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"Agreement special to a

# AGREEMENT ON THE COLLECTION OF PROVINCIAL: TOBACCO TAX, GASOLINE TAX, SALES TAX, AND SELF-LICENSING RELATING TO GAMING

BETWEEN:

ST. MARY'S FIRST NATION
As represented by Chief ARTHUR BEAR
And Band Council
(Hereinafter referred to as the First Nation)
Of the First Part

- and -

Her Majesty the Queen in Right of the PROVINCE OF NEW BRUNSWICK

As Represented by the Minister of Finance (Hereinafter referred to as the Minister) Of the Second Part.

#### AGREEMENT

WHIREAS section 87 of the Indian Act, R.S.C. 1985, c.I-6, exempts from taxation the personal property of an Indian or Band situated on a reserve, and

WHEREAS it is the position of the First Nation that such exemption is applicable to cigarette and tobacco products and gasoline and motive fuel purchased by Indians on the St. Mary's Reserve (hereinafter referred to as the Reserve), and

WHEREAS the Parties are desirous of cooperating with each other so as to resolve the question as to the alleged entitlement to an exemption whilst at the same time protecting the integrity of the provincial administration of tax in the Province of New Bruzawick.

#### THE PARTIES AGREE AS FOLLOWS:

- 1.(a) Subject to paragraph 4, the quantity of tobacco products that are likely to be purchased on the Reserve each month by Status Indians for their own consumption is set out in Schedule "A".
- (b) Subject to paragraph 4, the quantity of gasoline and motive fuel that are likely to be purchased on the Reserve each month by Status Indians for their own consumption is set out in Schedule "B".
- 2.(a) The First Nation will advise, or cause the authorized retail vendor(s) as defined in the Tobacco Tax Act, R.S.N.B. 1973, c.T.7, to advise the Minister of the name of the wholesale vendor as defined in the Act from whom the retail vendor(s) will purchase tobacco.

- (b) The First Nation will advise, or cause the authorized retailer vondor(s) as defined in the Gasoline and Motive Fuel Tax Act, R.S.N.B. 1973, c.G-3 to advise the Minister of the same of the wholesaler as defined in the Act from whom the retail vendor(s) will purchase gasoline and motive fuel.
- The Minister will then advise the wholesale vendor(s) that the wholesale vendor(s) is(are) not required to collect the tax on the quantity of tobacco products and gasoline and motive fuel agreed to by the First Nation and the Minister under paragraphs 1 or 4.
- 4. At the request of either the First Nation or the Minister, the First Nation and the Minister will seview the quantity of tobacco products and gasoline and motive fuel agreed to under paragraph 1. During the course of the first six months of this agreement this review may occur at most, every two months, and thereafter not within six months of a previous review.
- 5.(a) Tobacco retailers on the Reserve will register with the Minister to obtain a vendor's licence in accordance with the Tobacco Tax Act and the Social Services and Education Tax Act, R.S.N.B.1973, c.S-10, and will collect from persons other than Status Indians any tax imposed by the Province on the sale of tobacco products, and will remit any such tax to the Minister in accordance with the provisions of the Tobacco Tax Act, the Social Services And Education Tax Act, and the Revenue Administration Act, R.S.N.B. 1973, c.R.10.22.
- (b) Gaseline and motive fuel retailers on the Reserve will register with the Minister to obtain a retailer's licence in accordance with the Gaseline and Motive Fuel Tax Act and will cellect from persons other than Status Indians any tax imposed by the Province on the sale of gaseline and motive fuel, and will remit any such tax to the Minister in accordance with the provisions of the Gaseline and Motive Fuel Tax Act, and the Revenue Administration Act, R.S.N.B. 1973, c.R-10.22.
- (c) Vendors on the Reserve will register with the Minister to obtain a vendor's licence in accordance with the Social Services and Education Tax Act, R.S.N.B. 1973, c.S-10, and will collect from persons other than Status Indians the Social Services and Education Tax imposed under this Act, and will remit any such tax to the Minister in accordance with the provisions of this Act and the Revenue Administration Act, R.S.N.B. 1973, c.R-10.22.
- 6. The Minister will share the taxes in paragraph 5 with the First Nation in accordance with Schedule "C". The First Nation agrees that it will not apply or permit the application by any retail vendor of any taxes so shared by the Minister so as to permit the retail vendor to sell tobacco products, gasoline and motive fuel or goods taxable under the Social Services and Education Tax Act at prices which are unreasonably low or are designed to or have the effect of lessening competition or eliminating a competition.

- 7. If the First Nation is a retail vendor of tobacco, gasoline and motive fuel, or goods taxable under the Social Services and Education Tax Act, it will permit representatives of the Minister to inspect, audit and examine the First Nation's accounts pertaining to these sales to determine if the First Nation has complied with the terms of this Agreement and the Provincial legislation.
  - 8. The First Nation will cause each retail vendor of tobacco products, gasoline and motive fuel, and/or goods taxable under the Social Services and Education Tax Act on the Reserve to permit representatives of the Minister to inspect, audit and examine the rotail vendor's accounts in respect to these sales to determine if the retail vendor has complied with the terms of this Agreement and the provisions of Provincial legislation.
  - 9.(a) Retailers of tobacco products, gasoline and motive fuel, and goods taxable under the Social Services and Education Tax Act located on the Reserve will record the purchaser's Status Indian band number and identification card number on individual exempt sales.
    - (b) Retailers of gasoline and motive fuel products on the Reserve will submit to the Minister and to the First Nation at the end of each calendar month the information contained in Schedule "D" in accordance with the provisions of the Gasoline and Motive Fuel Tax Act and the Revenue Administration Act.
    - (c) Retail vendors of tobacco products located on the Reserve will submit to the Minister and to the First Nation at the end of each calendar month the information contained in Schedule "E" in accordance with the provisions of the Tobacco Tax Act and the Revenue Administration Act.
  - 10. Should the Minister and another Indian Band enter into an agreement respecting the taxation of tobacco products, gasoline and motive fuel, and goods taxable under the Social Services and Education Tax Act which the First Nation considers more favorable than this agreement, the First Nation will, in spite of paragraph 4, have the option of smending this Agreement to make it the same as the agreement entered into with the other Indian Band.
  - 11. Disputes concerning the interpretation or application of this agreement may, by joint agreement, be referred to a Dispute Resolution Committee consisting of one representative appointed by the First Nation, one representative appointed by the Minister, and a third person to to be chosen by the two representatives to act as Chairman.
  - Notwithstanding paragraph 11, the parties to this agreement may agree on a sole arbitrator, whose decision will be final and binding on the parties to this agreement.
  - 13. Either party to this agreement may terminate this agreement by providing ninety (90) days notice in writing to the other party, and such notice is sufficiently given if delivered personally or sent by prepaid ordinary mail posted in Canada to the normal business address of the other party.

