

# LOTTERIES ACT

## CONSOLIDATION OF LOTTERIES REGULATIONS

R.R.N.W.T. 1990,c.L-49

(Current to: May 19, 2012)

### AS AMENDED BY NORTHWEST TERRITORIES REGULATIONS:

R.R.N.W.T. 1990,c.L-49(Supp.)

In force September 15, 1992: SI-013-92

R-029-95

In force May 1, 1995

R-044-98

In force May 15, 1998

### AS AMENDED BY NUNAVUT REGULATIONS AND STATUTES:

R-026-2008

In force October 24, 2008

S.Nu. 2011,c.6,s.31

s.31 in force February 25, 2011

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories, 1990* and the monthly publication of Part II of the *Northwest Territories Gazette* (for regulations made before April 1, 1999) and Part II of the *Nunavut Gazette* (for regulations made on or after April 1, 1999).

A copy of a regulation of Nunavut can be obtained from the Territorial Printer at the address below. The *Nunavut Gazette* and this consolidation are also available online at <http://www.justice.gov.nu.ca/english/legislation.html> but are not official statements of the law.

Any registered regulations not yet published in the *Nunavut Gazette* can be obtained through the Registrar of Regulations at the address below.

Territorial Printer  
Legislation Division  
Department of Justice  
Government of Nunavut  
P.O. Box 1000, Station 550  
Iqaluit, NU X0A 0H0

Tel.: (867) 975-6305  
Fax: (867) 975-6189  
Email: [Territorial.Printer@gov.nu.ca](mailto:Territorial.Printer@gov.nu.ca)

## GLOSSARY OF TERMS USED IN CONSOLIDATIONS

### *Miscellaneous*

c.	means "chapter".
CIF	means "comes into force".
NIF	means "not in force".
s.	means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
Sch.	means "schedule".

### *Citation of Acts*

R.S.N.W.T. 1988,c.D-22	means Chapter D-22 of the <i>Revised Statutes of the Northwest Territories, 1988</i> .
R.S.N.W.T. 1988,c.10(Supp.)	means Chapter 10 of the Supplement to the <i>Revised Statutes of the Northwest Territories, 1988</i> . (Note: The Supplement is in three volumes.)
S.N.W.T. 1996,c.26	means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
S.Nu. 2002,c.14	means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

### *Citation of Regulations and other Statutory Instruments*

R.R.N.W.T. 1990,c.A-1	means Chapter A-1 of the <i>Revised Regulations of the Northwest Territories, 1990</i> .
R-005-98	means the regulation registered as R-005-98 in 1998. (Note: This is a Northwest Territories regulation if it is made before April 1, 1999, and a Nunavut regulation if it is made on or after April 1, 1999 and before January 1, 2000.)
R-012-2003	means the regulation registered as R-012-2003 in 2003. (Note: This is a Nunavut regulation made on or after January 1, 2000.)
SI-005-98	means the instrument registered as SI-005-98 in 1998. (Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.)
SI-012-2003	means the instrument registered as SI-012-2003 in 2003. (Note: This is a Nunavut statutory instrument made on or after January 1, 2000.)

## LOTTERIES REGULATIONS

### INTERPRETATION

1. (1) In these regulations,

"charitable or religious object or purpose" includes objects or purposes which

- (a) promote the relief of poverty or disease,
- (b) promote the advancement of religion or education, or
- (c) are of a charitable or religious nature and are beneficial to the community as a whole; (*fin religieuse ou charitable*)

"charitable or religious organization" means an organization or foundation

- (a) registered as a charitable or religious organization under the *Income Tax Act* (Canada),
- (b) registered for a charitable or religious purpose under the *Societies Act*, or
- (c) designated as a charitable or religious organization by the Minister, having a charitable or religious object or purpose; (*organisme religieux ou de charité*)

"community" means a municipality established under the *Cities, Towns and Villages Act* or the *Hamlets Act*, or a settlement established under the *Settlements Act*, or an unincorporated community of persons; (*collectivité*)

"compensation" includes any direct or indirect gain or reward; (*rémunération*)

"gross proceeds" means all moneys and other things of value received by a person or organization in the conduct of a lottery or a series of lotteries; (*produit brut*)

"licence" means a licence issued under section 3 or 4 of these regulations; (*licence*)

"lottery" includes those games of chance commonly known as bingo, nevada ticket, casino, poker tournaments, raffle and sports draft lotteries; (*loterie*)

"nevada ticket" includes a pull-type or break-open ticket. (*billet Nevada*)

(2) Part I of these regulations applies to all lotteries described in these regulations. R-044-98,s.2; R-026-2008,s.2; S.Nun. 2011,c.6,s.31(2).

PART I

GENERAL

Minister

2. The Minister may designate a person who is authorized, on behalf of the Minister, to exercise the powers conferred or perform the duties imposed under these regulations. R-026-2008,s.3.

