



PLEASE NOTE

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For more information concerning the history of this Act, please see the [Table of Public Acts](#).

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CHAPTER L-17

LOTTERIES COMMISSION ACT

- 1.** In this Act, Definitions
- (a) “Commission” means the Prince Edward Island Lotteries Commission; Commission
- (b) “Minister” means the member of the Executive Council designated by the Lieutenant Governor in Council to administer this Act. 1976,c.20,s.1. Minister
- 2.** (1) There is hereby established a corporation to be known as the Prince Edward Island Lotteries Commission. Corporation
- (2) The Commission shall be composed of three members, namely, the Minister, the Deputy Provincial Treasurer, and one other person appointed by the Lieutenant Governor in Council from the public service of the province. Composition of Corporation
- (3) The Lieutenant Governor in Council shall appoint one member to be Chairman and one member to be Vice-Chairman. 1976,c.20,s.2; 1983,c.1,s.6; 1986,c.5,s.2; 1990,c.32,s.1; 1993,c.29,s.4. Chairman and Vice-Chairman
- 3.** (1) The Commission is for all purposes of this Act an agent of Her Majesty in the right of the Province of Prince Edward Island and the powers of the Commission under this Act may be exercised only as an agent of Her Majesty. Agent of Crown
- (2) The *Crown Proceedings Act* R.S.P.E.I. 1988, Cap. C-32 shall apply to actions and proceedings against the Commission. 1976,c.20,s.3. Crown Proceedings Act
- 4.** (1) Property acquired by the Commission is the property of Her Majesty in the right of the Province of Prince Edward Island and title thereto may be vested in the name of Her Majesty or in the name of the Commission. Property vested in
- (2) The Commission and its property are exempt from taxation under or pursuant to any Act of the Legislature. 1976,c.20,s.4. Exemption from taxation
- 5.** The head office of the Commission shall be in the City of Charlottetown in the province or in such other place in the province as the Commission may by bylaw determine. 1976,c.20,s.5. Head office of Corporation

Bylaws

6. The Commission may, subject to the approval of the Lieutenant Governor in Council, make bylaws not contrary to the law or to this Act for

- (a) the administration, management and control of the property and affairs of the Commission;
- (b) the functions, duties and remuneration of all officers, agents and employees of the Commission;
- (c) the time and place for the holding of meetings by the Commission and the procedure in all things at such meetings including the quorum thereof;
- (d) the powers and duties of the Chairman and the Vice-Chairman and the ordinary management of the Commission;
- (e) authorizing and controlling the use of marks, signs, advertisements and other devices created and used to further the purposes of the Commission; and
- (f) the conduct in all other particulars of the affairs of the Commission. 1976,c.20,s.6.

Powers of
Commission

7. The Commission may, with the approval of the Lieutenant Governor in Council,

- (a) develop, organize, undertake, conduct and manage lottery schemes or pari-mutuel betting systems on behalf of the government of the province or on behalf of the government of the province and the governments of other provinces that have any agreement with this province respecting any such lottery schemes or pari-mutuel betting systems;
- (b) enter into arrangements or agreements to develop, organize, undertake, conduct and manage lottery schemes or pari-mutuel betting systems on behalf of the governments of one or more of the provinces or any agencies thereof;
- (c) enter into and carry out agreements with the governments of one or more of the provinces or any agencies thereof for the purpose of incorporating a body corporate to undertake, conduct and manage lottery schemes or pari-mutuel betting systems on behalf of the parties thereto; and
- (d) do all such other things as the Commission may consider necessary in respect of lotteries or pari-mutuel betting systems. 1976,c.20,s.7; 1998,c.93,s.1.

Interprovincial
agreements

8. Where pursuant to an agreement entered into under the authority of clause 7(c), a body corporate has been incorporated, the Minister, with the approval of the Lieutenant Governor in Council, may enter into an agreement with the other governments concerned, whereby the body corporate may be designated as and become an agency of Her Majesty in the right of the province and of the other jurisdictions for the purpose of

conducting and managing a lottery scheme or pari-mutuel betting system in this province and other provinces. 1976,c.20,s.8; 1998,c.93,s.2.