- In the event the First Nation seeks to establish a gaming facility on the Beserve with the 14. approval of the Minister, the parties agree that the establishment, licensing and regulation of the same will be on the terms of the Self-Licensing Agreement appearing as Schedule "F" hereto, with necessary amedments.
- 15. In the event of a breach of this Agreement, any Self-Licensing Agreement on gaming activities on the Reserve (if applicable) will immediately be cancelled. Similarly, a breach of the Self-Licensing Agreement (if applicable) will immediately cause cancellation of this Agreement.
- 16. In the event of the termination or cancellation of this Agreement for any reason, the Minister shall be free to recommend to the Lieutenant-Governor in Council the immediate revocation of any Order-in -Council referred to in Article 2.03 of Schedule "F" hereto, which specifies the Gaming Commission (as defined therein) as a licensing upon such fiately cease.
  - other rights or or privileges of

			c: 207(1)(b) of the Criminal Code, and the Reserve (if applicable) will imme
17	freedoms of		gates from the Aberiginal, treaty or a members or from the powers, rights he Province.
SIC	ENED IN DUPLK	CATE:	
This	day of	, 1995	
PROVEN  PROVEN  MENIST	IALF OF Her Major in Right of the ICE OF NEW BRU  ARE A MACE ER OF FINANCE resence of:	NSWICK	ON BEHALF OF THE  ST. MARYCS FIRST NATION  CHURCH  In the presence of:
Witness	esca, e of:	Co	Earle J. Paul

#### SCHEDULE "A"

#### AGREED QUANTITY OF EXEMPT TOBACCO

The First Nation and the Minister determine and agree upon a consumption rate of 305 cartons of cigarettes (or the equivalent quantity of other tobacco products) for the members of the First Nation, per week. This is based upon current population, ages, and smoking demographics of the Band, calculated as follows:

Band membership over 18 years of age 609

Rate of smokers 50%

305 cartons per week

#### SCHEDULE 'B'

#### AGREED QUANTITY OF EXEMPT GASOLINE AND MOTIVE FUIL

The First Nation and the Minister have determined and agreed upon a consumption rate of 30,260 librar of gasoline and 2,125 litres of motive fuel ( diesel ) for the First Nation and the members of the First Nation per week. This is based upon current motor vehicle demographics and average consumption rates for the Band, calculated as follows:

#### Gasoline:

411 private vehicles @ 62 litres per week = 25,500

8 Band owned trucks @ 125 litres per week = 1,000 376 recreational vehicles @ 10 litres per week = 3,760

36,260

#### Diesel:

20 private vehicles @ 75 litres per week. = 1,500 5 Band owned vehicles @ 125 litres per week- 625

2,125

#### SCHEDULE 'C'

#### EXTENT OF SHARING OF TAX

The Minister and the First Nation agree that the Minister will share the Tobacco Tax, the Gasoline and Motive Fuel Tax, and the Social Services and Education Tax collected by the First Nation or retail vendors on tobacco products, gasoline and motive fuel, and goods taxable under the Social Services and Education Tax Act sold on the St. Mary's Reserve to persons other than Status Indians in the following ratio:

Band's share

95%

Minister's share

5%

#### SCHEDULE "D"



ACCTS MGMT FUEL

#### Gasoline and Motive Fuel Tax Act

## Retailer's Report for On Reserve Sales

Account Number			Reporting Period to
	Gasatine		Diesel
1. Beginning Investory (I.	itres)		
2. Porchaem (Litter) Taxo	d		
3. Perchasen (Litrus) fixus	npt		
4. Ending Inventory			
5. Sales (Lines) (1+2+3-	0		
6. Native Sales			
7. Treable Lines Sold (5.4	in .		
Detailed records soust be s Signature Telephone :	maintained for audit purpose	Date:	
Send completed form by the 23th of the month to:	Department of Finance Revenue Division P.O. Bux 3000 Fredericton, NB E3B 5G5		
	Telephone: (506)453-2255		



#### TOBACCO

#### Tobacco Tax Act

5e	Project.	Being	Reporte	d
Account Number	Lon	Se N		_

#### Retailer's Return for On Reserve Sales

Product		A. Beginning Inventory	B. Purchases During Month	C. Ending Investory	(L+B-C) Sales
Opento	Meriod				
	Universal				
Tobacon Sticke	Marked				
	Unmerked				
Leon Tobsons	Michel				
	Quenched.		_		
Fips Telescon	Tiest				
	Unweet				
Bedf	Total				
	Unional				_
Chewing Tubusos	Teed				
	Transact				1,77
Class	Treed	_			
	Unioni				

Detailed records must be maintained;	for eadle purposes			
Signature	Date	19	Trimbose	

Volumes to be involved as follows: cigaretes. to work muster of againsten-Aubacca sticks - in wells ( member of spirits) losse sobstato, pipe sobstato, small and chanting february to grace cigars - in units francher of olgani.

Leone to backs - Includes all sobassio except against to Johann Make, pipe minage, small elevery tobasco.

Send completed form by the 25th of the month to:

Department of Finance Revenue Division P.O. Box 3000 Fredericton, NB E3B 5G5

19 Trisphose

Telephone: (506)453-2255

#### SCHEDULE 'P'

#### SELF-LICENSING AGREEMENT

#### BETWEEN:

THE 5t Mary's INDIAN COMMUNITY, a body of lediare declared to be a band for the purposes of the ledian Act (Canada) by Order-in-Council P.C. 1973-3571, of the City of Fredericton in the Province of New Brunswick, (hereinafter called the "First Nation").

OF THE FERST PART,

- and -

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF NEW BRUNSWICK represented berein by the Minister of Finance, (hereinafter called the "Province").

