

LOTTERIES ACT

R-026-2008

Registered with the Registrar of Regulations

2008-10-24

LOTTERIES REGULATIONS, amendment

The Commissioner, on the recommendation of the Minister, under section 4 of the *Lotteries Act* and every enabling power, makes the attached amendments to the *Lotteries Regulations*, R.R.N.W.T. 1990,c.L-49, as duplicated for Nunavut by section 29 of the *Nunavut Act*.

1. The *Lotteries Regulations*, R.R.N.W.T. 1990,c.L-49, as duplicated for Nunavut by section 29 of the *Nunavut Act*, are amended by these regulations.

2. (1) The definition "community" in subsection 1(1) is amended by striking out ", the *Hamlets Act* or the *Charter Communities Act*" and substituting "or the *Hamlets Act*".

(2) The definition "lottery" in subsection 1(1) is amended by adding "poker tournaments," after "casino,".

(3) The definitions "Minister" and "agricultural fair or exhibition" in subsection 1(1) are repealed.

3. Section 2 is repealed and the following substituted:

Authorization

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.

4. Section 4 and the heading "Agricultural Fairs or Exhibitions" preceding section 4 are repealed.

5. Subsection 5(1) is amended by striking out all that portion following "be sent to:" and substituting the following:

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

6. Subsection 6 is repealed and the following substituted:

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.

7. Subsection 9(3) is amended by adding "set out in the Schedule" after "Form 1".

8. The English version of paragraph 51(g) is amended by striking out "Minster" and substituting "Minister".

9. The French version of section 53 is repealed and the following substituted:

53. Une seule licence de loterie casino est délivrée à un même demandeur pour une même période de six mois.

10. Section 57 is amended by striking out "12 midnight on a Saturday" and substituting "12:01 a.m.".

11. The French version of subsection 58(1) is amended by striking out "les frais administratifs de de la loterie" and substituting " les frais administratifs de la loterie".

12. The French version of section 59 is repealed and the following substituted:

59. Lorsqu'une loterie casino est tenue concurremment avec toute autre activité, elle est tenue dans un secteur physiquement séparé des autres activités non reliées aux loteries.

13. The following is added after section 63:

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.

63.2. Only one licence for a poker tournament shall be issued to any one applicant in any six month period.

63.3. Subject to section 63.4, only one poker tournament authorized by a licence shall be held in a community at one time.

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.

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.

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.

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.

63.8. No person under 19 years of age shall be permitted in the poker tournament area.

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.

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.

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.

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.

14. The following provisions are amended by striking out "the Territories" and substituting "Nunavut":

- (a) subsection 3(1);**
- (b) section 19;**
- (c) subsection 82(3);**
- (d) subsection 97(1).**

15. Form 1 of the Schedule is amended by

- (a) adding "Schedule" immediately before "Form 1"; and**
- (b) striking out "Consumer Services, Department of Municipal and Community Affairs, Government of the Northwest Territories, #500 5201-50th Avenue, Yellowknife, NT, X1A 3S9" and substituting "Consumer Affairs, Department of Community and Government Services, Government of Nunavut, PO 440, Baker Lake NU X0C 0A0".**