

2025 Bill 48

---

First Session, 31st Legislature, 3 Charles III

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 48**

## **iGAMING ALBERTA ACT**

---

---

THE MINISTER OF SERVICE ALBERTA AND RED TAPE REDUCTION

---

---

First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

---

---



# **BILL 48**

2025

## **iGAMING ALBERTA ACT**

*(Assented to , 2025)*

### *Table of Contents*

<b>1</b>	Definitions
<b>2</b>	Establishment of corporation
<b>3</b>	Crown agent
<b>4</b>	Board
<b>5</b>	Duties and functions of board
<b>6</b>	Limitations on policies
<b>7</b>	Interim chief executive officer
<b>8</b>	Chief executive officer
<b>9</b>	Audit committee
<b>10</b>	Responsibility of directors and officers
<b>11</b>	Revenue and General Revenue Fund
<b>12</b>	Borrowing
<b>13</b>	Agreements
<b>14</b>	Access to reports and accounts
<b>15</b>	Crown liability
<b>16</b>	Corporate liability
<b>17</b>	Indemnities
<b>18</b>	Bylaws
<b>19</b>	Reports, records and information
<b>20</b>	Disclosure of personal information by corporation
<b>21</b>	Ministerial directives
<b>22</b>	Complying with directives
<b>23</b>	Regulations
<b>24</b>	Related amendments
<b>25</b>	Coming into force

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

**Definitions**

**1** In this Act,

- (a) “board” means the board of directors appointed under section 4;
- (b) “corporation” means the corporation established by section 2;
- (c) “director” means a director of the board;
- (d) “electronic channel” means a website, an application, a downloadable program or another electronic transmission method;
- (e) “iGaming site” means an electronic channel maintained for the purpose of playing or operating a lottery scheme;
- (f) “lottery scheme” means a lottery scheme as defined in subsection 207(4) of the *Criminal Code* (Canada);
- (g) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (h) “online lottery scheme” means a lottery scheme offered through an iGaming site that is operated by an iGaming supplier registered under the *Gaming, Liquor and Cannabis Act*;
- (i) “personal information” means personal information as defined in the *Freedom of Information and Protection of Privacy Act*.

**Establishment of corporation**

**2(1)** A corporation to be known as the Alberta iGaming Corporation, or by such other name as may be prescribed by the regulations, is established.

**(2)** Subject to the regulations, the mandate of the corporation is

- (a) to develop, undertake, organize, conduct and manage online lottery schemes on behalf of the Government of Alberta,
- (b) to ensure that online lottery schemes are developed, undertaken, organized, conducted and managed in accordance with the *Criminal Code* (Canada) and the *Gaming, Liquor and Cannabis Act*,
- (c) subject to the Minister's approval, to enter into agreements to develop, undertake, organize, conduct and manage online lottery schemes on behalf of, or in conjunction with, the governments of one or more provinces or territories of Canada or their agents,
- (d) to promote responsible gaming with respect to online lottery schemes, and
- (e) to carry out any other powers, duties and functions established by the regulations.

**(3)** The corporation has the capacity and, subject to this Act and the regulations, the rights, powers and privileges of a natural person.

**(4)** The share capital of the corporation consists of one share owned by the Crown.

**(5)** The corporation must maintain its head office and principal place of business in Alberta.

**(6)** The fiscal year of the corporation is April 1 to the following March 31.

**(7)** The Auditor General is the auditor for the corporation.

**Crown agent**

**3(1)** The corporation is an agent of the Crown and may exercise its powers and perform its duties only as an agent of the Crown.

**(2)** An action or other legal proceeding in respect of a right or obligation acquired or incurred by the corporation, whether in its name or in the name of the Crown, may be brought or taken by or against the corporation in the name of the corporation in any court

that would have jurisdiction if the corporation were not an agent of the Crown.

#### **Board**

- 4(1)** The corporation shall have a board consisting of not more than 7 directors appointed by the Minister.
- (2)** The Minister shall designate one of the directors as chair and may designate another member as vice-chair.
- (3)** A vice-chair has all the powers, duties and functions of the chair unless the designation of the vice-chair provides otherwise.
- (4)** A director ceases to hold office when
- (a) the director's appointment expires,
  - (b) the director's appointment is terminated by the Minister,
  - (c) the director is disqualified under the regulations, or
  - (d) the director resigns.
- (5)** Notwithstanding subsection (4)(a), a director continues to hold office after the expiry of the director's term until whichever of the following occurs first:
- (a) a successor is appointed;
  - (b) the director is reappointed;
  - (c) 6 months have elapsed since the expiry of the director's term.

#### **Duties and functions of board**

- 5(1)** The board shall manage or supervise the management of the business and affairs of the corporation.
- (2)** Without limiting the generality of subsection (1), the board is responsible for
- (a) overseeing the corporation's financial affairs,
  - (b) setting the corporation's strategic direction, including the creation of business plans and annual reports,

- (c) establishing policies respecting the business and affairs of the corporation, and
- (d) ensuring that the powers and duties of the corporation are appropriately carried out.