OF THE SECOND PART.

#### WHEREASE

- (a) the First Nation intends to establish, licease and regulate gaming activities on its lands in order to promote the development of a strong and balanced economy upon its lands and will dedicate the profits from such gaming activities to the public purposes of the First Nation;
- (b) the Province respects the right of the First Nation to govern its own affairs and the Province has negotiated this agreement with the First Nation on a government-to-government basis without the intervention or participation of any other Indian Band or aboriginal group or association;
- (c) Section 207(1)(b) of the Criminal Code of Canada provides that the Lieutenant Governor in Council of a province may specify a licensing authority which may license charitable or religious organizations to conduct and manage a lottery scheme in that province if the proceeds from the lottery scheme are used for a charitable or religious object or purpose;
- (d) Section 35 of the Constitution Act, 1982 recognizes and affirms the existing treaty and aboriginal rights of the aboriginal peoples of Canada;
- (e) the Province and the First Nation have agreed that a gaming commission will be established by the First Nation to license and associator gaming activities on the St. Mary's Reserve; and

- (f) the Province and the First Nation have agreed that the St. Mary's Indian Community Gazzing Commission shall be vested with authority to license and monitor gazzing activities on the St. Mary's Reserve by concurrent enactments of the Province and the First Nation;
- (g) nothing in this agreement decegates from the Aboriginal, treaty or other rights or freedoms of the First Nation or its members or from the powers, rights or privileges of the legislature or government of the Province.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the above recitals and the respective covenants and agreements bereinafter set forth the parties agree as follows:

#### Definitions and Schedules

- 1.01 For the purposes of this Agreement:
  - "Agreement" means this Self-Licensing Agreement between the First Nation and the Province;
  - "Corporation" means the Atlantic Lottery Corporation as defined in the regulations under the Lotteries Act;
  - "Criminal Code" mesors the Orininal Code of Canada R.S.C., 1985
     c.C.46, as amended;
  - (d) "Gaming Commission" means the St. Mary's Indian. Community Gaming Commission established by the First Nation;
  - (e) "Gross Proceeds" in respect of a gaming activity means the gross revenues derived from that gaming activity;
  - (f) "Lotteries Act" means the Letteries Act, R.S.N.B., 1973 c.L-13.1, as amended:
  - (g) "Lotteries Commission" means the Lotteries Commission of New Brunswick established under the Lotteries Act;
  - "Lottery Scheme" means any lottery scheme as defined in section 207(4) of the Criminal Code;
  - "Beserve" means the existing reserve lands at St. Mary's Indian Reserve at Fredericton., New Transwick.
- 1.02 The Appendices attached to and forming part of this Agreement are the following:
  - Appendix \*F-1\*- First Nation Terms and Conditions for Lottery Licensing

Appendix "F-2"- Provincial Terms and Conditions for Lettery Licensing

#### Gaming Commission

- 2.01 The First Nation shall establish the Gaming Commission for the purpose of licensing and regulating Lottery Schemes on the Reserve.
- 2.02 All licensing and regulatory authority of the First Nation in respect of Lottery Schemes shall be exercised by the Gansing Commission and by no other person or entity.
- 2.03 The Province shall, by an Order-in-Council, specify the Gaming Commission as a licensing authority for the purposes of Section 207(1)(b) of the Criminal Code solely for the purpose of licensing and regulating Lettery Schemes to be conducted on the Reserve.
- 2.04 The First Nation, by resolution of the Band Council, shall designate the Gaming Commission as the licensing authority to license and regulate all gaming activities on the Reserve.

#### 3. Scope of Operations of the Gaming Commission

- 3.01 The Gaming Commission may issue licensen to charitable or religious organizations to conduct and manage Lottery Schemes on the Reserve in accordance with the terms and conditions for lettery licensing set out in Schedule "A" provided that each such license is issued on condition that the proceeds from each such Lottery Scheme are used for a charitable or religious object or purpose.
- 3.02 The parties acknowledge that common principles underlie the Terms and Conditions for Lottery Licensing set out in Appendix "F-1" (the "First Nation Lottery Rules") and the Terms and Conditions for Lottery Licensing (the "Provincial Lottery Rules") issued by the Lotteries Commission and currently in effect as set out in Appendix "F-2".
- 3.03 The Gaming Commission shall be at liberty to make changes to the First Nation Lottery Rules provided that:
  - (a) the Gaming Commission has provided to the Lotteries Commission 10 days prior notice of any such change; and
  - (b) the proposed change does not depart from the common principles referred to in clause 3.02 above.
- 3.04 The Province agrees to co-operate with the Gaming Commission by providing the Gaming Commission with information and advice about the First Nation Lottery Rules.
- 3.05 The Gausing Commission shall not make any change to the First Nation Lottery Rules that would be a departure from the common principles referred to in clause 3.02 without the prior agreement of the Lotteries Commission.
- 3.06 The parties acknowledge that this Agreement is limited to those Lottery Schemes covered by the First Nation Lottery Rules and that other gaming activities not covered by this Agreement may be the subject of separate agreements negotiated between the parties.

#### 4. Enforcement

4.01 The Gaming Commission shall adopt and employ methods of dealing with infractions of the First Nation Lottery Rules that are substantially similar to those that are adopted and employed by the Lotteries Commission in dealing with infractions of the Provincial Lottery Rules.

#### 5. Accountability

- 5.01 The Gaming Commission shall annually provide to the Province an independent sudit prepared by a reputable public accounting firm of the gaming activity over which the Gaming Commission has jurisdiction.
- 5.62 The Garning Commission shall maintain a standardized system of records of licensees on the Reserve including financial reports of licensees. These records are to be made available for impection, as required, by the Province.
- 5.03 The Province agrees to assist the Gaming Commission in establishing a system of standardized record-keeping.

#### 6. Break-Open Tickets and Bingo Cards

- 6.01 The Gaming Commission shall require of licensees that bingo cards for use in a Lottery Scheme under its jurisdiction are purchased only from suppliers registered under the Province's Bingo Card Supplier Registration. Program.
- 6.02 Subject to clause 6.03, the Gazzing Commission shall require of licensees that break-open tickets for use in a Lottery Scheme under its jurisdiction are those supplied by the Corporation and the Province agrees to rebate to the First Nation 100% of the Corporation's proceeds of sale of such break-open tickets net of the Corporation's cost of supplying such tickets.
- 6.03 The Province agrees to recommend to the Corporation that the Corporation broaden the variety of its break-open tickets for use on the Reserve.

