

**WESTERN CANADA LOTTERY ACT**  
R-009-2009  
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**WESTERN CANADA LOTTERY REGULATIONS**

The Commissioner, on the recommendation of the Minister, under section 3 of the *Western Canada Lottery Act* and every enabling power, makes the attached *Western Canada Lottery Regulations*.

INTERPRETATION

1. In these regulations,

"Agreement" means the agreement respecting the *Western Canada Lottery* entered into by the Government of Nunavut and the governments of the provinces and territories that conduct the Western Canada Lottery; (*accord*)

"auditor" means the auditor of the licence holder appointed under section 6; (*vérificateur*)

"Authority" means the committee of the licence holder referred to in section 4; (*Office*)

"bank" means a chartered bank organized under the laws of Canada; (*banque*)

"grant-in-aid of administration" means a grant given by the licence holder to a retailer under section 26; (*subvention à l'administration*)

"licence holder" means the licence holder designated under subsection 2(1); (*titulaire de permis*)

"lottery" means any lottery organized and conducted by the Western Canada Lottery Corporation; (*loterie*)

"lottery manager" means the person employed under section 16; (*directeur des loteries*)

"rebate" means the rebate received from time to time by the licence holder from the Western Canada Lottery Corporation; (*remise*)

"retailer" means a retailer described in section 23; (*détaillant*)

"WCLC regulations" means the relevant regulations made, from time to time, by the Western Canada Lottery Corporation. (*règlements de la SLOC*)

ADMINISTRATION

2. (1) The Sport North Federation, a society registered under the *Societies Act* (Northwest Territories), is designated as the licence holder.

(2) The licence holder is responsible to the Minister for the conduct and management in Nunavut of all lotteries to which these regulations relate.

(3) The licence holder shall act as the territorial marketing organization and, on receiving a licence as a distributor from the Western Canada Lottery Corporation, as the sole distributor, within the meaning of the WCLC regulations, for Nunavut.

- 3.** In performing its duties under these regulations in respect of any lottery, the licence holder shall comply with
- (a) the WCLC regulations;
  - (b) the Agreement; and
  - (c) any written directions given by the Minister with a view to securing compliance with such regulations or the Agreement.
- 4.** (1) For the purpose of assisting it in the performance of its duties under these regulations, but subject to subsection (3), the licence holder shall establish and maintain a committee to be known as the "Lottery Authority".
- (2) The members of the Authority for the purposes of these regulations are the persons who are, from time to time, the members of the Authority under the *Western Canada Lottery Regulations* (Northwest Territories).
- (3) The licence holder is responsible for ensuring that all obligations stated in these regulations to be imposed on the Authority or the lottery manager are complied with.
- 5.** The licence holder shall maintain separate books, accounts, records and minutes in respect of the activities of the Authority as distinct from those of the other component parts of the licence holder.
- 6.** Despite any provision in the *Societies Act* (Northwest Territories), the licence holder shall at all times have an auditor who shall, on approval being given by the Minister, be appointed in the manner provided in its by-laws from among members in good standing of the Institute of Chartered Accountants of the Northwest Territories or the Certified General Accountants' Association of the Northwest Territories.
- 7.** The licence holder shall ensure that its registered by-laws are at all times consistent with the performance of its duties and the exercise of its powers under these regulations.
- 8.** The licence holder shall make an annual report to the Minister on the activities of the Authority at the time of presenting the financial statement under subsection 9(3).
- 9.** (1) The financial statement required by section 17 of the *Societies Act* (Northwest Territories) shall be audited by the auditor.
- (2) The financial statement referred to in subsection (1) shall contain separate statements of assets and liabilities and receipts and disbursements in relation to the authority as distinct from the other component parts of the licence holder.
- (3) The financial statement, or an abstract of the financial statement prepared by the auditor and containing separate information relating to the Authority only, shall be presented to the Minister within 14 days after the annual meeting at which it is required to be presented by section 17 of the *Societies Act* (Northwest Territories).
- 10.** An annual report tabled by the Minister in the Legislative Assembly shall include the report referred to in section 8 and the financial statement or abstract referred to in subsection 9(3).
- 11.** The licence holder shall, on request, supply the Minister with any information the Minister may require relating to its activities and transactions.
- 12.** (1) Subject to these regulations, the WCLC regulations, the Agreement and the by-laws of the licence holder, the licence holder may formulate policies to enable it to perform its duties under these regulations.
- (2) A copy of any policy made under subsection (1) shall be filed with the Minister without delay.
- 13.** The Authority shall meet once in every month.
- 14.** Four members shall form a quorum for meetings of the Authority.

15. The general manager of the licence holder shall act as the secretary of the Authority.
16. The licence holder shall employ a lottery manager who shall be employed full time in relation to the operation and management of lotteries and shall act under the supervision and direction of the Authority.
17. The licence holder shall maintain an office for the transaction of the business of the Authority.
18. The lottery office shall remain open for not less than six hours every day except on Saturdays and holidays and the licence holder shall notify all retailers and the Western Canada Lottery Corporation of the opening hours.
19. The licence holder shall keep available at all times all the books, records and accounts of the Authority for inspection by the auditor.