Charitable or Religious Organizations

3. (1) Subject to these regulations, the Minister may issue a licence to a charitable or religious organization to conduct and manage a lottery scheme in Nunavut.

(2) The Minister may consult with a municipal council, settlement council or band council before designating an applicant to be a charitable or religious organization under paragraph (c) of the definition of "charitable or religious organization" in subsection 1(1). R-026-2008,s.14(a).

4. **Repealed, R-026-2008,s.4.**

Licences

5. (1) An application for a lottery licence shall be on a form approved by the Minister and shall, not less than one month before the proposed lottery date, be sent to:

Consumer Affairs  
 Department of Community and Government Services  
 Government of Nunavut  
 PO 440  
 Baker Lake NU X0C 0A0

(2) Notwithstanding subsection (1), where the Minister considers it practicable to do so, the Minister may accept an application that is received less than one month before the proposed lottery date. R-029-95,s.2; R-044-98,s.3; R-026-2008,s.5.

6. An application for a second or subsequent licence must be accompanied by a statement of account from previous lotteries, unless the statement has been previously submitted. R-026-2008,s.6.

7. The Minister may consult with a municipal council, settlement council or band council before issuing a licence.

- 8.** The Minister shall refuse to issue a licence where
- (a) a charitable or religious organization states in its application that an insufficient proportion of the gross proceeds shall be paid to the charitable or religious object or purpose; or
  - (b) the applicant or an officer or principal member of the applicant has been convicted of an offence under Part VII of the *Criminal Code*.
- 9.** (1) It is a term of every licence that
- (a) the licence is not transferable;
  - (b) the proceeds of the lottery scheme shall be disbursed either in accordance with objects or purposes set out on the application form, or in a manner expressly authorized by the Minister;
  - (c) any prizes are awarded in accordance with the prizes proposed in the application form;
  - (d) the proceeds from all lotteries shall be kept separate from all other funds with separate records being maintained and all financial aspects of the lottery shall be conducted in accordance with these regulations;
  - (e) except in the case of a raffle lottery, nevada ticket lottery or sports draft lottery, no liquor shall be served, sold or consumed in an area where a lottery is being held;
  - (f) the rules of all lotteries shall be approved by and shall be posted in accordance with the instructions of the Minister;
  - (g) a complete statement of account, showing the total receipts, expenses and profits and indicating when and how such profits will be spent for the charitable or religious objects or purposes set out in the application, shall be filed with the Minister at the address stated in section 5 within 30 days of the holding of any lottery on a form approved by the Minister;
  - (h) subject to these regulations, no person shall receive compensation specifically for conducting, managing, planning or assisting with any lottery scheme; and
  - (i) no person directly assisting in the conduct of a lottery shall participate as a player.

(2) In addition to the terms set out in this section, the Minister may impose on any licence such additional terms or restrictions as he or she deems necessary.

(3) Any licence issued under these regulations shall be in Form 1 set out in the Schedule. R-044-98,s.4; R-026-2008,s.7.

**10.** No person or organization shall be issued more than five licences under these regulations in any six-month period, and no more than three licences shall be series licences.

- 11.** The Minister, on the request of the licence holder, within a reasonable period of time before the scheduled lottery, may amend the licence, and the amendment shall be subject to the terms the Minister deems appropriate.
- 12.** The Minister may require that security be posted for all prizes offered in any proposed lottery.
- 13.** No prize or combination of prizes in any single lottery shall exceed \$30,000 in cash or real or personal property having an equivalent retail market value, unless the approval of the Minister is obtained before the issuing of the licence.
- 14.** Where the total prizes awarded under a licence for a series of lotteries exceed \$100,000, the licence holder shall submit to the Minister a financial report audited by an independent auditor within 90 days of expiration of the licence.
- 15.** Liquor shall not be offered as a prize or part of a prize in any lottery scheme licensed under these regulations.
- 16.** Where the prize in any lottery is a firearm, the operator of the lottery shall not release possession of the firearm until a Firearms Acquisition Certificate is obtained by the winner of the prize in accordance with the *Criminal Code*.
- 17.** (1) Subject to this section, the licence shall be posted in a conspicuous location on the premises where the lottery is being held.
- (2) In the case of a raffle lottery where tickets are sold from a booth, the licence shall be displayed in a conspicuous place in the booth.
- (3) In the case of a television or radio bingo, the licence shall be kept at the television or radio station offices for inspection at reasonable hours by any person.
- (4) In the case of a sports draft lottery, the licence shall be kept at the head office of the licence holder for inspection at reasonable hours by any person. R-044-98,s.5.
- 18.** Where a lottery is cancelled or postponed, the licence holder shall notify the Minister and comply with such additional instructions as the Minister may issue regarding moneys collected or tickets, cards, game forms or entry forms purchased or any other matter concerning the lottery or licence. R-044-98,s.6.
- 19.** Nothing in these regulations authorizes the sale or advertising for sale of any lottery ticket, card, game form or entry form outside of Nunavut. R-044-98,s.7; R-026-008,s.14(b).

