



MANITOBA

On Matters of State

To The Honourable the Lieutenant Governor in Council
The undersigned, the Minister of responsible for The Gaming Control Act
submits for approval of Council a report setting forth that:

WHEREAS Paragraphs 207(1)(b), (c), (d), (f) and (g) and subsection (4) of the Criminal Code (Canada) (S.C. 1985, c. C-46) provide as follows:

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

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) a dice game, 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, 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).

AND WHEREAS it is considered advisable to rescind Order in Council No. 332/94

THEREFORE THE MINISTER RECOMMENDS:

1. THAT The Gaming Control Commission be specified pursuant to paragraph 207(1)(b) of the Criminal Code (Canada) as an authority to licence charitable organizations and religious organizations to conduct and manage lottery schemes in the province.



MANITOBA

- 2(1) THAT 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), be specified as an authority to licence 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).
- 2(2) For the purpose of 2(1),
 - "council of an Indian Band" means a council of an Indian Band under The Indian Act (Canada),
 - "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;
 - "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.
- 3. THAT The Gaming Control Commission be 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.
- 4. THAT The Gaming Control Commission be specified pursuant to paragraph 207(1)(d) of the Criminal Code (Canada) as an authority to licence any person to conduct and manage a lottery scheme at a public place of amusement in the province if the amount or value of each prize awarded does not exceed five hundred dollars and the money or other valuable consideration paid to secure a chance to win a prize does not exceed two dollars.
- 5. THAT The Gaming Control Commission be designated pursuant to paragraph 207(1)(f) of the Criminal Code (Canada) as an authority to licence 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.
- 6. THAT Order in Council 332/94 be rescinded.
- 7. THAT this Order be effective October 20, 1997.

Initiating Department/Agency	
Department/Agency	Authorized Officer
C.C.A.	<i>[Signature]</i>
Approved by	
C.S.C.	Finance
Approved as to form by:	
Name GAIL E. MILDREN.....	
Oct 3/97	Initials
Civil Legal Services:	<i>[Signature]</i>
ex-Legislative Counsel:	

Signature *[Signature]*

IN THE EXECUTIVE COUNCIL CHAMBER, WINNIPEG

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended.

October 8, 1997

.....
Date

.....
[Signature]
President or Presiding Member

AT GOVERNMENT HOUSE IN THE CITY OF WINNIPEG

Approved and Ordered this 8th day of October A.D. 1997

.....
[Signature]
Lieutenant Governor ADMINISTRATOR