



# TERMS and CONDITIONS

## Monte Carlo

### PART I GENERAL PROVISIONS

- 1.01** The Manitoba Gaming Control Commission (hereinafter called the "Commission") may issue a licence, authorizing a charitable or religious organization to conduct a lottery, in accordance with Section 207 of the Criminal Code of Canada, where deemed expedient and in the public interest.
- 1.02** The Commission may amend any of the terms, conditions or provisions of a licence when it deems it appropriate.
- 1.03** All Monte Carlo events in Manitoba shall be conducted under the authority and/or licence of the Commission or by such other person or authority in the province as may be specified by the Lieutenant Governor in Council.
- 1.04** The Commission may limit the number of events held by an organization during any specific time period.
- 1.05** The Commission may, at any reasonable time before, during or after the operation of a licensed lottery scheme, cause to be made, by persons appointed by the Commission, such audit or inspection as is reasonably necessary, of:
- a) any books, records or accounts of the licence holder or any vendor or any recipient of a grant from the proceeds of the lottery scheme; or
  - b) any lot, card, ticket, paper, slip, symbol, coin, device, equipment or game in the possession of the licence holder or any vendor; or
  - c) any premises;
- that is or are reasonably relevant to the lottery scheme.
- 1.06** The Commission may remove and retain for a reasonable period of time, such things being audited or inspected under Para. 1.05, as are reasonably necessary for the purposes of the audit or inspection.

- 1.07** Any person subject to an audit or inspection, under Para. 1.05 shall allow the persons making the audit or inspection, as the case may be, free access at all reasonable times for the purposes of the audit or inspection and shall permit the removal of anything sought to be removed under Para. 1.06

### PART II DEFINITIONS

- 2.01** In this schedule:
- a) "blackjack" means a card game, the object of which is to be dealt cards having a higher count than those of the dealer up to but not exceeding twenty-one (21);
  - b) "premises" means a single location that includes all components or buildings comprising one architectural entity and serves a unified functional purpose for conducting a monte carlo lottery;
  - c) "Monte Carlo" means a lottery scheme consisting of a maximum of four (4) blackjack table games and any number of wheel of fortune games;
  - d) "Wheel of Fortune" means a gambling device bearing some resemblance to a revolving wheel with sections indicating chances taken or bets placed.

### PART III CHARACTERISTICS OF ORGANIZATIONS

- 3.01** To be eligible for licensing, an organization must be a volunteer, democratic, non-profit charitable or religious body.
- 3.02** No person convicted of any criminal offence shall be involved in any manner whatsoever in any licensed lottery operation, if in the opinion of the Commission, such involvement may detract from the respectable conduct and management of lottery schemes in Manitoba.

**PART IV  
USE OF FUNDS**

**4.01** The funds generated from a lottery must be used for the advancement of education, religion, health, the relief of poverty, or must benefit the community through the promotion of sport, recreation, culture, or any other area considered appropriate by the Commission.

**PART V  
LICENCE APPLICATIONS**

**5.01** An organization applying for a lottery licence will be required to provide all information requested on the appropriate Commission application form. In addition, the Commission may request any further information deemed relevant.

**5.02** The approved application and the terms and conditions for the operation of a lottery form a part of the licence. Any change to a licensed lottery must be applied for, in writing. The licensee must receive written approval of these changes from the Commission prior to the implementation of any change to the lottery scheme.

**5.03** The Commission may consider the granting of a licence in exceptional circumstances, where an organization clearly demonstrates, in writing, that the compliance with a certain term or condition may cause unreasonable hardship.

**PART VI  
CONDUCT**

**6.01** A Monte Carlo lottery shall only be operated from the premises and area specified in the licence application and on the date(s) approved by the Commission in the licence.

**6.02** The following shall be posted in a conspicuous place in the premises designated for the conduct and operation of a Monte Carlo lottery:

- a) a copy of the current licence authorizing the lottery;
- b) the house rules for the lottery;
- c) lottery posters as may be required by the Commission.

**6.03** Any approved amendments to the licence must be available on the premises for inspection.

**6.04** A licence shall not be transferred or assigned.

**6.05** All advertising of a Monte Carlo lottery shall include the lottery licence number.

**6.06** Licence fees shall be paid as determined by the Commission.

**PART VII  
ACCOUNTING**

**7.01** An organization licensed to conduct a Monte Carlo lottery, shall submit on a prescribed form, within thirty (30) days of the expiration date of the licence, financial reports of the lottery event to the Commission.

These reports shall include:

- a) copies of applicable bank statements;
- b) statements of net receipts;
- c) statements of administrative and operational expenses of the lottery event;
- d) statements of net profit;
- e) statements of disbursements to charitable or religious purposes indicated in the licence application, including the names and addresses of payees.

**7.02** An organization owning the premises in which a Monte Carlo lottery scheme is conducted shall not deduct rent as an expense.

**7.03** Only actual and reasonable expenses will be permitted.

**7.04** All licensees shall:

- a) maintain a separate lottery account for the deposit of all lottery revenue;
- b) deposit all lottery proceeds into the lottery account immediately after each event;
- c) disburse all donations and expenses by cheque directly from the lottery account, as per the approved licence application.

- 7.05** Within sixty (60) days of an organization ceasing lottery operations, all lottery funds must be disbursed as per the approved lottery application.
- 7.06** An unqualified audited statement of lottery revenue, prizes, expenses and disbursements must be provided, if gross combined annual lottery revenue exceeds two hundred and fifty thousand dollars (\$250,000.00). This statement must be submitted within ninety (90) days of the organization's fiscal year end.
- 7.07** All records relating to the conduct and operation of a lottery, shall be retained by the licensee for at least three (3) years after the expiration of the licence period, unless expressly authorized by the Commission.
- 7.08** An organization raising lottery funds for a building project or expansion of real property owned by the applicant, may be required to execute an agreement in a form prescribed to ensure the proceeds from the sale, mortgaging or other disposition or encumbering of real property by the licensee, (up to an amount equal to the value of funds raised by the lottery scheme), are used for a charitable or religious purpose.

**PART VIII  
GENERAL TERMS**

- 8.01** An organization is restricted to two (2) Monte Carlo lottery events per calendar year.
- 8.02** A premises is restricted to two (2) Monte Carlo lottery events per calendar year.
- 8.03** No Monte Carlo lottery event shall exceed three (3) days.
- 8.04** No Wheel of Fortune operator/blackjack dealer shall place a bet while actively engaged in such capacity.
- 8.05** Wheel of Fortune operators/blackjack dealers must be eighteen (18) years of age or over.
- 8.06** No person(s) under the age of eighteen (18) years shall play blackjack or place a bet on a Wheel of Fortune.
- 8.07** No individual bet shall exceed an amount of one dollar (\$1.00).

**PART IX  
PENALTIES**

- 9.01** The Commission may suspend or cancel a licence without notice, at any time for the breach of any terms and conditions or if in the opinion of the Commission it is in the public interest to do so.
- 9.02** Every person who violates or fails to comply with any terms and conditions of a lottery licence issued by the Commission is guilty of an offence and is liable, upon summary conviction, to a fine, in addition to any other remedy or action the Commission may take with respect to the violation or failure to comply.

**For more information contact:**

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