- 20.** Unsold tickets, receipts, counterfoils, cards, game forms, entry forms and financial documents pertaining to a lottery shall be retained by the licence holder for a period of not less than 12 months from the date of the lottery, and for such additional time as the Minister may direct. R-044-98,s.8.
- 21.** Where he or she considers it necessary, the Minister may require an audit by an independent auditor in respect of any licence and the cost of the audit shall be paid for by the licence holder.
- 22.** A licence holder or former licence holder shall make available, on the request of a peace officer or a person designated by the Minister, all books of accounts or documents relating to the operation of a lottery and shall, at all reasonable times, allow the officer or person access to the books or documents.
- 23.** (1) A charitable or religious organization that has been granted a lottery licence shall immediately notify the Minister in writing of any changes of any members of its executive.
- (2) Until such notification is given, a licence is deemed to be suspended.
- 24.** Where, in the opinion of the Minister, a lottery is being operated contrary to these regulations, the Minister may require a peace officer or other person designated by him or her to confiscate the licence.
- 25.** Notwithstanding any other provision of these regulations,
- (a) a charitable organization may apply all of the proceeds of a lottery, after deductions for prizes and administrative expenses, to a community facility provided that the community facility is accessible to all members of the community;
  - (b) a service club may apply up to 50% of the proceeds of a lottery, after deductions for prizes and administrative expenses, to
    - (i) its building fund for the construction, repair, renovation or decoration of the service club building or to provide or replace capital items, or
    - (ii) the equipment of the service club,
 but a service club may not apply any of its proceeds to or in respect of any revenue producing equipment or facilities; and
  - (c) a licence holder shall not use any proceeds from a lottery for social events or activities other than those for children or senior citizens.

## PART II

### Bingo Lotteries

- 26.** An application for a licence for a bingo shall contain the following information:
- (a) the charitable or religious object or purpose for which the bingo will be conducted;
  - (b) the name and address of the building where the bingo will be held;
  - (c) the date and hours of operation of the bingo;
  - (d) the price of admission;
  - (e) a list of all games and prizes, including door prizes;
  - (f) the price of a master card and extra cards;
  - (g) if merchandise prizes or donated prizes are to be awarded, the value of the merchandise or donated prizes;
  - (h) whether any "bonanza", "share-the-wealth" or "half-the-house" bingos are to be run and if so the charges to play these games and an estimate of the prizes;
  - (i) any other information that the Minister may require.
- R.R.N.W.T. 1990,c.L-49(Supp.),s.2.
- 27.** (1) Applicants requesting a licence for a series of bingos and wishing to carry over jackpot amounts shall provide the following information:
- (a) the amount of the opening jackpot and opening number of calls to be made;
  - (b) the amount of the subsequent increase in both jackpot and in number of calls;
  - (c) the maximum jackpot and maximum increases in the number of calls;
  - (d) the amount of consolation prizes, if any.
- (2) Jackpots which are carried over shall be played away on the expiry of the licence, whether the licence is to be renewed or not.
- 28.** The Minister, on the request of the licence holder, may establish age restrictions for persons attending or participating at the bingo and these age restrictions shall be posted in a conspicuous location on the premises in which the bingo is to be held.
- 29.** A licence issued for a series of bingos shall be for a period not exceeding six months.
- 30.** Licence holders are limited to holding a maximum of one bingo a week whether under a licence for a single bingo or a series of bingos.
- 31.** (1) Except for television bingos, administrative expenses shall not be more than 10% of the gross proceeds of the bingo, excluding the rental of the premises.

(2) The balance of the gross proceeds of the bingo, after deducting the costs of prizes and the administrative expenses of conducting a lottery, shall be used for the charitable or religious purposes specified in the application.

**32.** Organizations using their own premises to hold a bingo shall not charge rent for the premises or include it as an administrative expense.

**33.** The conduct and management of a bingo shall be the responsibility of the licence holder and this may not be delegated to any other group or person who is not a member of the organization holding the licence.

**34.** Each printed advertisement for a bingo shall state the following information:

- (a) the name of the organization;
- (b) the location, date and time at which the bingo is to be held, and the locations where advance tickets may be purchased;
- (c) the total number of games and total prizes to be awarded, including door prizes;
- (d) the price of admission and bingo cards;
- (e) the charitable or religious object or purpose for which the lottery is being conducted;
- (f) the lottery licence number.

**35.** (1) Notwithstanding paragraph 9(1)(i), volunteer bingo workers may play bingo before or after they have performed all their duties related to the bingo.

