

## **Lottery Ticket Retailer REGISTRATION TERMS AND CONDITIONS**

All lottery ticket retailers must be registered by the Manitoba Gaming Control Commission (MGCC). It is the responsibility of each lottery ticket retailer to meet all the requirements set out in the Lottery Ticket Retailer Registration Terms and Conditions.

The MGCC monitors and enforces compliance with all retailer terms and conditions to ensure that the sale and redemption of lottery tickets is conducted honestly, with integrity and in the public interest.



**MANITOBA GAMING CONTROL COMMISSION**

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## 1.0 DEFINITIONS

“**Act**” means *The Gaming Control Act*;

“**Agreement**” means the *Lottery Ticket Centre Retailer Agreement* made between the lottery ticket retailer and the Corporation or among the lottery ticket retailer, the Corporation and the WCLC authorizing the lottery ticket retailer to sell lottery product to the public;

“**Association of persons**” means an unincorporated body of persons which has a separate and distinct legal status from its members;

“**Business entity**” means a proprietorship, a partnership, a limited partnership, or a body corporate, but does not include the Corporation;

“**Commission**” means the Gaming Control Commission created by the Act;

“**Corporation**” means the Manitoba Lotteries Corporation constituted under *The Manitoba Lotteries Corporation Act*;

“**Executive Director**” means the Executive Director of the Commission appointed under the Act;

“**Inspector**” means an inspector appointed by the Commission under the Act;

“**Lottery product**” means any product sold by a lottery ticket retailer in order to permit participation in a lottery scheme;

“**Lottery scheme**” means a lottery scheme within the meaning of the *Criminal Code* (Canada);

“**Lottery ticket centre**” means the premises at which the lottery ticket retailer is authorized to sell to the public tickets or other means of participating in a lottery scheme;

“**Lottery ticket retailer**” means a business entity or association of persons that is authorized by the Agreement to sell to the public tickets or other means of participating in a lottery scheme;

“**Lottery ticket terminal**” means a device that issues a card or slip of paper that serves as a token or evidence of the chance to win in a lottery scheme;

“**Registrant**” means a person, business entity or association of persons registered under Part 4 of the Act; in these terms and conditions it means the lottery ticket retailer;

“**WCLC**” means the Western Canada Lottery Corporation.

## 2.0 GENERAL

- 2.1 Registration is not transferable or assignable without the prior written consent of the Commission.
- 2.2 No proprietary rights accrue with registration.
- 2.3 Registration shall be cancelled immediately if the registrant's Agreement is terminated by the Corporation, the WCLC, or by the registrant and shall be suspended immediately if the registrant's Agreement is suspended whether by the Corporation, the WCLC, or by the Corporation, the WCLC and registrant together.
- 2.4 The Executive Director may, at anytime, add, vary, repeal or substitute terms and conditions of registration.
- 2.5 The registrant may not have any lottery ticket terminal or related equipment unless it is owned and authorized by the Corporation.
- 2.6 The registrant shall not move any lottery ticket terminal or related equipment from the location of installation in the lottery ticket centre.
- 2.7 The registrant shall not manipulate, nor permit anyone else to manipulate, lottery product, a lottery ticket terminal or related equipment in an effort to influence the outcome of a game or prize payout.
- 2.8 The registrant shall not activate, nor permit anyone else to activate, a lottery ticket terminal by fraudulent means.
- 2.9 The registrant shall not modify a lottery ticket terminal, related equipment or any lottery product.
- 2.10 The registrant shall display any material/signage as provided by the Commission, the Corporation, or the WCLC in a prominent place near the lottery ticket terminal.

- 2.11 The registrant shall not permit minors to purchase or redeem lottery product.
- 2.12 The registrant shall not promote or participate in any unsanctioned gaming.
- 2.13 The registrant shall comply with all direction from the Commission, the Corporation, or WCLC regarding the sale or redemption of lottery products.