#### Use of Proceeds

- 7.01 Consistent with the policy that the proceeds from Lottery Schemes under the jurisdiction of the Garning Commission are to be used for a charitable or religious object or purpose, the specific objects and purposes for which proceeds from a Lottery Scheme are to be used shall be those identified by the particular applicant and approved by the Gaming Commission.
- 7.02 The identification of specific objects and purposes as falling within the category of "charitable or religious object or purpose" shall be the responsibility of the First Nation in conjunction with the Gaming Commission during the licensing process.

#### 8. Governing Law

11.01 This agreement shall be governed in all respects by the laws of the Province of New Brunswick.

#### Successors & Assigns

12.01 This agreement shall enure to the benefit of and be binding upon the parties hereto, their cospective beins, execution, administrators, legal personal representatives, successors and assigns.

#### APPENDIX "F-1"

#### TERMS and CONDITIONS for LOTTERY LICENSING

#### DEFINITIONS

In these Teems and Conditions for Lottery Licensing words defined in the Self-Licensing Agreement to which this is a Schedule shall have the same meanings, respectively, as therein set out. The following additional terms are defined for the purposes of this Schedule:

- a) 'charitable or religious object or purpose' means any object for:
  - (i) the relief of poverty,
  - (ii) education,
  - (iii) advancement of religion, or
  - (iv) any purpose beneficial to the community;
- b) "charitable or religious organization" means an organization which performs services of public good or welfare without profit and includes an organization designated as such by the First Nation; and
- "purpose beneficial to the community" means an activity of benefit to the public or section thereof and includes amateur sport, social, community or featernal activities.

#### TERMS AND CONDITIONS FOR LOTTERY LICENSING

Scope of Terms and Conditions

These Terms and Conditions for Lottery Licensing apply to the following Lottery Schemes: raffles, bingo, break-open tickets and, with respect to Casino/Monte Carlo Nights offering blackjack and wheels of fortune.

Eligibility for Licensing

Commercial operations or individuals operating for personal profit are ineligible for licensing; only charitable or religious organizations or fairs and exhibitious are eligible.

Games and Activities not Eligible for Licensing.

Games prohibited by the Criminal Code i.e. dice games, three card monte, punch boards, coin tables are not eligible for licensing.

#### 4) Disposal of Funds

Proceeds of licensed gaming that has been licensed in accordance with these Terms and Conditions for Lottery Licensing must only be spent on the objectives specified in the application as approved. A minimum of 15% of Gross Proceeds from licensed gaming must be utilized for the objectives indicated at the time of license application. Commercial and private interests must not be the prime beneficiaries of a licensed activity.

#### 5) Prize and Game Participation Limitations

There is no set limit on the amount that can be charged for playing a game, however:

- a) No credit is allowed as payment at bingo games;
- No serial or instalment prizes are allowed at bingo games;
- Total potential prizes for one or more bingo events (other than a giant bingo) including door and raffle prizes cannot exceed \$15,000
  - is any 18 hour period;
  - in any one location;
- No raffle can exceed a total prize limit of \$75,000 per event.

#### 6) Frequency of Allowable Events

- n) 104 bingo events (not including giant bingos) per year perlicence are permitted
- b) 2 casine licences per year are permitted for each licensee (the licence for a fair or an exhibition to expire on expiry of the period (which shall not exceed seven days) of the fair or exhibition)
- c) Only 4 birgo events (not including giant birgos) are allowed in any one location per week except when specifically appeared at a fair or exhibition
- All double birgo events must be approved by the Gaming Commission.

#### Giant Bingo

 24 giant bingo events (with total potential prizes in excess of \$15,000) per year per licence are permitted. Only 2 giant bingos per month may be held in any one location. b) No limits on total potential prizes for any giant bingo event provided all prizes are guaranteed in a commercially accepted manner approved by the Gaming Commission

#### Casino or Monte Carlo Nights

- Games at Casino and Monte Carlo Nights will be limited to blackjack tables and wheels of fortune.
- The maximum allowable number of blackjack tables is 20 per location and the maximum number of wheels of fortune is 10 per location.
- Games at Casine or Monte Carlo Nights will be played with scrip, tokers, or chips. Prizes shall not be in the form of cash.
- d) Prizes must be disposed of once only at a specified time each day after play has ceased.

#### Applications

Applications for gaming are available from the Gaming Commission. The applicant must apply at least two weeks price to the commencement of events or ticket sales. Licences to hold a "giant" bingo must be applied for separately.

#### Licence Feriod

The expiry date appears on the issued licence and is determined by the requirements of the planned event:

#### Single Event

The licence expires after the last day of the event.

#### Series of Events

- Less than one year duration same as with single event.
- On-going events one year duration. The licence expires one year from the date of issuance. New application is required for license renewals.

#### 10) Management of Lotteries

- a) The Lottery Scheme must be managed and conducted in the manner described in the application as approved. If there are any discrepancies between the license and the application as approved, the license shall govern.
- b) Any changes or amendments to games which differ from those stated in the application, must be requested in writing and must be authorized in writing by a licensing officer.
- All applicable laws must be observed.

- d) The licence may be revoked if any term or condition of this or any other Lottery Scheme licence issued to the organization has not been complied with. It is an offence under the Criminal Code to conduct a Lottery Scheme without a valid licence.
- e) Conduct and management of the Lettery Scheme must not be delegated to another organization or to a person who is not a member of the organization. The Gaming Commission may give prior exception to this rule in special circumstances.
- All prizes described in the application as approved and/or publicly announced must be awarded.
- g) The licensee must maintain such books and records as may be necessary to indicate the amounts realized from the conduct of the Lottery Scheme and the disposition of the proceeds.