(2) Notwithstanding paragraph 9(1)(h) of these regulations, the caller may be paid an honorarium for his or her services in the operation of the bingo.

**36.** If liquor is served in the same building in which a bingo is held, volunteers shall be posted to ensure that liquor is not served, sold, carried or consumed in the bingo area.

### PART III

#### Nevada Ticket Lotteries

**37.** An application for a licence for a nevada ticket lottery shall contain the following information:

- (a) the charitable or religious object or purpose for which the proceeds of ticket sales are to be used;
- (b) the name and address of the building where the tickets are to be sold;
- (c) the estimated number of units of tickets to be sold during the licence period;
- (d) the period of ticket sales;

- (e) the frequency and hours of ticket sales;
  - (f) any other ticket information the Minister may require.
- R.R.N.W.T. 1990,c.L-49(Supp.),s.3.

**38.** (1) A licence for a series of nevada ticket lotteries may be issued to a charitable or religious organization if the tickets are sold to its members, guests or the public during a bingo, casino or any other activity specified on the licence which the organization is holding or sponsoring.

(1.1) A licence for a series of nevada ticket lotteries may be issued to a charitable or religious organization which is conducting a radio or television bingo where the charitable or religious organization wants to conduct the nevada ticket lotteries in conjunction with the bingo.

(1.2) Where a licence is issued under subsection (1.1), the nevada tickets may only be sold to persons who are the holders of bingo game cards, and may only be sold on the day of the bingo, before the broadcast of the bingo commences.

(2) A booth licence for a series of nevada ticket lotteries may be issued to a charitable or religious organization if the tickets are sold to its members or guests from a booth within the organization's premises or premises which the organization has specifically acquired for the purpose of selling nevada tickets.

(3) A booth licence for a series of nevada ticket lotteries may be issued to a society incorporated under the *Societies Act*, the primary purpose of which is to provide a local broadcasting service, if the tickets are sold to the public from a booth within the society's premises or premises which the society has specifically acquired for the purpose of selling nevada tickets.

(4) Notwithstanding the definition of "charitable or religious organization" in subsection 1(1), for the purposes of subsection (3), a society described in subsection (3) is a charitable organization.

(5) Nevada tickets shall not be sold outside the premises specified on the licence.

(6) The Minister may, in a licence referred to in this section, specify the frequency of the individual lotteries in a series of nevada ticket lotteries.  
R.N.W.T. 1990,c.L-9(Supp.),s.4; R-044-98,s.9.

**39.** A licence issued for a series of nevada ticket lotteries shall be for a period not exceeding six months.

**40.** (1) An organization shall not hold more than two licences for a series of nevada ticket lotteries at any one time.

(2) A licence may authorize the sale of a variety of types of tickets.

(3) In addition to any series of nevada ticket lotteries, a licence may be issued to a charitable or religious organization for a single event nevada ticket lottery in conjunction with a bingo or casino lottery providing the maximum number of licences permitted under these regulations is not exceeded.

**41.** (1) A maximum of 10% of the gross proceeds of a nevada ticket lottery, after deducting the cost of prizes and tickets, may be used towards the administrative expenses of conducting the lottery.

(2) The balance of the gross proceeds of a nevada ticket lottery shall be used for the charitable or religious objects or purposes specified in the application.

**42.** The conduct and management of nevada ticket sales shall be the responsibility of the licence holder and this may not be delegated to any other group or person who is not a member of the licence holder.

**43.** The licence holder shall maintain strict control and accounting of the sales of nevada tickets.

**44.** Only the types of ticket and the number of units specified in the licence shall be sold.

**45.** (1) One unit shall be completely sold before another unit may be opened.

(2) Each unit, whether complete or partial, when not under the control of the vendor, shall be kept in a locked, secure container and stored in a safe place.

**46.** Cheques shall not be cashed or credit extended for the purchase of tickets.

**47.** The licence holder shall display a notice in a conspicuous place on the premises where the lottery is to be held in the following form:

"All winning tickets shall be redeemed for prizes at the time of purchase".

**48.** No person under 16 years of age shall purchase or sell nevada tickets.

**49.** Vendors shall not purchase tickets while they are acting as vendors.

**50.** Licence holders shall not sell any unit amount in their possession to any other group or organization without the written permission of the Minister.