### 3.0 NOTIFICATION

- 3.1 The registrant must notify the Commission not less than 10 days before the effective date of any of the following transactions:
  - a) any sale, assignment or transfer of assets of the registrant through which the activities authorized by the registration are carried out;
  - b) any sale, assignment or transfer of 5% or more of the shares or units of the registrant or an entity which directly or indirectly controls the registrant;
  - c) any sale, assignment or transfer which results in a change in direct or indirect control of the registrant.
- 3.2 The registrant understands that the Executive Director must assess the impact of the transaction on the registration and, having done so, may maintain, modify, or cancel the registration.

### 4.0 CONSEQUENTIAL REPORTING

- 4.1 The registrant shall immediately notify the Commission in writing of:
  - a) any change in the principals of the registrant, or change to the authorized signatory of the registrant responsible for the Agreement;
  - b) any change of the registrant's name;
  - c) any change of the registrant's permanent address;
  - d) any change of the registrant's address for service;
  - e) any suspension or cancellation of any registrations issued to the registrant by any other jurisdiction;

- f) any charge or conviction of the registrant or any principals of the registrant of any offence under the *Criminal Code* (Canada), or any comparable legislation;
- g) any charge or conviction of the registrant or any principals of the registrant of any offence under the *Competition Act* (Canada), or any comparable legislation;
- h) any suspension, cancellation or any disciplinary actions or sanctions (including fines) issued to it by the Manitoba Liquor Control Commission or any other regulatory body;
- i) the bankruptcy of the registrant, or the filing of any proposal under the *Bankruptcy and Insolvency Act* (Canada), the *Companies' Creditors Arrangement Act* (Canada), or any comparable legislation, or the appointment of a receiver of the registrant's property;
- j) any disciplinary action or sanction (including fines) issued to it by the Corporation or the WCLC under the Agreement;
- k) any circumstances which cause the registrant to consider that an offence has occurred under the Act or under a provision of the *Criminal Code* (Canada) that is relevant to the lottery scheme.

- 4.2 The registrant shall, as soon as is reasonably practicable, provide the Commission with any information it possesses that may be material to:
  - a) the honesty and integrity of the registrant and its principals; or
  - b) the integrity of a lottery scheme or any lottery product.
- 4.3 The registrant shall notify the Commission of any matter which the registrant can reasonably assume to be of consequence to the Commission.
- 4.4 The registrant shall provide such further information relating to it and its principals as required by the Commission.

## 5.0 RESPONSIBILITY FOR EMPLOYEES

- 5.1 The registrant is responsible for the conduct of all employees in the sale and redemption of lottery product.
- 5.2 The registrant shall remove any employee from the sale and redemption of lottery product if ordered to do so by the Executive Director.

## 6.0 INSPECTION

- 6.1 No registrant shall obstruct, hinder, or make a false or misleading statement to an inspector who is carrying out his or her duties or functions under the Act.
- 6.2 Every registrant shall give (or cause any person found at the lottery ticket centre to give) an inspector all reasonable assistance to enable the inspector to carry out his or her duties and shall furnish the inspector with any information the inspector reasonably requires.

## 7.0 COMPLIANCE

- 7.1 The registrant shall comply with any order made by the Executive Director.
- 7.2 The Executive Director can suspend or cancel the registration if the registrant fails to comply with an order.
- 7.3 Every registrant can appeal an order made under Part 8.1 or Part 11 of the Act.
- 7.4 The appeal must be held in accordance with Part 7 of the Act, after which the Commission may uphold, vary or cancel the order of the Executive Director or impose a fine not to exceed \$100,000.

## 8.0 OFFENCES

- 8.1 Knowingly furnishing false information in the application for registration as a lottery ticket retailer constitutes an offence under the Act.
- 8.2 The registrant must comply with all the terms and conditions, and any contravention constitutes an offence under the Act.
- 8.3 When the registrant commits an offence under the Act, the principal of the business entity or association of persons who authorized, permitted or acquiesced in the commission of the offence is also guilty of the offence.
- 8.4 Every registrant who is guilty of an offence is liable, on summary conviction, to a fine of not more than \$250,000.