

Lottery Line

APRIL / MAY 2014

Alcohol and Gaming Commission of Ontario
90 Sheppard Avenue East, Suite 200
Toronto, Ontario
M2N 0A4



This Issue

- AGCO Board of Directors
- Illegal sale of tobacco
- Integrity and honesty
- Monetary penalties
- Change in ownership

AGCO Board of Directors

The Board of the AGCO is responsible for the overall governance of the Commission and meets monthly. It sets goals and develops policy and strategic directions for the Commission. Its members are appointed by the Lieutenant Governor in Council, through Order-in-Council.



Eleanor Meslin Chair

Ms. Meslin is from Toronto. She holds a law degree from Osgoode Hall Law School. She is a former Assistant Deputy Minister in the Ontario government. She has held several other senior level positions in the province's public service including, acting Ombudsman, consultant with the Ontario Human Rights Commission and CEO of the Ontario Women's Directorate.



S. Grace Kerr Vice Chair

Ms. Grace Kerr is from London, Ontario. She has served as Chair of the Board of Directors of the Centre for Children and Families in the Justice System and holds a Master of Laws degree from the London School of Economics.



Beryl Ford Member

Ms. Ford is from Brampton, Ontario. She is a former Chair of the Peel District School Board, and is currently a member of that Board. Last year, she was awarded the Queen Elizabeth II Diamond Jubilee Medal for outstanding commitment and contribution to her community.



Brian J. Ford Member

Mr. Ford is a former Ottawa Chief of Police. He is a past president of the Criminal Intelligence Service of Ontario and holds a Canadian Police Exemplary Service Medal and Bar, and Canada's 125 Medal. He is a member of the Order of St. John's Society.



Bruce Miller Member

Mr. Miller is from London, Ontario, and currently resides in Eagle Lake, Ontario. He was a police officer for 22 years with the London Police Service. He has received the Ontario Medal for Police Bravery and the Canadian Police Association's Award of Excellence.

AGCO improves capability to deal with lottery sellers who violate the province's tobacco laws

With cooperation from the Ontario Ministry of Finance and the Ministry of Health and Long Term Care, the Alcohol and Gaming Commission of Ontario (AGCO) is now more effectively able to deal with lottery sellers who violate the province's anti-smoking and tobacco laws. In the 2012 Ontario Budget, the provincial government committed to take steps to prohibit lottery sellers from selling lottery products if they are caught selling contraband or illegal cigarettes.

Selling to minors

Lottery sellers are also prohibited from selling tobacco products to minors. Under the *Gaming Control Act, 1992*,

the AGCO has the responsibility for the regulation of the sale of lottery products, including the registration and ongoing oversight of lottery sellers.

Exchange of information

The exchange of information between ministries and the AGCO has greatly enhanced the ability of the AGCO to take corrective regulatory action against a lottery seller who sells tobacco products illegally. The penalty for conviction for violations of the province's *Smoke-Free Ontario Act* may lead to sanctions such as a suspension and/or revocation of the lottery seller's registration.

Lottery seller has registration revoked for, “not carrying on business in accordance with the law and or with integrity and honesty.”

A convenience store owner, registered with the AGCO as a lottery seller, purchased counterfeit TTC tokens and sold these items at a lower price than that of the regular price of a TTC token, to customers at his place of business.

Fake tokens

Lottery sellers are advised that it is not acceptable conduct to possess on their premises or to sell “fake” TTC tokens and tickets.

In addition, the registrant was convicted of selling cigarettes to minors and selling lottery tickets to a person under the age of 18.

Because of these actions by the registrant, the AGCO issued a Notice of Proposal (NOP) to revoke the registration, a proposal upheld by the Licence Appeal Tribunal.

In handing down its decision in support of the NOP the Tribunal stated “...there are reasonable grounds to believe that the applicant will not carry on business in accordance with the law or with integrity and honesty. Dishonest dealing by registrants is clearly not in the public interest, especially in a cash intensive business where opportunities for dishonest conduct are plentiful.”

Monetary penalties

Monetary penalties are one of several programs related to the AGCO’s compliance-based regulatory model. This compliance tool aims to help registrants such as lottery sellers to achieve compliance without the AGCO relying solely on enforcement strategies such as suspensions and/or revocations.

Penalties

- Selling lottery products to persons under age 18 - penalty up to \$15,000
- Selling lottery products to individuals who appear intoxicated - penalty up to \$2000
- Selling, buying or redeeming lottery products for yourself or family members at your own store - penalty up to \$2000
- Failure to keep in an approved place or display the certificate of registration - penalty up to \$1000

- Failure to comply with standards and requirements that the Registrar establishes under the *Gaming Control Act, 1992* such as not ripping through the bar code etc. - penalty up to \$10,000

Since monetary penalties were introduced in 2009, the most frequent infractions for lottery registrants have been for not ripping through the bar code of tickets, validating tickets which were not signed by customers, and validating tickets where customers were not present.

All funds collected through monetary penalties are required to be used for educational and public awareness campaigns.

For a full list of monetary penalties for gaming infractions, please refer to Information Bulletin No. 70 on our website at www.agco.on.ca

Notification of change in ownership

Lottery sellers are required to notify the Registrar of the Alcohol and Gaming Commission of Ontario (AGCO) within five days of any changes in their registration relating to officers, directors or partners. The lottery seller registration

shall be deemed to have been expired for failing to report such activity, unless the Registrar has consented to the changes in writing. Failure to comply with this requirement could lead to cancellation of the lottery seller’s registration.



Contact Us

Alcohol and Gaming Commission of Ontario

90 Sheppard Avenue East
Suite 200
Toronto, Ontario M2N 0A4

Telephone: 416.326.8700
Toll free in Ontario: 1 800.522.2876
Fax: 416.326.5555
Email: customer.service@agco.ca

Other Languages

Pour lire la version française de ce bulletin, veuillez consulter le site Web de la CAJO à http://www.agco.on.ca/pdfs/fr/lottery_line/LotLine_April2014.pdf

본 문서의 한국어 버전이 필요한 분들은 아래에 적힌 AGCO 웹사이트 링크를 확인하세요. http://www.agco.on.ca/pdfs/kn/lottery_line/LotLine_April2014.pdf



AGCO's website has lots of information.
Please visit us at www.agco.on.ca