## PART IV

### Casino Lotteries

- 51.** An application for a licence for a casino shall contain the following information:
- (a) the charitable or religious object or purpose for which the casino shall be conducted;
  - (b) the name and address of the building where the casino will be held;
  - (c) the dates and hours of operation of the casino;
  - (d) the type and number of games;
  - (e) the minimum and maximum bet limits;
  - (f) the method of pay-out on bets;
  - (g) any other information the Minister may require.
- R-026-2008,s.8.
- 52.** A licence holder shall only hold one licence for a casino at any one time.
- 53.** Only one licence for a casino shall be issued to any one applicant in any six-month period.
- 54.** Subject to section 55, only one casino authorized by a licence shall be held in a community at one time.
- 55.** (1) Where a special event is planned for a community and the Minister is satisfied that the duration of the event and the number of people anticipated to take part in the event justify more than one casino being held in a community at one time, the Minister may issue one or more licences so that more than one casino authorized by a licence may be held in a community at one time during the special event.
- (2) The authority to issue a licence under subsection (1) shall not be delegated.
- 56.** A licence for a casino shall not be issued for a period exceeding three consecutive days.
- 57.** Casinos shall not operate between the hours of 12:01 a.m. and 1:30 p.m. on a Sunday. R-026-2008,s.10.
- 58.** (1) A minimum of 25% of the gross proceeds of the casino shall be set aside for the charitable or religious objects or purposes specified in the approved application before the deduction of the administrative expenses of conducting a casino.
- (2) A licence holder which holds a casino on its own premises shall not include a fee for the rental of the premises in its administrative expenses.

- 59.** Where a casino is held in conjunction with any other activity, it shall be held within an area which has been physically separated from other activities of a non-lottery nature.
- 60.** No person under 19 years of age shall be permitted in the casino area.
- 61.** (1) Minimum and maximum bet limits shall be posted and be clearly visible to all players.
- (2) Rules of play relating to each game or table shall be posted and be clearly visible to all players.
- 62.** If liquor is served in the same building in which a casino is held, volunteers shall be posted to ensure alcohol is not served, sold, carried or consumed in the casino area.
- 63.** Each printed advertisement for a casino shall contain the following information:
- (a) the name of the organization;
  - (b) the location, date and hours of operation of the casino;
  - (c) the types of games, tables, and wheels of fortune to be played;
  - (d) the price of admission, if any;
  - (e) the charitable or religious object or purpose for which the casino is being conducted;
  - (f) the lottery licence number.

#### PART IV.A

##### Texas Hold'em Poker Tournaments

- 63.1.** An application for a licence for a poker tournament shall contain the following information:
- (a) the charitable or religious object or purpose for which the poker tournament shall be conducted;
  - (b) the name and address of the building where the poker tournament will be held;
  - (c) the dates and hours of operation of the poker tournament;
  - (d) the cost of participating in the poker tournament;
  - (e) the number and the amount or manner of calculating the prizes;
  - (f) any other information the Minister may require.
- R-026-2008,s.13.
- 63.2.** Only one licence for a poker tournament shall be issued to any one applicant in any six-month period. R-026-2008,s.13.
- 63.3.** Subject to section 63.4, only one poker tournament authorized by a licence shall be held in a community at one time. R-026-2008,s.13.

**63.4.** (1) Where a special event is planned for a community and the Minister is satisfied that the duration of the event and the number of people anticipated to take part in the event justify more than one poker tournament being held in a community at one time, the Minister may issue one or more licences so that more than one poker tournament authorized by a licence may be held in a community at one time during the special event.

(2) The authority to issue a licence under subsection (1) shall not be delegated. R-026-2008,s.13.

**63.5.** (1) A licence for a poker tournament shall not be issued for a period exceeding one day.

(2) Poker tournaments shall not operate between the hours of 12:01 a.m. and 1:30 p.m. on a Sunday.

(3) Poker tournaments shall last no more than eight hours. R-026-2008,s.13.

**63.6.** (1) A minimum of 25% of the gross proceeds of the poker tournament shall be set aside for the charitable or religious objects or purposes specified in the approved application before the deduction of the administrative expenses of conducting a poker tournament.

(2) A licence holder which holds a poker tournament on its own premises shall not include a fee for the rental of the premises in its administrative expenses. R-026-2008,s.13.

**63.7.** Where a poker tournament is held in conjunction with any other activity, it shall be held within an area which has been physically separated from other activities of a non-lottery nature. R-026-2008,s.13.

**63.8.** No person under 19 years of age shall be permitted in the poker tournament area. R-026-2008,s.13.

**63.9.** (1) Minimum and maximum bet limits shall be posted and be clearly visible to all players.

(2) Rules of play relating to each game or table shall be posted and be clearly visible to all players. R-026-2008,s.13.

**63.10.** If liquor is served in the same building in which a poker tournament is held, the area within which the poker tournament is held shall be physically separated from the area within which liquor is served and volunteers shall be posted to ensure liquor is not served, sold, carried or consumed in the poker tournament area. R-026-2008,s.13.

**63.11.** Each printed advertisement for a poker tournament shall contain the following information:

- (a) the name of the organization;
  - (b) the location, date and hours of operation of the poker tournament;
  - (c) the cost of participating in the poker tournament;
  - (d) the number and the amount or manner of calculating the prizes;
  - (e) the charitable or religious object or purpose for which the poker tournament is being conducted;
  - (f) the lottery licence number.
- R-026-2008,s.13.