#### 11) General

- a) The licence must be posted in a conspicuous place in the building where the Lottery is being held. Raffle tickets with a prize value above \$500 must have the Lottery Scheme licence number issued by the Gaming Commission prominently printed on all tickets.
- b) Inspectors of the Gaming Commission and/or peace officers must be affeeded access to all areas of the premises in which the lottery activities are taking place.
- if more than one type of game is offered at a single event, a separate licence must be applied for and issued for each type of game.
- d) If two organizations co-operatively offer a gaming event, one application and licence are acceptable, but the application must note such an arrangement and list the responsible officers for both organizations. One organization and officer, to be noted on the application, shall assume the responsibility for maintaining the terms and conditions of the licence approval.
- e) All organizations must submit a financial report of their fund raising activities upon expiration of their gaming licence. A report should be forwarded to the Gaming Commission within 30 days after the expiry date of a single event. For a series of events, a report covering the previous 12 months of operation is required within 30 days of the licence expiry date. This report must be received before a renewal is issued.
- Licensed organizations can only sell break-open types of tickets directly at their events and locations. These tickets can only be obtained from a supplier approved by the Lotteries Commission.
- Bingo licersees must purchase bingo cards from a supplier approved by the Lotteries Commission.

#### Cancellation and Suspension

- a) "Cancellation" refers to the rescinding of all privileges granted under an approved licence. Continued operation after cancellation is illegal under the Criminal Code and as such, is a Commission and the organization at the time the licence was issued. To resume operations, an organization must remove the serious breach of the contract formed between the Gaming source of the cancellation and apply for a new licence.
- b) "Suspension" means the removal of future licensing privileges and is subject to reimstatement at the discretion of the Gaming Commission after specified conditions are met. Suspension may occur without the cancellation of an existing licence.
- c) Cancellation and/or Suspension may occur when it is evident the licence holder has not upheld the terms and conditions set out governing lottery operations.
- d) When the cause of "Suspension" is financial in nature, the Gaming Commission may require a "financial guarantee" of fees and/or prizes as a condition for continued operations. The condition may be applied to individuals and/or organizations.

#### 13) Fees

- Bingo and saffles with a prize value above \$500 per event will be charged a flat fee of twenty-five dollars (\$25) for each license.
- A break-open type of Lottery Scheme will be charged a fee of ten dollars (\$10) per license.
- c) Other types of gaming, such as casinos, with a prize value above \$500 per event, will be charged a flat fee of twenty-five dollars (\$25) per day.
- Fairs and exhibitions will be charged a flat fee of twenty-five dollars (\$25) per day.
- All fees are payable at the time of application.

# N.B. LOTTERIES COMMISSIS PPENGIX

#### COMMISSION DES LOTERIES DU NOUVEAU-BRUNSWICK

#### DEFINITIONS

In these, "Twens and Conditions for Lothery Linearing":

- "Commission" present the Letteries Commission of New Branswick;
- No. "Charitable or Religious object or purpose" means any object life:
  - (3) the relial of poverty,
  - 60 education,
  - GSD advancement of religion, or
  - Gv) any propose bosefficial to the community;
- d "Charitable or Enlighous organization" scenn as requiration which preferent services of public greates well-are withous positional includes an organization designated as noth by the Minutes;
- Purpose beneficial to the community" means as activity or bunds to the public or tection Durred and Includes Assatrus Sport, Sorbal, Community or Francescal activities; and
- "Mindries" means the bilincide of Finance, (Choloman of the Letteries Commission of More Brusondol).

#### TERMS AND CONDITIONS FOR LOTTERY LICENSING

- 15 Groups Eligible for Unexping
  - a) Britgious or Chrestable
  - M. Falm and Eduktions
- 2) Coroge not Eligible for Unessing
- Consumedad operations or individuals operating for personal profit
- 3) Camer and Activities not Eligible by Unstaing Games prohibited by the Criminal Gods of Canada in dee games, three tand monte, punch boards, rots tables.
- 4) Disposed of Funds

Presents of School gaming must only be agent on the objectives aspecified in the application as approach. A strictum of 11% of group presents from Interned gaming must be utilized for the objectives inclinated at the time of Service application. Commercial and private interests around not be the prior beinefulation of a Errored activity.

10 Fring and Came Participation Limitations - .

The province does not place my limits on the several that can be charged for playing a game, however,

- Me condit to allowed so payment at hingo passes;
- No sected or installment prison are allowed at hinge games;
- Total potential prices for one or more bings events including door and raffle jetter carroll except \$15,000 eb
  - D for any 18 hour period; D in any one location;
- e No radile can exceed a total price flost of \$75,000 per event.
- 62 Everyweency of Albertable Drents
  - Bingo HN per year per Breson
  - Cartino 2 per year per licenses
  - Only 4 bings events are allowed to my our location per send except when specifically approved at a lab or exhibition.
  - All double bings events must be approved by the Commission.
- 7) Casten or Monte Carlo Nights
  - Carmer at Cosino and Monte Carlo Highin will be limited to Heckjack tables and wheels of factors.
  - The mentioner afferwalds mandes of blackpet solder is 20 and the examinence mandes of wheels of buttons is 30.
  - Common at Common or Monte Carlo highes will be played with scrip, believes, or chips. Peters shall not be in the form of each. 43
  - Prizes exect be disposed of occuratly at a specified time each day after play has costed.
- 6 Applications
- Applications for gaming an available time District Reviews Offices or Service Centers of the Department of Finance and the Loboles Committees of New Brunewick.
  - Applications for fronting of games with a prior value at or behave 6000 per event are to be unbedied to District Resource Officered Service Contract of the Department of Floates, Floradie for these games will be granted from the etilin select the applidefice was received.
  - Applications for Bounting of games with a prior value above \$500 per event are to be submitted to the Lebester Commission of New Bouneacks, P.O. Box 5000, Foodoriess, N.D. 138 Still. Donnors for these games will be granted from the You

#### OUNTRONS

Dane les présentes conditions d'obtention de liment made pouvois de bourte.

- reton" dibigne la Commission des briefes du Nouveau Brusa-
- The or overest durinities on seligiones' disigne-
  - (i) restir en alde sur défençable.
  - 00 Infunction,
  - (60) Terrancement de la religion, esc
  - (inc) to the production is in commune with
- "en gentieme de charild qui organisme religione" (désigne un promisme but pon lumetit qui eller ditt servings ell ross d'amines le labb sire d public el mangrebel un organisme désignel montre let par le ministre.
- The profitable \$ is commonwell distance and activity our on service described are profite to \$ one partie to exist it is compared in a chicale of good structure, but exclude a service activities, but excluded according communications on the article of the chicale of the chica
- "primipiles" diffuignarie scinighe des Finances (printitent de la Cassedanine des interiors du Moyeraus Brusquelei).

