficial to the community"** means an activity or benefit to the public or section thereof and includes Amateur Sport, Social, Community or Fraternal activities; and
- e) **"Licensing Authority"** - means the Department designated by the Lotteries Commission to approve, deny, suspend, or cancel applications, licences or permits and to conduct investigations.

### Terms and Conditions for Lottery Licensing

1. **Groups eligible for licensing:**
  - a) Religious or Charitable
  - b) Fairs and Exhibitions
2. **Groups not eligible for licensing:**
  - commercial operations or individuals operating for personal profit.

### 3. Games and activities not eligible for licensing:

- Games prohibited by the Criminal Code of Canada (ie. three card monte, punch boards, coin tables).

### 4. Disposal of funds

Proceeds of licensed gaming must only be spent on the objectives specified in the application as approved. A minimum of 15% of gross proceeds from licensed gaming must be utilized for the objectives indicated at the time of licence application. Commercial and private interests must not be the prime beneficiaries of a licensed activity.

### 5. Prize and Game Participation Limitations

The province does not place any limits on the amount that can be charged for playing a game, however;

- a) No credit is allowed as payment at bingo games;
- b) No serial or installment prizes are allowed at bingo games;
- c) Total potential prizes for one or more bingo events including door and raffle prizes cannot exceed \$15,000
  - 1) in any 18 hour period
  - 2) in any one location
- d) No raffle can exceed a total prize limit of \$150,000. per event;
- e) Twenty-four (24) Giant Bingo events (with total prizes in excess of \$15,000.) per year per licensee are permitted. Only two (2) Giant Bingo's per month may be held in any one location;
- f) Licences to hold a "giant bingo" must be applied for separately.
- g) There are no limits on total potential prizes for any Giant Bingo event, provided all prizes are guaranteed in a commercially accepted manner as may be required by the Licensing Authority.

### 6. **Frequency of allowable events**

- a) Bingo - 104 per year per licence;
- b) Monte Carlo - Two (2) per year per licence;
- c) Only 4 bingo events are allowed in any one location per week except when specifically approved at a fair or exhibition;
- d) All double bingo events must be approved by the Licensing Authority.

### 7. **Monte Carlo Nights**

- a) Games at Monte Carlo Nights will be limited to blackjack tables and wheels of fortune;
- b) The maximum allowable number of blackjack tables is 20 and the maximum number of wheels of fortune is 10;
- c) Games at Monte Carlo Nights will be played with scrip, tokens, or chips. Prizes shall not be in the form of cash;
- d) Prizes must be disposed of once only at a specified time each day after play has ceased.

### 8. **Applications**

Applications for gaming are available from Service New Brunswick (SNB) Centres and the Department of Public Safety.

- a) Applications for licensing of games with a prize value at or below \$500 per event are to be submitted to Service New Brunswick Centres. Permits for these games will be granted from the office where the application was received;
- b) Applications for licensing of games with a prize value above \$500 per event are to be submitted to the Department of Public Safety, PO Box 6000, Fredericton, NB E3B 5H1.
- c) The applicant must apply at least one month prior to the commencement of events or ticket sales;
- d) Licences to hold a "giant bingo" must be applied for separately.

### 9. **Licence Period**

The expiry date appears on the issued licence and is determined by the requirements of the planned event.

**Single event** - The licence expires after the last day of the event.

### **Series of events :**

- I) Less than one year duration - same as single event.
- II) On-going events - one year duration. The licence expires one year from the date of issuance. New application is required for licence renewals.

### 10. **Management of Lotteries**

- a) The lottery must be managed and conducted in the manner described in the application as approved. If there are any discrepancies between the licence and the application, as approved, the licence shall govern.
- b) Any changes or amendments to games which differ from those stated in the application, must be requested in writing and must be authorized in writing by a Licensing Officer.
- c) All applicable Municipal, Provincial and Federal Laws must be observed.
- d) The licence may be revoked if any term or condition of this or any other lottery licence, issued to the organization has not been complied with. It is an offense under the Criminal Code of Canada to conduct a lottery without a valid licence.
- e) Conduct and management of the lottery must not be delegated to another organization or to a person who is not a member of the organization. The Licensing Authority may give prior exception to this rule in special circumstances.
- f) All prizes described in the application as approved and/or publicly announced must be awarded.
- g) The licensee must maintain such books and records as may be necessary to indicate the amounts realized from the conduct of the lottery and the disposition of the proceeds.

### 11. **General**

- a) The licence must be posted in a conspicuous place in the building where the lottery is being held. Raffle tickets with a prize value above the \$500. must have the lottery licence number, issued by the Licensing Authority, prominently printed on all tickets.
- b) Approved Inspectors and/or Peace Officers must be permitted access to all areas of the premises in which the lottery activities are taking place.

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- c) If more than one type of game is offered at a single event, a separate licence must be applied for and issued for each type of game.
- d) If two organizations co-operatively offer a gaming event, one application and licence are acceptable, but the application must note such an arrangement and list the responsible officers for both organizations. One organization and officer, to be noted on the application shall assume responsibility for maintaining the terms and conditions of the licence approval.
- e) All Licensees must submit a **financial report** of their fundraising activities upon expiration of their gaming licence. A report should be forwarded to the Licensing Authority within 30 days after the expiry date of a single event. For a series of events, a report covering the previous 12 months operation is required within 30 days of the licence expiry date. **This report must be received before a renewal is issued.** Permit holders will not be required to file financial reports.
- f) Licensee records pertaining to the licensed activity may be subject to audit by approved audit staff.
- g) Licensed organizations can only sell Breakopen types of tickets directly at their events and locations. These tickets can only be obtained from an approved supplier.
- h) Bingo licensees must purchase bingo paper from a supplier approved by the Licensing Authority.

### 12. Cancellation and Suspension

- a) "Cancellation" refers to the rescinding of all privileges granted under an approved licence. Continued operation after cancellation is illegal under the Criminal Code and as such, is the result of a serious breach of contract formed between the Licensing Authority and the Organization at the time the licence was issued. To resume operations, an Organization would remove the source of the cancellation and apply for a new licence.
- b) "Suspension" means the removal of future licensing privileges and is subject to reinstatement at the discretion of the Licensing Authority after specified conditions are met. Suspension may occur without the cancellation of an existing licence.

- c) Cancellation and/or Suspension may occur when it is evident the licence holder has not upheld the terms and conditions set out governing lottery operations.
- d) When the cause of "Suspension" is financial in nature, the Licensing Authority may require a "financial guarantee" of fees and/or prizes as a condition for continued operations. The condition may be applied to individuals and/or organizations.

### 13. Fees

- a) Fees are not charged for "Permits"; for games with a prize value of \$500 or less per event.
- b) Bingo's and raffles with a prize value above \$500 per event will be charged a flat fee of twenty-five (\$25.) for each licence.
- c) A Breakopen type of lottery will be charged a fee of ten dollars (\$10.) per licence.
- d) Other types of gaming, such as Monte Carlos, with a prize value above \$500. per event, will be charged a flat fee of twenty-five dollars (\$25.) per day.
- e) Fairs and exhibitions will be charged a flat fee of twenty-five dollars (\$25.) per day.
- f) All fees are payable at the time of application.