#### OPERATION OF THE WESTERN CANADA LOTTERY SCHEME

20. The licence holder shall ensure that all lottery tickets received from the Western Canada Lottery Corporation are consigned directly to a bank with whom it has made arrangements for the deposit, custody and withdrawal of tickets.
21. (1) One or more separate bank accounts shall be opened and operated under names including the words "Lottery Authority" or "Western Canada Lottery" in English, or "*Office des loteries*" or "*Loterie de l'Ouest du Canada*" in French.  
(2) The account or accounts referred to in subsection (1) shall deal exclusively with transactions relating to lotteries or the relevant lottery scheme, and no other dealings shall be made on the accounts.
22. (1) Subject to this section, lottery tickets shall not be withdrawn from the bank except by the lottery manager.  
(2) The licence holder may designate a member of the Authority who is acceptable to the bank for the purpose of withdrawing tickets from the bank during any period in which the lottery manager is absent or otherwise unable to make the withdrawal.  
(3) Tickets withdrawn from the bank shall be bought from the bank, from the funds of the appropriate bank account which shall be debited accordingly.  
(4) The lottery manager or person designated under subsection (2) shall without delay record the purchase price of the tickets in the day-to-day financial records of the Authority.  
(5) The Authority shall fix a daily limit on the amount of lottery tickets that may be purchased under this section in any one day and the lottery manager or designate shall not purchase and the bank shall not sell an amount in excess of that limit in any one day.  
(6) Tickets held by the lottery manager or designate at the end of a day's business shall be locked in a safe overnight.

#### TICKET SALES

23. (1) The Minister may approve the sale of lottery tickets in any community in Nunavut.  
(2) In order to be eligible to be a retailer of lottery tickets, the applicant must
  - (a) be
    - (i) carrying on business in Nunavut as a corporation incorporated under the *Business Corporations Act*, a co-operative association incorporated or registered under the *Co-operative Associations Act*, or a partnership within the meaning of the *Partnership Act*, or

- (ii) organized for benevolent purposes relating to sport or recreation in Nunavut, and operating as a non-profit corporation incorporated under Part II of the *Canada Corporations Act*, R.S.C. 1970, c. C-32, a society registered under the *Societies Act* or an unincorporated association;
- (b) be permitted to act as a retailer under the WCLC regulations; and
- (c) have received the endorsement, of the municipal council of the community in which the applicant is located, to act as a retailer.

(3) An application for a retail dealership must be made on an application form in the form approved by the licence holder and in such other manner as is required by the Western Canada Lottery Corporation.

(4) The licence holder shall cause to be published in at least one newspaper circulating throughout Nunavut the fact that it is about to consider applications for retail dealerships.

(5) The licence holder shall review all applications and shall take such other steps in collaboration with the Western Canada Lottery Corporation as are necessary to establish and maintain a list of retailers.

(6) A list of retailers established under this section shall be subject to the approval of the Minister who may consider representation from any person in arriving at his or her decision to add names to the list, or delete names from the list.

**24.** (1) Every retailer shall comply with the WCLC regulations.

(2) The licence holder may cancel or suspend, for such period as it thinks fit, the permit of any retailer who, in its opinion, has acted in breach of these regulations or the WCLC regulations.

**25.** (1) The licence holder may sell tickets purchased from a bank under section 22 to its retailers who may sell them in accordance with the WCLC regulations and the conditions specified in their permits.

(2) The licence holder shall establish an official order form for the purpose of enabling retailers to purchase lottery tickets.

(3) No lottery tickets shall be sold to retailers unless the official order form is completed and accompanied by the relevant amount of money in the form of a certified cheque, money order, cash or bank draft.

(4) Without delay after receiving any money for the purchase of lottery tickets or distributing any tickets, the lottery manager shall

- (a) record that fact and the amount in the day-to-day financial records of the Authority; and
- (b) give the retailer a receipt for moneys received.

**26.** (1) The Minister may authorize the licence holder to provide grants-in-aid of administration to retailers of the licence holder.

(2) The grants referred to in subsection (1) shall be solely derived from the rebates of the licence holder and shall be comprised of not more than 45% of those rebates.

**27.** Despite any provision in these regulations, the Minister may designate another licence holder of the Western Canada Lottery Corporation to sell lottery tickets in any community in Nunavut.

#### ACCOUNTING AND AUDIT

- 28.** (1) The licence holder shall maintain such accounting books and records as are
- (a) adequate to show clearly and accurately all transactions made in respect of lotteries;
  - (b) in accordance with established accounting procedures and principles; and
  - (c) in accordance with the accounting system and any directions given by the auditor.

Western Canada Lottery Regulations

(2) All transactions shall be entered into the books or records without delay after they are made.

(3) At the end of each business day

- (a) a daily reconciliation shall be made in the manner required by the auditor; and
- (b) all moneys received from the sale of tickets shall be deposited in the bank.

**29.** The licence holder shall make available on a daily basis, as and when requested, all the books, records and accounts of the Authority for inspection by the auditor.

REPEAL

**30.** The *Western Canada Lottery Regulations*, R.R.N.W.T. 1990,c.W-1, as duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada), are repealed.