### CONDITIONS D'OBTENTION DE LICENCE OU DE PERMIS DE

- ID Groupes administrate
  - organismen religious ou de charité
  - latives on expositions
- 2) Crouper non administra-

Les extingations experimentales on his personnes qui exploiteraises une lobreix è desante d'en face un profé pérsonnel.

I) Jose et activités ne pourson les réglements

on jeuns die banard instruction que la Coole esteninal die Carcadia compra lan nun de dda, los jeun de lecendonas, for planches il nou et lan tables il anna.

C Affectation des rendiss

Les covetien de leux de housel séglementés duivent servicement être affectées aux leuis pércités dans le demande appropriée. Il fost affectes ou redoitement de 10% des courtes boutes provenant d'un jeu se leuis percentification de 10% de courtes boutes provenant d'un jeu se leuis percentification de 10% de courte provenant de la publication de 10% de demandes. Les extrapoles courtes private de la courte de publication de district per condition de president le le libration des resultes provenant d'une adjoint annaient.

- St. Limites sur la prin des hilles et la participation son Jean de basard. A populació a l'impose aurice Reide sur le pris die billien d'un jeu de halant, reproducit
  - month orbiff elect provide I use binguic
  - nucum primus situs au philodique n'est porada aux jeus de biogra N
  - Le total des pels processes live results loss d'un cep de plusieure regits, y caractes les pels de pelsonnes el de bambols, nel dels pes 2 1 00 j
    - count d'une précude de 18 heures; e un sedan lesboir;
  - he betal der pete sente har d'une tembole ar prof. dipuner
- (i) Polymence des activités promises
  - a) Bingo - 104 per sonde per licence Ni
  - Cation 2 per mode per titulaire de licence
  - On, no shall gap tools give, do questro (E) jeux de binque que seus per bond, seud tonspor la Camelonalan disque son subsidiaçãos segrense pener une loise no una copositios.
  - Les binges drubtes dizient être autorisés per la Constituion.
- 7) Solinber die existent our de Monte Carlin
  - Loop des scioles de puisse ou de blante Cade, les jeux souset soide son tables de 21 et sus souse de lacture.
  - Le possible mandaque de tablée de 21 payables est de 20 et la nombre menimum de moun de l'origes de 10.
  - Larenders spirites de spelse conde leboure. Carlo, hospour econosisculo evez des lelliris generaleres, des primes ou des folhes. Les prin ne provent être entrioule en argent (conplant).
  - Les paris eues atribués une finte par jour sentement à une hours prémier des la de du pay.
- fij Demandes de Borner en de proude

Les decrardes de Sonner en de premis pour les leux de baned sont déspondées sur harrous régleséeux de preception par sur contrar physicseux de services de ministère des l'ensects et à le Commémoire des location de Mouves, Essentale.

- From the from oil to refere de chaque prin ne dépusse pas 1975 per estide, à l'aut sorrepe le desiante de private aux leuresse déplicace de perspitule su pas enviere réglièraces de novivos de phintière de Phanese, Le burese qui elemença la destrande défirme le possit.
- From the joint dout in release de chaque prix arteficial dispanse 500 S par activité, il fact encoupe la doutante de licroce à la Commission des histoire du Houveaux Brancouch, C.F. 4005, Franchistoire, (N. 4.) ESS 500. Le Barma de la Commission déllicres la Boussa.

#### To Address Printed

The, explay date appears on the bound boson and a determined by the tropplesments of the placeted event.

#### Single firest

The Biornos explices after the last day of the event.

#### Section of Events

- 60 Less than one year duration same as with single event.
- 60 On-gring events—one year duration. The licence explore one year from the clair of locustics, New application is constend for licence. processis.

#### 13 Mangement of Letterles

- 6) The lattery must be managed and conducted in the manner de-notified in the application as appropriate if there are any discrepancies between the license and the application as approved, the license straff garvens.
- hi Any changes or assendments to games which differ from those stated in the application, must be requested to veiling and must be authorized in veiling by a Livensing Office.
- eli All applicable Municipal, Provinced and Pederal Laws must be
- d) The Scenes may be revoked if any term or condition of this or any other better; a feature Scenes issued in the organization has not been excepted with. It as no observe made the Olimbed Code of Canada to conduct a history scheme without a valid Scene.
- Conduct and enangement of the Solvey must not be delagated to sensitive requestration of to a present value is not a sensitive of the organization. The Leitmone Commission may give prior complian in on rule in apecial streameterom
- All prices described in the application or approved and/or publically associated must be availed.
- g) The licensor must materiale such bucks and records as may be necessary to indicate the amounts realized from the conduct of the bottomy adverse and the disposition of the presents.

- a) The former most be posted in a compinence place in the building voluce the interpr in being hold. Earlie trickels with a prine value above \$200 most leave the being bittors mades, issued by the Letterian Commission, prominently printed on all delate.
- proportion of the Lesterins Commission and J or Penn Officers must be promitted access to all areas of the presidents which the bettery activities are taking place.
- e) If more than one type of paner is offered at a single-reset, a repursite Booner most be applied for and innertion each type of paner.
- d) If two organizations to operatively others gazzing event, our application and literace are acceptable, but the application must note tack as a examplement and the the responsible offices for both organization. One organization and offices, to be noted on the application, shall surrounce the responsibility for maintaining the trans and conditions of the theory of the formula. see of the Bosson approval.
- c) All organizations around submit a linearital report of likely hand making activities expent registation of their peopleg Brown. A supervisional dis-ference should be figs. Committation subthat Michage also their spiry date of a single record. For a service of create, a requist covering the previous of III consider of approximate loss to date. 30 days of the Browns majory date. Distropport must be societed before a tensor series internet.

Reports will not be required for Transis'

- D. Liverand requestrations can only sell-Breakopen types of tichers directly at their scenario and Incolour. These titlets can only be attended from an approved supplier.
- Bings Bonness south purchase bings saids from a commission approved supplies.

