

Pursuant to the authority granted by the Lieutenant-Governor in Council, by Minute of Council, 1081-82, dated September 8, 1982, and subsection 207(2) of the **Criminal Code** of Canada, the following Terms and Conditions relating to the issuance of Lottery Licences are prescribed:

1. These terms, conditions and rules relating to the issuance of lottery licences may be cited as the Lottery Scheme, Terms and Conditions.

Definitions

2. Please refer to Section 2. of the **Lottery Licensing Regulations**.

Issuing of Licence

3. The division may issue a licence
 - (a) where the applicant
 - (i) is a charitable or religious organization and the proceeds of the lottery shall be expended on a charitable or religious object or purpose; or
 - (ii) is an incorporated non-profit organization raising funds solely for charitable or religious objects or purposes; and
 - (b) other licensing requirements have been met.

Refusal of Licence

4. A licence may be refused, suspended or revoked
 - (a) if on reasonable and probable grounds it is believed the conduct and management of a lottery is likely to reflect unfavourably upon the integrity of the lottery program;
 - (b) in the opinion of an officer of the division the terms and conditions of the licence cannot be complied with;
 - (c) where an applicant as a previous licence holder or licensee has violated a term or condition of that or licence; or
 - (d) where the applicant no longer meets the requirements prescribed in section 3.

Application of General Rules

5. The general rules for a licensed lottery scheme and the applicable schedule of rules shall form part of these terms and conditions and shall govern:
 - (a) the conduct, limits and operation of a licensed lottery scheme; and
 - (b) the amount of licensing fees consistent with the type of lottery scheme proposed, that may be set by the minister.

Lottery Scheme Terms and Conditions

Signing Authority

6. (1) The director or another official designated by the minister has signing authority for issuing licences.

(2) A person with signing authority for issuing licences may amend a licence or suspend or cancel a licence.

Forms to be Approved

7. The licence, the application for a licence, the financial report and other forms considered necessary shall be in the form approved by the minister.

Terms or Conditions Imposed

8. A licence may contain the reasonable additional terms or conditions the signing authority considers necessary.
- 8.1 The director may establish policies and procedures related to the conduct, management and operation of a lottery scheme.

Exception

9. (1) Notwithstanding a term or condition prescribed in these regulations, the division may issue a licence to the Health Care Foundation to permit the conduct and management of a breakopen lottery scheme through hotels, motels, lounges and taverns which have been licensed under section 27 of the Liquor Control Act subject to a signed agreement between the Health Care Foundation and Hospitality Newfoundland and Labrador, providing this agreement, containing the necessary elements of control, accountability and other relevant measures and is acceptable to the division.

(2) The licence referred to in subsection (1) may contain a further term and condition as the signing authority considers necessary.

Other Schemes

10. (1) The division may license a lottery scheme other than a scheme prescribed in sections 39-45.

(2) The licensing fee for a lottery referred to in subsection (1) shall be set by the minister.

Appeal

11. A person dissatisfied with a decision of the director or division respecting the refusal, suspension or revocation of a licence may appeal the decision to a judge of the Supreme Court within 30 days of receipt of notice of the decision.