



Municipality of Norfolk Treherne

Lottery Licensing
By-Law No. 5-2015

BEING a By-Law of the Municipality of Norfolk Treherne providing for the regulation of the Licensing of Raffle Lotteries within the Municipality of Norfolk Treherne.

WHEREAS Order in Council No. 524/1997 pursuant to section 207 (1)(6) of the Criminal Code (Canada) permits municipalities to issue licenses and regulate raffles with prizes of \$3000.00 or less;

AND WHEREAS the Council of the Municipality of Norfolk Treherne deems it expedient and in the public interest to regulate the licensing of raffle lotteries to charitable and religious organizations where total prizes do not exceed the value of Three Thousand Dollars (\$3000.00), within the Municipality;

AND WHEREAS the definitions pertaining to this by-law are:

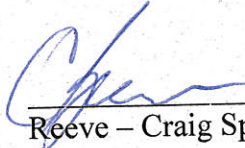
- a) **Charitable Organization:** An organization which is non-profit and whose objectives or mandate is to provide a community benefit rather than the self-benefit of its individual members. Examples of such organizations would be, but are not limited to: community organizations dedicated to youth, sport or recreational programs, cultural organizations, service organizations, organizations dedicated to the advancement of education or health, etc.
- b) **Religious Organization:** An organization which is non-profit and whose objectives or mandate is to provide a benefit to a religious community, or for the purpose of providing a place of worship, or to further its teachings.

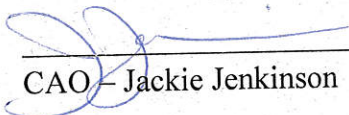
NOW THEREFORE the Council of the Municipality of Norfolk Treherne, in regular session assembled, enacts as follows:

1. Any charitable or religious organization located within the boundaries of the Municipality of Norfolk Treherne may be granted a license to conduct and manage a Raffle Lottery as provided in clause (b) of subsection (1) of Section 207 of the Criminal Code of Canada, where the total prizes for each such Raffle Lottery do not exceed the value of Three Thousand Dollars (\$3000.00).
2. Application for licenses as above described shall be in accordance with Schedule "A" attached hereto and shall be in the form attached hereto as Schedule "B", which may be amended as required.

3. The financial report of the licensee shall be in the form attached hereto as Schedule "C", which may be amended as required.
4. License Fees are as follows:
For prize values up to \$400.00 the license fee is \$ 10.00.
For prize values from \$401.00 to \$3000.00 the license fee is \$20.00.
5. The license shall expire upon the completion of the raffle draw or such earlier date as may be set forth in the license.
6. Municipal Office Staff under the direction of the Chief Administrative Officer shall issue licenses for raffle lotteries within the Municipality.
7. Any person, religious or charitable organization who contravenes, or refuses, neglects, omits, or fails to obey or observe, any provision of this by-law is guilty of an offence and is liable to a fine not exceeding Five Hundred Dollars (\$500.00).
8. That upon the passing of this by-law, the Town of Treherne By-Law No. 899/2012 and the Rural Municipality of South Norfolk By-Law No. 2511/2012 are hereby rescinded.

DONE AND PASSED as a by-law of the Municipality of Norfolk Treherne, by the Council thereof duly assembled, at Treherne, in Manitoba, this 14 day of April, A.D. 2015.


Reeve – Craig Spencer


CAO – Jackie Jenkinson

Read a first time this 10 day of Mar. A.D. 2015.

Read a second time this 10 day of Mar. A.D. 2015.

Read a third time this 14 day of April A.D. 2015.

SCHEDULE "A"

Terms and Conditions Relating to the Management and Conduct Of Lotteries Licensed by the Municipal Governments

Interpretation

1. "Raffle lottery" means a lottery scheme within the meaning of subsection 207(4) of the Criminal Code (Canada) in which a prize consisting of an article of value, or cash, or both, is awarded or disposed of by value, or cash, or both, is awarded or disposed of by lot, by selling a chance of winning the prize to a number of persons for a fraction of the value of the prize.

Authority to License

2. That every municipality be specified as an authority to license charitable organizations and religious organizations located within its boundaries to conduct and manage a raffle lottery where the total prizes for each raffle do not exceed Three Thousand Dollars (\$3000.00).
3. 207(4) In this section, "lottery scheme" means a game or any proposal, scheme, plan, means, device, contrivance or operation described in any of paragraphs 206(1) (a) to (g) whether or not it involves betting, pool selling or a pool system of betting other than
 - (a) Three-card monte, punch board or coin table;
 - (b) Bookmaking, pool selling or the making or recording of bets, including bets made through the agency of a pool or pari-mutuel system, on any race or fight, or on a single sport event or athletic contest; or
 - (c) For the purposes of paragraphs (1) (b) to (f), a game or proposal, scheme, plan, means, device, contrivance or operation described in any of paragraphs 206(1)(a) to (g) that is operated on or through a computer, video device or slot machine, within the meaning of subsection 198(3), or a dice game.