#### 1D Cancellation and Suspension

- Cannel fatters and forspeciation

  Nemoritation system to the constituting of all printinges granded under
  an approved florance. Continued uprisation after describation in title,
  gal studen the Criminal Code and as reals, in the small of a section
  transfer of the content of terms the foreign state consentiation and the
  Organization at the time the former was transfer. In returne systemtimes, as no Organization would remove the source of the cascullation
  and apply the a new former.
- "Enquestion" masses the temporal of latter forming printings and in output to estimate more at the discretion of the Commission when specified conditions are seen Suspenders may some added the condition of an existing beauty. coellation of an existing box
- Carrellellins and J or Suspendin may incor when it is evident the Scenar holder has not upheld the forms and conditions set not governing lettery operation.
- d) When the cause of "Suspension" in financial to nature, the Commis-ation may require a "Interest generator" of loss and / or prints as a soundition for resilienced operations. The medition may be applied to individuals and / or organizations.

#### IN Fees

- at Face are not charged by "Fermite"; for games with a price value of \$500 or less per execut.
- b) Bingon and raiffus with a prior value above 5020 per event will be changed a first has of freezelp-five stellars (60) for each linears.
- A Breakspea type of lottery will be charged a local too dellars (200) per Breaks.
- (d) Other types of graning, such as unders, with a print value above \$100 per event, held be thought a faither of security five define (21b) per day.
- e) False and exhibitions will be charged a flat for of treasty thre deltars \$150 per day.

i vir la llenner en détarminée en ionation Le date d'explosis La date d'explosition parainsent non des exigences de l'actività polyvae.

#### Activité unique

La Bonnot explice dès que l'activité a prin flu.

#### Stric Custolists

- (i) Durie beliebeure à un an : mêmes conditions que pour une activité.
- (iii) Durfer d'un sa activitée continues la licence expire un sa sprès la date de déférence. Il fast présente une nouvelle domande pour fairs renouvely to Borner.

#### 10) Administration dus beinfer

- d) La lottete delle fine tenne et administrate de la façon tradique sur la demande au pommit de son approbation. Ell y a des déliberaces mitre la licence et la demande approuvale, les dispositions de la Scenar prévandroni.
- N) Time elempresente ou truden modificaciónes mas jeun qui delibrará de como decendo deser la demando de llacence no de permis del rescribaire l'origin d'une noncrefic demando présentés par font el autorisde par derit par un agust de la objession
- el Trusse les lots municipales, provinciales et Stélendes application distract Per character.
- di La former peut Pars Propule d'Erryandazion ne s'est pat cinda sude il toute condition d'editention de cette firmer est de loute source limmer de loutes qui fais del d'Elizabe. C'est un agra criminal est titu-de Code criminal de Canada-Cadesbierre une interior son limmer de Code criminal de Canada-Cadesbierre une interior son limmer. addition de tenir et d'administrar la fotosie ne peut d'or d'Alligant à une soite regardedise on à une soite presonne qui s'un pas membre de l'organization. La Commission des lesmise prof, dans des cisconstances spéciales, laire exception au princes règle-
- 5 Tens les pels qui sont décrits dans le demande appropriée et/ou senconte publiquement décrets être articlisés.
- g) Le situlaire de Souver doit tent les Seven et les registres sérenaires pour inocite les recettes qu'il a réalisées grâce à la latecte de salans get leur affectation.

#### VD. Gdeduffbig

- 6.1 La Torrecce doit illys affichde dans un endout bien an one dans tout stiffice of it formes or offencies. From the tomboloise of in values de choops pain afforback disputes 500 S, in reunifier de Torrecc, but par la Crescoliteira des honoise, duit fore insured to be delensed out tous los tous de la contraction Milete.
- 16 Les importeurs de la Commission des loteries moltes agrech de la pais ent acrite à tour les bonnes et le bineter se disreule.
  40 Si plus d'un répre d'un jeu de basse d'un côtest lars d'une activité acrigne, il lant pobender une dissaunde de Bonnes distincts pour chaque type de jeu.
- 4) El deux regardactions effectel conjulcitation of unifer de base d, il locar quille de principal que mule deprayado et d'abbasis que mule licence. Bland exponential timelignes and in demands or general for resignation of the first exponential description of the first exponential description of the first exponential description of the first of the first exponential description of the first of the first exponential description description of the first exponential description description
- trouter de obtention de la listance soinet empechies, de l'autre bes expenhations doissent petinenter un respont l'anacter de l'ors compagne de financement le l'emph etten dictive l'imme de les de basset. Le respont dels files transmis à la Commission donc les 30 pour suitonne l'emphatison d'une accionit unique. Dens le rest d'une stère d'activités, le respont vionnt les 12 mois pobeldons, des fau préventé dans les les jours soissent le daire d'explantion de la lineaux. Ce repport dell files ence areast que na soit délived un monuveille-ment de lineaux.
  - Les copports se sont par adoressives dans le cas des "porcia".
- 6 Les experiendiene tétudeur de Nouve ne promost warder deuxe-ment des Villets de grave finalispen qu'il l'avention de lours activités et deux leure liceaux. Ces Villets se provent être côteaux qu'augete. d'un foundaires ageil. gi Les Bislaires de Bestons de bingo deivent acheter leurs savos de bingo d'un foundaires autorisé auguite de la Connodation.
- 13 Annulation of purposed on

- al. "Association" divigate in similation de inne les priviligas accountés au titre d'une les con appropriée. Le Code cristiant du Canada introdit de continues à tode que lettede après Execulation d'une licence. Cet common à soit une tomés quels l'accediation d'une lieuxe. Cet urbs comme tel est elles une regions grant de contra pund entre la Commission et l'arganisation un moissant de la déliment de liamen. Pour reproduit une activités, l'organisation deil curigge la situation qui a émant l'en le l'accediation de la licence argetente une promiété demande.
- "Suspension" divigan le retrait du douit d'eletanie use llurace à l'avenir et et doui pout être studi à le discrétien de le Commission après que des conditions espécifiques aincé tel asticietes. B pout y avoir suspension sons que min entraine l'association de la literace.
- If y a rectif of mandation on de conpression large il anti-cident que le tituliere de la literate n'a pai coppectif les conditions qui objecte les Interior.
- (i) Lestque la "suspension" décode de calcura financières, la Carracia stim prot demander une "ganacie dinancière" pour les douis la payer ou les pris compre condition à la reprise des activids. Cato condition your pappings or personner on our regarded

