



THE GOVERNMENT OF  
THE PROVINCE OF BRITISH COLUMBIA

3664

APPROVED AND ORDERED 16 DEC 1976

*W S Dewar*

Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA 16 DEC 1976

RES. o/c 1728/78

Pursuant to the Lotteries Act and section 190 of the Criminal Code, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that regulations made by Order in Council No. 2176 of 1974 published as B.C. Reg. 436/74 be rescinded effective January 4, 1977.

And further orders that the following regulations be made effective January 4, 1977.

BRITISH COLUMBIA LOTTERY REGULATIONS

I — Licences for Lotteries

- 1.01 Subject to these regulations, and subject to the discretion of the Provincial Secretary, a licence may be issued pursuant to the Lotteries Act and section 190 of the Criminal Code.
- 1.02 No licence shall be issued except
- (a) to organizations having a charitable or religious object; or
  - (b) for lotteries at an agricultural fair or exhibition.
- 1.03 Unless the context otherwise indicates,
- (a) "bingo game" means the game known as bingo played not more than 30 times on any one occasion;
  - (b) "fair" includes exhibition;
  - (c) "licence-year" means the 12 months following the date of the licence;
  - (d) "lottery" includes a bingo game;
  - (e) "charitable object" means an object for;
    - (i) relief of poverty;
    - (ii) education;
    - (iii) the advancement of religion;
    - (iv) any purpose beneficial to the community;
  - (f) "charitable organization" means any organization which performs services of public good or welfare without profit.

II — Charitable or Religious Organizations

2.01 Subject to section 2.02, and unless the Provincial Secretary otherwise orders, no organization shall conduct more than three lotteries in any 12-month period.

2.02 No organization may provide for the playing of bingo games on more than 52 occasions in any one licence year, except as specifically authorized by the Provincial Secretary in the licence.

2.03.1 Except in the case of a bingo game, not less than 35 per cent of the gross proceeds shall be paid to the charitable or religious object as set out by the licensee in the application for the licence.

2.03.2 Funds amounting to not less than the minimum percentage of the gross proceeds derived from bingo games shall be paid to the charitable or religious object or purpose as set out in the application for the licence in accordance with the following provisions:

- (a) Where the aggregate value of the prize awards in a licence period exceeds \$60,000 - 25% of the gross proceeds.
- (b) Where the aggregate value of the prize awards in a licence period exceeds \$20,000 but does not exceed \$60,000 - 20% of the gross proceeds.
- (c) Where the aggregate value of the prize awards in a licence period does not exceed \$20,000 - 15% of the gross proceeds.

2.03.3 All prize awards advertised or offered must be awarded during the single bingo occasion. Jackpot prizes may not be carried over from one bingo occasion to another.

2.04 Other than a nominal honorarium, no person shall be paid wages, salary, or other monetary consideration, either directly or indirectly, for selling tickets or for managing, conducting, or assisting at a lottery, except as may be specifically authorized by the Provincial Secretary in the licence.

2.05 Where the licence is issued in respect of the playing of bingo games, the licensee shall submit to the Provincial Secretary, with a copy to the head of the local police for the area, semi-annually from the issuing date of the licence, a written report showing:

- (a) the total gross receipts derived from the lottery;
- (b) the total cost of all prizes awarded;
- (c) an itemized list of the administrative costs actually incurred in the management and conduct of the lottery;
- (d) the total cash proceeds donated for charitable or religious purposes, as set forth in the application of the licensee, and the name and address of the payee.

2.06 More than one organization may share in the proceeds of a lottery where the proceeds are used for the charitable or religious objects, as set out by the licensee in the application for the licence.

2.07 The Provincial Secretary may require an audit of any financial statement by an independent accountant.

2.08 Fees payable for a licence under this part are:

TICKET LOTTERIES

(including newspaper, radio and television bingo lotteries)

- (a) Where the aggregate value of the prize awards in a licence period as set out in the application for a licence does not exceed \$500 ..... \$10
- (b) Where the aggregate value of the prize awards in a licence period as set out in the application for a licence exceeds \$500 but does not exceed \$1,000 ..... \$25
- (c) Where the aggregate value of the prize awards in a licence period as set out in the application for a licence exceeds \$1,000 but does not exceed \$10,000 ... \$100
- (d) Where the aggregate value of the prize awards in a licence period as set out in the application for a licence exceeds \$10,000 ..... a fee equal to 1% of the total value of the prizes to be awarded.

BINGO LOTTERIES

- (a) Where the aggregate value of the prize awards in a licence period as set out in the application for a licence does not exceed \$3,500 ..... \$10
- (b) Where the aggregate value of the prize awards in a licence period as set out in the application for a licence exceeds \$3,500 but does not exceed \$20,000 ... \$25
- (c) Where the aggregate value of the prize awards in a licence period as set out in the application for a licence exceeds \$20,000 ..... a fee equal to 1% of the total value of the prizes to be awarded.

2.09 Where casino-type games of chance are conducted either exclusively or in conjunction with a draw for a prize award or a bingo game, the fee shall be based on the estimated gross proceeds and where a financial statement is available, based on the actual gross proceeds in accordance with the following schedule:

- (a) Where the gross funds to be raised in a licence period do not exceed \$500 ..... \$10
- (b) Where the gross funds to be raised in a licence period exceeds \$500 but does not exceed \$1,000 ..... \$25
- (c) Where the gross funds to be raised in a licence period exceeds \$1,000 but does not exceed \$5,000 ..... \$100
- (d) Where the gross funds to be raised in a licence period exceeds \$5,000 ..... a fee equal to 2% of the gross proceeds.

