

1988 BILL 10

Third Session, 21st Legislature, 37 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 10

INTERPROVINCIAL LOTTERY AMENDMENT ACT, 1988

HON. MR. ORMAN

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 10

1988

INTERPROVINCIAL LOTTERY AMENDMENT ACT, 1988

(Assented to _____, 1988)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 *The Interprovincial Lottery Act is amended by this Act.*

2 *Section 1 is repealed and the following is substituted:*

1 In this Act,

(a) "Fund" means the Lottery Fund established under this Act;

(b) "lottery scheme" means a lottery scheme as defined in the *Criminal Code* (Canada);

(c) "Minister" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act.

3 *The following is added after section 1:*

1.1 This Act does not apply to the conduct, management or operation of a lottery scheme authorized pursuant to paragraph 190(1)(b), (c), (d) or (f) of the *Criminal Code* (Canada).

4 *Section 2 is amended*

(a) *by renumbering it as section 2(1);*

(b) *in subsection (1) by striking out "and management" and substituting ", management or operation";*

(c) *by adding the following after subsection (1):*

(2) The Minister may, on behalf of the Government of Alberta,

(a) conduct, manage and operate lottery schemes in Alberta, and

(b) enter into agreements with an individual, a partnership or a corporation regarding the conduct, management and operation of lottery schemes on behalf of the Government of Alberta.

Explanatory Notes

1 This Bill will amend chapter I-8 of the Revised Statutes of Alberta 1980.

2 Section 1 presently reads:

1 In this Act, "Minister" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act.

3 Application of Act.

4 Section 2 presently reads:

2 The Minister may, on behalf of the Government of Alberta, enter into agreements with the governments of any other provinces regarding the conduct and management of a lottery scheme within Alberta and those other provinces.

(3) An agreement entered into pursuant to subsection (2)(b) may, without limiting the generality of subsection (2)(b), provide for

(a) the appointment of the Minister or of persons designated by the Minister to act as members, directors or shareholders of a partnership or corporation that is a party to an agreement, and

(b) participation in the affairs of a partnership or corporation that is a party to an agreement in any way the Minister considers advisable.

5 *Section 3 is amended by striking out “and manage” and substituting “, manage and operate”.*

6 *The following is added after section 4:*

5(1) The Minister shall hold and administer a fund called the “Lottery Fund” into which shall be deposited the money received from the conduct, management and operation of lottery schemes to which this Act applies, except for any money paid out for purposes of defraying the costs of administering this Act.

(2) For the purposes of subsection (1), the costs of administering this Act include, without limiting the generality of the foregoing,

(a) the costs of conducting, managing and operating lottery schemes payable in respect of any lottery scheme to which this Act applies, and

(b) any costs incurred as a result of a licence or an agreement.

(3) The income of the Fund accrues to and forms part of the Fund.

6 The Minister may pay money from the Fund for purposes related to the support of initiatives related to recreation or culture or for any other purpose the Minister considers to be in the public interest.

7(1) A person who directly or indirectly, unless lawfully authorized pursuant to this Act, sells, advertises or distributes lottery tickets with respect to a lottery scheme to which this Act applies is guilty of an offence and is liable to a fine of not more than \$500 000 or to imprisonment for not more than 6 months, or to both.

(2) If a corporation is found guilty of an offence under subsection (1), every director or officer of the corporation who authorized, permitted or acquiesced in the offence is also guilty of an offence and is liable to a fine of not more than \$500 000 or to imprisonment for not more than 6 months, or to both.

9 *This Act comes into force on Proclamation.*

5 Section 3 presently reads:

3 The Minister may issue a licence to any person authorizing that person, as agent of the Government of Alberta, to conduct and manage a lottery scheme within Alberta and to carry out the terms of any agreement under this Act.

6 Fund and offence.