#### 13) Drobs & payer

- a) S n'y encon-droit è proper pour l'obtenition d'un "persola de diseque pets se dell pur dépasser 300 à par activité.
- 10 Pour les Megre et les incoluise où la valour du pels pour chaque activité dépusse 500 s. le droit à paper est un taux bréchaire de 25 s prier charges France.
  - c). On don't do 1018 per lineace set imputé pour les labories de gener
  - d) Pour les autent types de jour de hanand, tels que les carlons, où la redreur de chaque pris dépuses 500'é par autivité, il est imputé un teux forfaitable de 25 5 par joue.
- Form les foires et les expositions, il est impaté un issue incluiure du 25 t per Jose.

#### APPLICATION FOR BINGO CARD SUPPLIER REGISTRATION

NEW BILLIESWICK LOTTERIES COMMISSION P.O. BOX 6906, FIRE DESICTOR, N.E. E28 049

# Brunswick

M-THE COME

#### DEMANDE D'ENREGISTREMENT DES FOURNISSEURS DE CANTES DE BINGO

LA COMMISSION DES LOTENES DU HOUTAUS BRINGINGS E.F. 4008, PREDERICTON (DIOLYNICK) ESS TON

TELEPHONE (SIN) 416-2123

SELEPSONE (SOR) HER-THER

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- Agent		(Singulard supplies free \$50 (Sand of payable to the library	Reque of no tier of Finance	ney order		infiperded	payaban ap	Profite d'avenutivitement de S ministre den l'enercht numey not d'un chaque.
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T New	ductions between		Scale .			Fabricant/	expensions o	de cortes de biogra à plus d' o particular)
-	Batter	Fee \$100 pland a payette to the Mini	her of Finance	L order	ä	Distributeur Distributeur	Drofts (ferre au ministre manufation d	girtroment de 200 \$ payabl
and address	qu lon u glod as a	en Independent agent scales your bings care	or distributor, b NO	non which	4. Sivous destant	lallen som Glung mar, quelle son	erde & litre de se reprise voca les	igrif seniant indigendent oc mit he curbs de binger
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60	WOTTONS FOR REGISTRATION	CANTÉRES D'ADMOSIBILITÉ
The	Company / Agent agrees:	L'entreprise, ou le représentant, possèsait
P	to self-bings earls to Research organizations (regis level bings used suppliers only.	<ol> <li>de remére des certes de bisqui son separtemen Estables el una itomo del timbe ou son bornisment de certes de bisqui exvegitado, sentenere.</li> </ol>
ž)	to make necessary shipment seconds available to the Commission within 14 days of a respect. (Single card availat numbers must appear on involves.)	<ol> <li>de mette é la disposition de la Connérvio des trorders essa d'acquidio, particiente chara las 14 jours solvant une dismande (les nombres é sités des certes de bingo deliment figurer sur les lactures);</li> </ol>
79	to cease a upplying any regarded on a individual upon Commission request.	<ol> <li>de ceoner, à la demande de la Convolución, d'approvisionner a imperiume ou une personne se particular;</li> </ol>
40	to cease selling limit or gazeral stock downed by the Commission in the unacceptable for distribution.	<ol> <li>de cesser de vendre des artides au des manhandons réput l'aurentiables per la Commission.</li> </ol>

- 6) to respect all applicable Federal, Provincial and Municipal Laws.
- 6) in ansure, is no fer as provide, that commission "Turns and Conditions for Lottery Licensing" and person policies are respected by their clientels.
- their shalation of any of the above conditions constitutes just cause for the Commission to remake a likego card copplier's registration printages.
- MOTE: The New Brancoick Letteries Commission may then I swelke registration of any company l'individual bound on an applicable criminal euroridius.

- Inscriptibles per la Commission;
- de respector toutes les lois Státissies, provinciales et municipales spokracites;
- 6) de c'assuror, dans la mesuro de possible, que leure effecte sequences les «« conditions d'ablantion de Respos qui de permis de labores» ainsi que la politique générale de la Conmission;
- 7) que trate-diregation 4.7 me en l'autre des conditions montionaises de desses constitue une misse volutre justifient le ellercation des duits d'annéghitement des foundesseus de cortes de timps par la Constitution.
- HOTE: Le Connoisse des interies dufficuleurs (floreuris), part officer en réveaux floreuris terroin de text organisme ou particuler stroies occupable d'une intention à set figuré.

25-1100 (13/N)

#### BREAKOTEN TICKET INFORMATION

Breakopen tickets can be obtained from: The Atlantic Lottery Corporation, P. O. Box 5500 770 St. George Blvd Moneton, S.B. ElC SWS Tel: (506) 853-5800 Toll Free: 1-800-561-3942

The Atlantic Lottery Corporation Inc. is the only approved supplier of Breakopen tickets for licensed non-profit community groups. It will be necessary to submit a financial report and a new application upon expiry of your licence.

The tickets can only be sold directly by licensee(s) at their own events and locations.

Good luck with your fund raising.

THE NEW EQUASHICK LOTTERIES COMMISSION (506) 453-2623

#### RESEIGNEMENTS CONCERNANT LES BILLETS BREAKOPEN

Les billets de Breakopen peuvent etre obtenus à l'adresse suivante:

La Société des loteries de l'Atlantique Imc. C. P. 5500 77, boulevard Saint-George, Mometon, N.-B. 761: (506) 853-5800 Sams frais: 1-800-551-3942

La Société des loteries de l'Atlantique Inc. est le seul fournisseur agréé des billets du genre Breakopen à l'intention des groupes communautaires à but non lucratif titulaires de licence. Il sera nécessaire de présenter un rapport financier et une nouvelle demande à l'expiration de votre licence.

Les billets ne peuvent être vendus directement que par le titulaire de la licence dans ses locaux et lors de ses activités.

Bonne chance dans votre campagne de financement.

COMMISSION DES LOTERIES DU NOUVEAU-BRUHSWICK (506) 452-2623