

Lottery Line

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Alcohol and Gaming Commission of Ontario
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Regulatory changes to the *Gaming Control Act* mean some changes for OLG lottery retailers and lottery retailer managers

On June 1, 2012, the Government of Ontario made changes to the *Gaming Control Act, 1992* (GCA), the law that governs all gaming sectors in Ontario, including OLG lotteries, charitable gaming (bingo, raffles, etc.) and commercial gaming (casinos and slot machine facilities).

The purpose of the changes was to modernize the rules for gaming and create efficiencies for Ontario businesses and their employees. For example, a simplified registration framework has been introduced allowing individuals and businesses to supply goods and services across all gaming sectors without having to apply for multiple registrations.

New Registration Classes

The previous 24 classes of gaming registrations, including those that specifically applied to the lottery sector, have been consolidated into 7 new types. As a result of these changes, the registration classes "Lottery Retailer" and "Lottery Retailer Manager" no longer exist.

"Lottery Retailer" is now "Seller"

The registration class previously called "Lottery Retailer" is now included in the new class of registration called "Seller". A Seller is permitted to sell lottery products on behalf of OLG so long as the Seller has a valid OLG retailer agreement. A Seller is also permitted to sell break open tickets on behalf of a licensed charitable or religious organization at one or more locations.

Anyone registered as a Lottery Retailer as of June 1st will automatically be registered under the new "Seller" category, so you don't need to do anything to receive the new designation. You will get a new certificate when you renew your registration. The renewal and registration process otherwise remains the same.

"Lottery Retailer Manager" is now "Category 1 Gaming Assistant"

Individuals who exercise a significant level of decision-making authority or have significant supervisory or training responsibilities with respect to the sale of OLG lottery products must still be registered. Job duties could include overseeing or coordinating

lottery product sales, managing compliance issues or having the authority to sign any agreement or contract with OLG.

Previously, these individuals were registered as "Lottery Retailer Managers", but now they will be registered as "Category 1 Gaming Assistants".

Anyone registered as a Lottery Retailer Manager as of June 1st will automatically be registered as a "Category 1 Gaming Assistant", so you don't need to do anything to update your registration. You will get a new certificate when you renew your registration. Going forward, this registration will allow you to work in any gaming sector in the province, assuming you have a proper offer of employment.

Lottery Sellers' Responsibilities

To enhance the public's confidence in the integrity of gaming, the new regulation (O. Reg 78/12) also sets out some new responsible gambling and other playing prohibitions for those who sell lottery tickets.

Specifically, lottery tickets cannot be sold to:

- Anyone who appears to be drunk
- Officers, directors and partners of the company that holds the registration
- Category 1 Gaming Assistants employed at the retail store
- Trade union executives and employees (if the retail store is unionized)
- Anyone who maintains or repairs OLG lottery equipment at the retail store
- Anyone that you believe is employed by the AGCO

Otherwise, the rules for selling OLG lottery tickets and your responsibilities have not changed. You must still sell lottery products in compliance with the GCA and the standards and requirements set by the Registrar of Alcohol and Gaming.

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Please note that under the new regulation, all Gaming Assistants (including those employed in the lottery sector) must provide a signed offer of employment with their new or renewal application. Application forms have been updated to include a new “Offer of Employment” section which must be signed by employers.

For more information or to view O. Reg 78/12, please visit the AGCO’s website at www.agco.on.ca. You can also contact our Customer Service Department at 1 800.522.2876 (toll free in Ontario) or 416.326.8700 (in the Greater Toronto Area). ■

Illegal activity in your store puts your registration at risk

Lottery retailers registered by the AGCO must act in accordance with the law and with honesty and integrity — otherwise they can be subject to serious penalties, including the suspension or revocation of their registration. The following are some examples where retailers’ registrations were suspended or revoked for non-compliance with their Terms of Registration.

Illegal DVDs

A lottery retailer had his registration revoked after police discovered counterfeit DVDs for sale in the store. The retailer had previously been found guilty twice of possession of property obtained by crime under the Criminal Code. Another lottery retailer had his registration suspended for 14 days for having 490 counterfeit DVDs for sale. He was also fined \$2,000 by the courts, and given 12 months probation for possession of property obtained by crime.

Illegal tobacco sales

A lottery retailer had his registration suspended for 15 days for having unmarked cigarettes on the premises contrary to the *Tobacco Tax Act*, while a revocation order was also carried out on another lottery retailer for the sale of cigarettes to an underage person.

Fake TTC tokens/tickets

Lottery registrations have been suspended for possessing and selling counterfeit Toronto Transit Commission fare tickets and tokens. In one case, a retailer served a 45 day suspension for the possession of over 300 counterfeit TTC tickets and was also charged by police. In another incident, a retailer had his registration suspended for 30 days for possession of counterfeit tokens.

Illegal gaming machines

It is against the law for lottery retailers to keep gaming machines or video lottery terminals that pay out money at the retail location, nor can the retailer pay out money and/or prizes based on credits accumulated on these machines.

A lottery retailer who had seven illegal gaming machines seized had her registration revoked after being convicted of several criminal charges. Another lottery retailer had his registration suspended for 25 days for making cash payments to an undercover police officer based on credits accumulated on an illegal video gaming machine.

Other illegal activity

Since 2008 when the AGCO began the regulation of OLG lottery retailers, there have been several 30 day suspensions and revocations where lottery retailers have participated in illegal activities. The AGCO reminds all lottery retailers to ensure that no illegal activity takes place on their premises. ■



AGCO website has lots of information

Please visit us at www.agco.on.ca

AGCO

Alcohol and Gaming Commission of Ontario

CAJO

Commission des alcools et des jeux de l'Ontario

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