

# **Perry Township Lottery Licensing**

## **What is "Charitable Gaming" and how is it regulated in Canada?**

"Charitable gaming" refers to lottery schemes permitted by a license under the Criminal Code of Canada. Typically these may include bingos, raffles, break open tickets and social gaming events held by charitable and religious organizations. Charitable organizations are regulated by licensing policies and the terms and conditions of the licences issued by the province or municipalities under authority of an Order-in-Council.

## **Who can get a license to conduct a lottery scheme?**

Canada's Criminal Code only permits charitable and religious organizations to conduct lottery schemes to raise funds pursuant to an issued lottery licence. Organizations must have a demonstrated charitable or religious mandate to qualify. The courts have determined that the term "charitable" refers to organizations, which provide programs for:

- the relief of poverty;
- the advancement of education;
- the advancement of religion; and
- other charitable purposes beneficial to the community.

The following are prerequisites to be considered eligible for a lottery licence:

- Organizations must have been in existence for at least one(1) year;
- Organizations must have a place of business in Ontario;
- Organizations' primary purpose must be to provide charitable services in Ontario; and
- Organization must use the proceeds of any lottery scheme for objects or purposes which benefit Ontario residents.

The primary purposes of an organization are determined by considering:

- the mandate of the organization as set out in its incorporation documents or documents stating the organization's objectives;
- the objectives of the organization as described in its application for licence; and
- the services which have actually been provided by the organization to the community.

## **What lottery schemes do municipalities licence?**

Under Order-in-Council 2688-93, municipalities may issue licences to conduct the following lottery schemes:

- Bingo events with prize boards \$5,000 and under;
- Media bingo events;
- Raffle lotteries for total prizes \$50,000 and under;
- All break open ticket lotteries not licensed by the provincial office; and
- Bazaars (Bingo maximum \$500; Raffle maximum \$500; maximum 3 wheels of fortune).

## **How does my organization apply for a lottery license?**

- Determine what type of lottery scheme your organization intends to conduct
- Obtain the appropriate application form from the municipal office or the Province (as the case may be)
- Complete the form according to the instructions on the form and the policies provided by the municipal office or as set out in the guide for that lottery event and submit it along with the applicable licence fee to the municipal office

## **Do I have to include anything with the application form?**

First time applicants should, in addition to the materials required with the application as identified in the lottery licensing policies, provide the following information or documents:

- A copy of its articles of incorporation or constitution and/or by-laws
- A copy of its budget or financial statements for the preceding and coming years
- Any other information that will assist in determining the charitable nature of the objects and purposes. This could include an annual report, charitable number for income-tax purposes, the fact that it meets the reporting requirements of the Charities Accounting Act.
- The proposed use of proceeds must be consistent with the primary objects and purposes of the organization which must be of a charitable nature consistent with at least one of the four classifications of charitable purposes

## **What types of organizations are not charitable for lottery licensing purposes?**

The types of organizations, which cannot be considered charitable include:

- social clubs
- professional associations, unions, employee groups
- elected representative groups including municipal, regional, provincial and federal governments
- government ministries, agents or bodies
- political lobby groups
- political parties
- adult hobby groups
- private sports clubs (e.g. golf/curling)
- adult sports teams

## **Who do I contact if I have any questions about lottery licensing?**

Lottery licensing for the Township is a function of the Clerk's Department. You may contact the municipal office at 636-5941 during regular office hours with any questions.