**63.12.** A licence holder shall permit the Minister or a person designated by the Minister access to the poker tournament for the purpose of ensuring that these regulations and the terms and conditions of the license are being respected. R-026-2008,s.13.

## PART V

### Raffle Lotteries

**64.** An application for a raffle licence shall contain the following information:

- (a) the charitable or religious object or purpose for which the raffle will be conducted;
- (b) the name and address of the building in which the raffle will be held;
- (c) the date and time of the draw or draws for prizes;
- (d) the price to purchase a ticket or tickets;
- (e) the number and value of the prizes to be awarded;
- (f) if merchandise prizes or donated prizes are to be awarded, the value of the merchandise or donated prizes;
- (g) the maximum number of tickets to be printed;
- (h) any other information the Minister may require.

**65.** A draft or sample copy of each type of ticket to be printed shall be forwarded with the application.

**66.** (1) Subject to subsection (2), a raffle licence shall be issued for a period not exceeding six months.

(2) Where the Minister is satisfied that it is not feasible to conduct a raffle within a six-month period, the Minister may issue a raffle licence for a period that exceeds six months but does not exceed 18 months.

(3) The expiry date of a licence shall be endorsed on the licence.

**67.** (1) Administrative expenses for conducting a raffle shall not exceed 10% of the gross proceeds of the raffle.

(2) The balance of the gross proceeds of the raffle, after deducting the cost of prizes and administrative expenses, shall be used for the charitable or religious objects or purposes specified in the application.

**68.** Maximum ticket sales shall not exceed \$50,000 for a licence unless the licence specifically allows sales in excess of this amount.

**69.** A raffle ticket shall contain the following information:

- (a) the name of the charitable or religious organization;
- (b) the location, date and time of the draw or draws;
- (c) the price to purchase a chance;
- (d) the prizes to be awarded;
- (e) the maximum number of tickets printed;
- (f) the ticket number, if any;
- (g) the lottery licence number.

**70.** The final draw for a raffle shall be held on or before the expiry date endorsed on the raffle licence.

**71.** Prize winners shall be notified within a 24-hour period after a draw, and prizes shall be awarded not later than three days following a draw, or such period of time as may be deemed reasonable by the Minister.

**72.** No compensation or commission shall be paid to a member of the licence holder or to any person for ticket sales.

**73.** Notwithstanding paragraph 9(1)(i), persons assisting in the conduct of the raffle may purchase tickets from other members of the sponsoring charitable or religious organization.

**74.** Each printed advertisement for a raffle shall contain the following information:

- (a) the name of the sponsoring organization;
- (b) the location, date and time of the draw or draws;
- (c) the price to purchase a chance;
- (d) the prizes to be awarded;
- (e) the maximum number of tickets printed;
- (f) the charitable or religious object or purpose for which the raffle is being conducted;
- (g) the lottery licence number.

## PART VI

### Sports Draft Lotteries

**75.** In this Part, "licence holder" means the holder of a sports draft lottery licence. R-044-98,s.10.

**76.** (1) An application for a sports draft lottery licence shall contain the following information:

- (a) the charitable or religious object or purpose for which the sports draft lottery will be conducted;
- (b) the sport and league that is the subject of the sports draft lottery;
- (c) the rules made under section 78 that will govern the sports draft lottery;
- (d) the date and time when the winner of a prize will be determined;
- (e) the price to enter;
- (f) the number and value of the prizes to be awarded;
- (g) if merchandise prizes or donated prizes are to be awarded, the value of the merchandise or donated prizes;
- (h) the maximum number of entry forms that may be sold;
- (i) the name of any other charitable or religious organization that may sell entry forms in accordance with subsection 91(2);
- (j) the names of the persons who will assist in the conduct of the sports draft lottery; and
- (k) any other information the Minister may require.

(2) A draft or sample copy of each type of entry form to be printed shall be included with the application. R-044-98,s.10.

**77.** (1) An entry form shall be either

- (a) a two part form that is completed by a potential entrant, one part of which he or she retains and one part of which he or she sends to the licence holder; or
- (b) a two part form consisting of
  - (i) one part that is completed by a potential entrant and sent to the licence holder, and
  - (ii) a second part that is completed by the licence holder and sent to the potential entrant on acceptance of his or her entry.

(2) An entry form shall contain the following information:

- (a) the name and phone number of the charitable or religious organization conducting the sports draft lottery;
- (b) the potential entrant's name, age, address and phone number;
- (c) the rules governing the sports draft lottery;

- (d) space for a potential entrant to print the first and last names of each player drafted and his or her team, if applicable;
- (e) the date and time when the winner of a prize will be determined;
- (f) the price to enter;
- (g) the number and value of the prizes to be awarded;
- (h) the maximum number of entry forms that may be sold;
- (i) the entry form number; and
- (j) the lottery licence number.