III — Agricultural Fairs or Exhibitions

- 3.01 The owner or operator of a fair shall obtain one licence for lotteries held at the fair.
- 3.02 Each operator of lotteries conducted at fairs shall obtain a licence separate from the owner or operator of the fair.
- 3.03 A licence shall be for the period of the fair or for such other period (including an earlier period for sale of lottery tickets, if any) as the Provincial Secretary has designated.
- 3.04 Subject to authorized prior sale of tickets, licences under this Part are for use at fairs only.
- 3.05 The fee for a licence under this part is:
 

For a class A fair . . . . .	\$200
For a class B fair . . . . .	100
Other fairs . . . . .	25

IV — General

- 4.01 The organization managing or conducting a licensed lottery where tickets are sold shall
  - (a) indicate on the face of the tickets the name and address of the organization, the Treasury Series number of the licence, the location, the date, and the time at which the draw is to be held;
  - (b) provide for the consecutive numbering of tickets;
  - (c) retain all unsold tickets and counterfoils for a period of not less than 90 days from the date of the draw;
  - (d) indicate in its application the number of tickets to be printed; and
  - (e) the licensee shall submit to the Provincial Secretary, with a copy to the head of the local police for the area, not later than 90 days after the holding of each licensed lottery, a written report showing:
    - ( i ) the total gross receipts derived from the lottery;
    - ( ii ) the total cost of all prizes awarded;
    - ( iii ) an itemized list of the administrative costs actually incurred in the management and conduct of the lottery;
    - ( iv ) the total cash proceeds donated for charitable or religious purposes, as set forth in the application for the licensee, and the name and address of the payee.
- 4.02 No lottery tickets shall be sold outside the Province.
- 4.03 A licence may limit the area and duration within which lottery tickets may be sold.
- 4.04 No licence may be transferred or assigned.
- 4.05 The Provincial Secretary may amend a licence.
- 4.06 A licence is deemed to be suspended upon a change in ownership or effective control of a licensed organization, whether incorporated or not, and shall remain suspended until the change is reported to the Provincial Secretary and the licence reinstated.
- 4.07 A licence is subject to such additional terms and conditions as the Provincial Secretary may specify.
- 4.08 A person who operates a lottery in breach of any of the terms and conditions of his licence (including these regulations) shall be deemed to be operating without a licence.
- 4.09 Where, in the opinion of the Provincial Secretary, a lottery is being operated contrary to the terms of the licence, he may require the licence to be delivered up to a peace officer or other person designated by him.
- 4.10 Each licensee shall keep a separate permanent record of all moneys taken in and all moneys paid out under the licence during each licence period.
- 4.11 All books of account pertaining to the conduct of any lottery shall be made available upon request for inspection by a peace officer or other person designated from time to time by the Provincial Secretary.

[ORDER IN COUNCIL No. ...., Continued.]

4.12.1 Notwithstanding any other provision of these regulations, a licence may be granted by a city, district, town, or village clerk, or such other official as may be designated by the city, district, town, or village or permission may be granted by the local detachment commander of the Royal Canadian Mounted Police in unorganizaed areas for the holding of lotteries by an organization in the municipality or area not more often than 52 occasions in any licence-year and having a charitable or religious object where the value of the prize or prizes on each occasion does not exceed in the aggregate \$100 and the gross proceeds from all lotteries conducted by the organization (excluding the aggregate value of the prize or prizes) do not exceed, for a 12-month period, \$1,000. The licensing city, district, town, or village may fix a licence fee not exceeding 2 per cent of the estimated gross proceeds of the lottery (excluding the aggregate value of the prize or prizes).

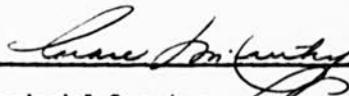
4.12.2 A copy of any lottery licence issued shall be forwarded to the Ministry of the Provincial Secretary.

4.13 Notwithstanding any other fee prescribed by these regulations, the Provincial Secretary may prescribe a fee to be paid by any organization, taking into account the size of the organization and the nature of the lottery, other than bingo, to be held.

4.14 Notwithstanding any other provision of these regulations, no prize or prizes (except in the case of the playing of bingo games) shall exceed \$10,000 cash, or merchandise, or real or personal property having an equivalent retail market value, except with the approval of the Lieutenant-Governor in Council.

4.15 Subject to the approval of the value of the prize by the Provincial Secretary, the limit in section 4.14 does not apply at a class A fair to the value of one prize in each licence period.

4.16 Notwithstanding any other provisions of these regulations and except where an organization seeks to average funds derived from the operation of lotteries over a period of six months and prior authority for such averaging has been granted by the Provincial Secretary, no organization shall retain any moneys raised for such charitable object (after deducting therefrom moneys for prizes and administrative costs actually incurred in the management and conduct of the lottery) and shall pay any balance to the charitable object for which the moneys were raised, whether or not the moneys available for such object are less than or in excess of the minimum limits provided by these regulations.



Provincial Secretary & Minister of Travel Industry



Presiding Member of the Executive Council