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ONTARIO REGULATION 81/12

made under the

ONTARIO LOTTERY AND GAMING CORPORATION ACT, 1999

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REQUIREMENTS FOR ESTABLISHING A GAMING SITE

Definitions

1. In this Regulation,

“band”, “council of the band” and “reserve” have the same meanings as in the *Indian Act* (Canada); (“bande”, “conseil de la bande”, “réserve”)

“municipality” means a lower-tier or single-tier municipality. (“municipalité”)

Requirements

2. (1) Subject to subsections (2) and (3), the Corporation may authorize the establishment of a gaming site on an electronic channel or, at premises approved by the Corporation, in a municipality or on a reserve.

(2) The Corporation shall not authorize the establishment of a gaming site until after the Corporation takes the steps and requires that the conditions are met as follows:

1. The Corporation prepares a business case for the proposed gaming site that,
 - i. sets out the cost of establishing the proposed gaming site,
 - ii. demonstrates the viability of the proposed gaming site and the adequacy of responsible gaming features for the proposed gaming site, and
 - iii. sets out or demonstrates any other matter that the Corporation considers appropriate.
2. The Corporation gives a copy of the business case, and any other information requested by the Minister or by the Minister of Finance, to the Minister and the Minister of Finance for review.
3. In the case of a proposed gaming site to be established at premises in a municipality or on a reserve,
 - i. the municipal council or the council of the band, as the case may be, seeks public input into the establishment of the proposed gaming site and gives the Corporation, in writing, a description of the steps it took to do so and a summary of the public input it received, and
 - ii. the municipal council or the council of the band, as the case may be, passes a resolution supporting the establishment of the gaming site in the municipality or on the band’s reserve and gives a copy of the resolution to the Corporation.
4. The Minister and the Minister of Finance agree to the business case prepared by the Corporation.
5. The Corporation publishes a notice in a newspaper or on the Corporation’s website, or both, as determined by the Corporation, advising that the proposed gaming site is to be established and containing the information that the Corporation considers appropriate.

(3) If both of the following circumstances apply, the Corporation shall not authorize the establishment of the gaming site until after the Corporation takes the step set out in paragraph 5 of subsection (2), and the steps and conditions set out in paragraphs 1, 2, 3 and 4 of subsection (2) need not be taken or met:

1. The proposed gaming site is to be established in a municipality or on a reserve at the same premises where a charitable organization conducts and manages one or more lottery schemes pursuant to a provincial order in council and a licence issued by the municipal council, council of the band or the Registrar of Alcohol and Gaming.
2. The lottery schemes offered at the proposed gaming site and described in paragraph 1 are restricted to the following games conducted and managed by the Corporation:
 - i. Lotteries, using paper tickets.
 - ii. Raffles, using paper tickets.

- iii. Paper break open tickets.
- iv. Break open tickets sold by means of an electronic break open ticket dispenser.
- v. Break open tickets played on an electronic bingo device.
- vi. Bingo, using paper cards.
- vii. Bingo played on an electronic bingo device.
- viii. Instant games played on an electronic bingo device.

Exception — proposed gaming site to sell lottery tickets

3. The Corporation may authorize the establishment of a gaming site solely for the sale of lottery tickets by a person authorized by the Corporation to sell lottery tickets for a lottery scheme. The steps and conditions set out in subsection 2 (2) need not be taken or met in this case.

Revocation

4. Ontario Regulation 347/00 is revoked.

Commencement

5. This Regulation comes into force on the later of the day subsection 11 (3) of Schedule 34 to the *Better Tomorrow for Ontario Act (Budget Measures), 2011* comes into force and the day this Regulation is filed.

Français

[Back to top](#)