(3) An entry form shall be signed by the potential entrant. R-044-98,s.10.

**78.** An applicant for a sports draft lottery licence shall make rules to govern the sports draft lottery, including rules

- (a) setting out the number of entry form sales below which the sports draft lottery may be cancelled;
  - (b) setting out how players may be chosen;
  - (c) respecting the trading of players;
  - (d) setting out how points may be accumulated;
  - (e) setting out the date on which entry forms must be received in order to be eligible to be entered in the sports draft lottery;
  - (f) setting out how entry forms may be submitted by mail;
  - (g) establishing the age at which persons may purchase entry forms, which must be at least 16 years;
  - (h) stating that persons who assist in the conduct of the sports draft lottery are not eligible to purchase entry forms;
  - (i) setting out the procedures for the inspection of each entry form that is submitted to ensure that it complies with the rules governing the sports draft lottery and these regulations before it is entered in the sports draft lottery;
  - (j) listing the order in which prizes will be awarded;
  - (k) setting out whether a prize winner may choose a sum of money instead of a prize;
  - (l) respecting the awarding of a bonus prize, if a bonus prize is offered;
  - (m) respecting the resolution of ties;
  - (n) setting out the way in which a prize will be disposed of if the winner of the prize cannot be located;
  - (o) respecting the resolution of disputes; and
  - (p) respecting any other matter that the Minister may require.
- R-044-98,s.10.

**79.** (1) A licence holder shall not enter an entry form in a sports draft lottery where the entry form does not comply with the rules governing the sports draft lottery and these regulations.

(2) Where a licence holder does not enter an entry form in a sports draft lottery under subsection (1), the licence holder shall notify the potential entrant that his or her entry has not been entered by sending a registered letter to the address set out on the entry form within seven days of determining that the entry form does not comply with the rules governing the sports draft lottery and these regulations. R-044-98,s.10.

**80.** A licence may only be issued for a sports draft lottery in which individual players are selected and in which points are accumulated over a series of games. R-044-98,s.10.

**81.** A licence may be issued for a sports draft lottery conducted for a regular season or playoff season. R-044-98,s.10.

**82.** (1) Where a sports draft lottery is conducted for a regular season, entry forms shall not be sold after the third Friday following the beginning of the regular season.

(2) Where a sports draft lottery is conducted for a playoff season, entry forms shall not be sold after the playoffs begin.

(3) Where a sports draft lottery is for a regular season, the names of the 30 entrants who have accumulated the greatest number of points shall be published in a newspaper that circulates throughout Nunavut at the mid-season of the sport and league that is the subject of the sports draft lottery. R-044-98,s.10; R-026-2008,s.14(c).

**83.** (1) A licence may be issued for a series of sports draft lotteries.

(2) Where a licence is issued for a series of sports draft lotteries

- (a) all the entry forms in each successive series shall be sold before entry forms in the next series may be sold;
- (b) the entry forms in each series shall
  - (i) bear a series number,
  - (ii) be the same colour, and
  - (iii) be a different colour than the entry forms in any other series; and
- (c) the number of the first entry form in each successive series shall be the next consecutive number after the number of the last entry form in the preceding series.

(3) Subject to subsection (4), all prizes for a series must be awarded if entry forms are sold in the series.

(4) Subject to any instructions issued by the Minister under section 18, prizes need not be awarded for the first series in a series of sports draft lotteries where the sports draft lotteries are cancelled before entry forms in the second series are sold. R-044-98,s.10.

**84.** (1) Subject to subsection (2), a sports draft lottery licence may be issued for a period not exceeding nine months.

(2) Where the Minister is satisfied that it is not feasible to conduct a sports draft lottery within a nine-month period, the Minister may issue a sports draft lottery licence for a period that exceeds nine months but does not exceed 18 months.

(3) The expiry date of a sports draft lottery licence shall be endorsed on the licence. R-044-98,s.10.

**85.** (1) The Minister may establish a maximum number of sports draft lottery licences that may be issued in a year.

(2) Where the Minister establishes a maximum number of sports draft lottery licences that may be issued in a year under subsection (1), the Minister shall consider applications for sports draft lottery licences in the order in which they are received. R-044-98,s.10.

**86.** (1) Administrative expenses for conducting a sports draft lottery shall not exceed 10% of the gross proceeds of the sports draft lottery.

(2) The retail value of the prizes awarded to the winners of a sports draft lottery shall be at least 20% of the gross proceeds of the sports draft lottery.

(3) The balance of the gross proceeds of a sports draft lottery, after deducting the cost of the prizes and administrative expenses, shall be used for the charitable or religious objects or purposes specified in the application for the licence for the sports draft lottery. R-044-98,s.10.