9. All agreements authorized by this Act shall contain a provision whereby the Commission shall share in the distribution of the proceeds of lottery schemes or pari-mutuel betting systems operated in this province and any other province in accordance with such formula as is approved by the Lieutenant Governor in Council. 1976,c.20,s.9; 1998,c.93,s.3.

Required term of any agreement

10. The net profits of the Commission, after provision for prizes and the payment of expenses, shall be paid into the Operating Fund of the province at such time and in such manner as may be prescribed by the Lieutenant Governor in Council by regulation. 1976,c.20,s.10; 1997,c.20,s.3.

Net profits, paid into

11. The Provincial Treasurer may pay or advance to the Commission amounts necessary for the attainment of its objects in such amounts, at such times, in such manner and on such terms and conditions as the Lieutenant Governor in Council prescribes. 1976,c.20,s.11; 1983,c.1,s.6; 1986,c.5,s.2; 1993,c.29,s.4.

Payments or advances to Commission

12. The cost of administering this Act shall be paid by the Commission out of the proceeds of lotteries or pari-mutuel betting systems, or both conducted pursuant to this Act. 1976,c.20,s.12; 1998,c.93,s.4.

Administration costs

13. The accounts and financial transactions of the Commission shall be audited by the Auditor General. 1976,c.20,s.13; 1980,c.10,s.21.

Audit

14. (1) The Commission shall, within two months after the termination of its financial year, present to the Minister a report in such form as the Minister may direct on the operations of the Commission for that financial year and the Minister shall cause the report to be laid before the Legislative Assembly within fifteen days after the receipt thereof or if the Legislative Assembly is not then sitting, on any of the first fifteen days next thereafter that the Legislative Assembly is sitting.

Annual report

(2) The financial year of the Commission shall coincide with that of the province. 1976,c.20,s.14.

Financial year

15. The Lieutenant Governor in Council may make such regulations as may be necessary for the administration of this Act or to make provision for matters required for the purpose of this Act and without limiting the generality of the foregoing may make regulations

Regulations

(a) respecting the conduct, management and operation of lottery schemes or pari-mutuel betting systems under this Act;

- (b) respecting the amounts and values of prizes and the terms and conditions to be attached thereto;
- (c) respecting the consideration to be paid or given to secure a chance to win prizes;
- (d) respecting agents and sellers and the fees or commissions to be given to them in respect of the distribution or sale of tickets or other chances in any lottery schemes under this Act;
- (e) respecting the manner in which tickets or other chances in any lottery schemes under this Act are to be sold or made available to the public;
- (f) defining any words or expressions not defined in this Act. 1976,c.20,s.15; 1998,c.93,s.5.

Definitions	16. (1) In this section,
owner agreement	(a) “owner agreement” means an agreement made, pursuant to section 12 of the regulations, between the Corporation and a person who holds a certificate;
certificate	(b) “certificate” means a certificate granted, pursuant to section 11 of the regulations, by the Corporation to the owner of a video lottery device;
Corporation	(c) “Corporation” means the Atlantic Lottery Corporation Inc.;
regulations	(d) “regulations” means the Video Lottery Scheme Regulation (EC361/91) as it reads immediately before the coming into force of this Act.
Certificates expire, agreements terminate	(2) Notwithstanding any enactment or agreement to the contrary, <ul style="list-style-type: none"> (a) all certificates are cancelled and cease to be valid at midnight on December 31, 2002, and after that time they shall have no further force and effect; (b) no certificate shall be renewed, and no further certificate shall be granted or issued by the Corporation; and (c) all owner agreements are terminated at midnight on December 31, 2002.
No right to compensation	(3) Notwithstanding any enactment or agreement to the contrary, no person has any right to compensation or damages of any kind in respect of any loss or damage suffered or alleged to be suffered by reason of <ul style="list-style-type: none"> (a) the cancellation, invalidity, lack of force and effect of, and the non-renewal of or failure to grant, any certificate pursuant to subsection (2); (b) the termination of any owner agreement pursuant to subsection (2); or

(c) any failure or alleged failure to provide notice of a matter referred to in clauses (a) and (b).

(4) Nothing in this section prevents the Corporation from entering into transitional agreements with a person affected by subsection (2).
2002,c.16,s.1.

Transitional