Operation of Lotteries

4. The following terms and conditions shall apply with respect to the operation of lotteries licensed by municipalities:
 - (a) The licensee shall comply with sections 207 of the Criminal Code;
 - (b) The licensee shall conduct or allow to be conducted only the type of lottery provided in the application and the license;
 - (c) The licensee shall comply with all the terms and provisions set out in the application and the license;

- (d) Such officers as the municipality may appoint, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the proceedings for which the license has been granted, either prior to, during or after the conclusion of such proceedings;
 - (e) The licensee shall produce the license upon demand.
5. In addition to the terms and conditions set out in paragraph 5 above, each raffle lottery shall be subject to the following terms and conditions:
- (a) Each individual raffle lottery must have a license;
 - (b) The winner or winners shall be determined and publicized in the manner set out in the application;
 - (c) The licensee shall:
 - i. Indicate on the face of the tickets the license number, the name and address of the organization, the location, date at which the draw will be held, the number and nature of the prizes to be awarded, the ticket number;
 - ii. Provide for the consecutive numbering of tickets;
 - iii. Retain all unsold tickets and counter foils of sold tickets for a period of not less than 60 days from the date of the draw and produce them to such persons as may be authorized under paragraph 4(d), and,
 - iv. Indicate in its application the numbers of tickets printed for sale.

Financial Accounting and Reporting

- 6. The licensee shall keep and maintain financial records of the lottery scheme.
- 7. The gross receipts derived from the lottery scheme shall be used for the charitable or religious purpose or object as set out by the licensee in the application for license, less the cost of the prizes awarded, and such reasonable and necessary administrative expenses actually incurred in the management and conduct of the lottery, provided such expenses do not exceed 20% of the gross receipts.
- 8. The licensee shall submit to the municipality, no later than 30 days after the holding of each licensed lottery, a financial statement.
- 9. The financial statement submitted by the licensee shall, if so ordered by the municipality, be subject to audit, and when an audit is required, the costs of such audit shall be borne by the licensee.

Suspension or Cancellation of License

- 10. A municipality may suspend or cancel a license for the breach of any term or condition.
- 11. The Attorney-General may, at any time suspend or cancel a license where, in his opinion, to do so in the public interest.

Schedule "B"
Municipality of Norfolk Treherne
LOTTERY LICENSE

Lottery License # _____

FULL NAME OF ORGANIZATION: _____

Address: _____

is licensed to manage and conduct a Raffle Lottery Scheme from the premises municipally known as the Municipality of Norfolk Treherne between the dates specified below.

Organization's mandate or objectives: _____

Date of Draw: _____ Type of Draw: **Raffle**

Period tickets will be sold: _____

Total anticipated revenue: _____ x _____ = _____
total # of tickets available maximum ticket price maximum revenue

Total value of all prizes in any lottery conducted under this license not to exceed three thousand dollars (\$3,000.00) cash value, or merchandise or articles at equivalent to market retail value.

Total prize value: _____

I, hereby certify that

- a) I have read, and have in our possession, and agree to comply with, the provisions of Schedule "A" – Terms and Conditions under which the lottery License is issued.
- b) Have knowledge of the matters herein set out,
- c) Have read over this application,
- d) All facts stated and information furnished herein are true and correct,
- e) If a license is granted, we undertake to comply with all the terms and conditions of such license.

Name of Applicant

Signature of Applicant (on behalf of Organization)

Date of issue

Municipal Licensing Officer

SCHEDULE "C"
FINANCIAL REPORT

The Financial Report is to be submitted by the licensee to the Municipality of Norfolk Treherne as required by Section 14 of the Regulations pertaining to Lottery Licenses by Municipal Governments.

Name of Licensing Municipal Government: **Municipality of Norfolk Treherne**

Name of Licensee: _____

License Number: _____ Date License Issued _____

Date or Period of Lottery: _____

ACCOUNTING FOR FUNDS

Total Money Received from Ticket Sales (Gross Sales) \$ _____

Less: Expenses (Itemize by kinds of expenses such as printing of tickets, and advertising, etc.)

_____ \$ _____

Cost of Prizes (give particulars):

_____ \$ _____

Details of Prizes Awarded:

Name	Value of Prize
_____	_____
_____	_____
_____	_____

Total \$ _____

ACCOUNTING FOR TICKETS

Number of Tickets Printed: _____
Less:
Number of unsold tickets on hand _____
Number of tickets not returned _____
Number of tickets sold _____
(should equal zero) _____

I certify that the foregoing is a true and correct statement accounting for the funds of the Lottery Scheme licensed by the Municipality of Norfolk Treherne under License No. _____.

Treasurer

Witness

Dated at Treherne, Manitoba this _____ day of _____ 20____.

ISSUED UNDER THE AUTHORITY OF THE PROVINCIAL
AUDITOR, PROVINCE OF MANITOBA