**87.** Entry form sales shall not exceed \$75,000 for a licence unless the licence specifically allows sales in excess of \$75,000. R-044-98,s.10.

**88.** (1) No person under the age of 16 years shall sell or purchase an entry form.

(2) No person shall sell an entry form to a person under the age of 16 years. R-044-98,s.10.

**89.** The operation of a sports draft lottery is the responsibility of the licence holder and may not be delegated to any other person. R-044-98,s.10.

**90.** A licence holder may employ the services of a third party to post and verify the point totals of entrants and may pay the third party a reasonable fee for those services. R-044-98,s.10.

**91.** (1) Subject to subsection (2), no compensation or commission shall be paid for the sale of entry forms to any person.

(2) The Minister may authorize a licence holder to pay a commission to another charitable or religious organization to sell entry forms where the charitable or religious organization submits a written statement to the Minister setting out the charitable or religious object or purpose for which the commission will be used.

(3) Where a licence holder pays a commission to another charitable or religious organization to sell entry forms in accordance with subsection (2), the charitable or religious organization to whom the commission is paid shall

- (a) file a complete statement of account showing the total commission paid and indicating how and when the commission will be spent for the objects or purposes set out in the written statement submitted to the Minister under subsection (2); and
- (b) disburse the commission received from the licence holder in accordance with the objects or purposes set out in the written statement submitted to the Minister under subsection (2) or in a manner expressly authorized by the Minister.

R-044-98,s.10.

**92.** Each printed advertisement for a sports draft lottery shall contain the following information:

- (a) the name of the charitable or religious organization conducting the sports draft lottery;
- (b) the charitable or religious object or purpose for which the sports draft lottery is being conducted;
- (c) a summary of the rules governing the sports draft lottery, and an address at which complete rules may be obtained;
- (d) the date and time when winners will be determined;
- (e) the price to enter;
- (f) the number and value of the prizes to be awarded;
- (g) the maximum number of entry forms that may be sold; and
- (h) the lottery licence number.

R-044-98,s.10.

**93.** (1) Subject to subsection (2), the name of a corporate sponsor may appear on entry forms or in printed advertisements for a sports draft lottery.

(2) Where the name of a corporate sponsor appears on entry forms or in printed advertisements for a sports draft lottery, it shall be smaller than and clearly subordinate to the name of the licence holder. R-044-98,s.10.

- 94.** A bonus prize may be offered if
- (a) the retail value of the bonus prize does not exceed the total value of the other prizes awarded; and
  - (b) the criteria on which the winner of the bonus prize will be determined is included in all printed advertisements and on all entry forms.  
R-044-98,s.10.
- 95.** All prize winners shall be determined on or before the expiry date endorsed on the sports draft lottery licence. R-044-98,s.10.
- 96.** The determination of prize winners shall be based on official statistics provided by the organization responsible for the administration of the relevant sport and league.  
R-044-98,s.10.
- 97.** (1) As soon as practicable after a prize winner has been determined, the name of the prize winner and his or her point total, if applicable, shall be published in a newspaper that circulates throughout Nunavut.
- (2) The licence holder shall attempt to contact each prize winner by telephone and by sending a letter to him or her by registered mail within 24 hours after it has been determined that he or she has won a prize.
- (3) A prize shall not be awarded until two weeks after the name of the prize winner and his or her point total, if applicable, have been published in accordance with subsection (1). R-044-98,s.10; R-026-2008,s.14(d).

SCHEDULE FORM 1

Lottery Licence No.....

LICENCE

(Subsection 9(3))

The undersigned, under the *Lotteries Act* and section 207 of the *Criminal Code*, authorizes .....

(name of licence holder)

to conduct a lottery scheme otherwise than in relation to a dice game, three-card monte, punch board or coin table, which lottery scheme shall be in the nature of

..... conducted at .....

(type of lottery)

(place of lottery)

Further it is a condition of the licence that the proceeds, after deducting the expenses of conducting the lottery scheme, shall be donated or applied to the charitable or religious objects or purposes specified in the application, and the licence holder shall within 30 days of the awarding of the prizes of such lottery, submit to Consumer Affairs, Department of Community and Government Services, Government of Nunavut, PO 440, Baker Lake NU X0C 0A0, a statement of account showing total receipts, expenses and profits and indicating when and how such profits will be spent for the approved charitable or religious objects or purposes.

In the event that any of the terms and restrictions of this licence as stated in this licence are not complied with, the licence holder is guilty of an offence and liable on summary conviction to a fine.

This licence is subject to the following terms and restrictions:

Dated at ..... on ..... 19.....

.....  
*Signature of Minister (or person designated by the Minister)*  
*Department of Municipal and Community Affairs*

R-044-98,s.11; R-026-2008,s.15.

---

---

PRINTED BY  
TERRITORIAL PRINTER FOR NUNAVUT  
©2012

---

---