**(3)** Subject to the regulations, the board may delegate, on terms and conditions the board considers advisable, to a committee of the board, to any director, officer or employee of the corporation or to any other person any of the board's powers, duties and functions except the power to

- (a) approve the corporation's budget, including the budget for capital expenditures and staffing,
- (b) approve the corporation's business plans and annual reports,
- (c) appoint or remove the chief executive officer under section 8,
- (d) approve the financial statements referred to in section 9,
- (e) make, amend or repeal board policies, or
- (f) make, amend or repeal bylaws or resolutions.

#### **Limitations on policies**

**6** The Minister may determine, by order, categories of policies that the board must not establish or that the board must submit to the Minister for approval prior to being established under section 5(2)(c).

#### **Interim chief executive officer**

**7(1)** The Minister may appoint an individual as interim chief executive officer for a maximum term of 2 years.

**(2)** An interim chief executive officer ceases to hold office when one of the following occurs:

- (a) the interim chief executive officer's term expires;
- (b) 2 years have elapsed since the date the Minister first appointed an interim chief executive officer under subsection (1).

- (3) The interim chief executive officer shall
- (a) exercise the powers and perform the duties and functions determined by the Minister, and
  - (b) report to the board.
- (4) The interim chief executive officer may, on terms and conditions the interim chief executive officer considers advisable, delegate to any employee of the corporation or any other person any of the interim chief executive officer's powers, duties or functions.
- (5) The interim chief executive officer may serve as the chair of the board of the corporation.
- (6) The power to appoint an interim chief executive officer under this section expires when one of the following occurs:
- (a) the Minister has authorized the board under section 8(1)(a) to appoint a chief executive officer;
  - (b) 2 years have elapsed since the date the Minister first appointed an interim chief executive officer under subsection (1).
- (7) An individual appointed as interim chief executive officer may be appointed by the board as chief executive officer under section 8.

**Chief executive officer**

- 8(1)** The board may appoint an individual as chief executive officer of the corporation
- (a) if the Minister has authorized the board in writing to do so during the period commencing with the coming into force of this Act and ending 2 years after the date the Minister first appointed an interim chief executive officer under section 7(1), or
  - (b) 2 years after the date the Minister first appointed an interim chief executive officer under section 7(1),

whichever occurs first.



(2) The board may revoke the appointment of an individual appointed by the board as chief executive officer of the corporation.

(3) The chief executive officer shall

- (a) exercise the powers and perform the duties and functions determined by the board, and
- (b) report to the board.

(4) The chief executive officer may, on terms and conditions the chief executive officer considers advisable, delegate to any employee of the corporation or any other person any of the chief executive officer's powers, duties or functions.

**Audit committee**

9 The board shall appoint from its members an audit committee to

- (a) review the corporation's financial statements and the auditor's report and provide recommendations to the board prior to its approval of the corporation's financial statements,
- (b) review the corporation's internal audit and financial control policies, determine whether those policies are being complied with and report its findings to the board, and
- (c) carry out any other powers, duties and functions determined by the board.

**Responsibility of directors and officers**

10 Every director and officer of the corporation, in exercising their powers and discharging duties, shall

- (a) act honestly and in good faith and with a view to the best interests of the corporation, and
- (b) exercise the care, diligence and skill that a reasonable and prudent person would exercise in comparable circumstances.

### **Revenue and General Revenue Fund**

**11(1)** The corporation is required to transfer its surplus funds into the General Revenue Fund as directed by the Minister.

**(2)** For the purposes of this section, the Minister may

- (a) determine the meaning of surplus funds,
- (b) determine the corporation's surplus funds, and
- (c) require the corporation to provide any information the Minister considers necessary to determine those things.

### **Borrowing**

**12(1)** The corporation may not borrow an amount of money of \$500 000 or more unless the borrowing is approved by the Minister for any purpose the Minister considers appropriate.

**(2)** Total borrowing by the corporation must not exceed a debt limit set by the Minister, if any.

### **Agreements**

**13** The corporation may not enter into an agreement with any person in a manner that is contrary to the regulations, if any.

### **Access to reports and accounts**

**14(1)** The corporation shall ensure that any person with whom it enters into an agreement to provide for the operation of an iGaming site, an online lottery scheme or a related business is required to make available to the corporation, immediately on its request, reports, accounts, records and other documents in respect of the operation of the site, scheme or business.

**(2)** The corporation is authorized to indirectly collect personal information, if necessary, for the purposes of subsection (1).

**(3)** A report, account, record or other document that a person may be required, under an agreement referred to in subsection (1), to make available to the corporation is deemed to form part of the records of the corporation for the purposes of the *Auditor General Act*.

### **Crown liability**

**15(1)** No cause of action lies or shall be commenced against any current or former Minister, Deputy Minister, officer or employee of the Crown for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

**(2)** Despite section 5(2) of the *Proceedings Against the Crown Act*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

**(3)** No cause of action lies or shall be commenced against the Crown or any person specified in subsection (1) for an act or omission of a person other than the Crown or a person specified in that subsection, if the act or omission is related, directly or indirectly, to the exercise or performance, or intended exercise or performance, of a power, duty or function under this Act.

### **Corporate liability**

**16(1)** No cause of action lies or may be commenced against any current or former director, officer or employee of the corporation for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

**(2)** Subsection (1) does not relieve the corporation of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

### **Indemnities**

**17(1)** The corporation may, subject to the regulations, indemnify

- (a) a present or former director or officer of the corporation,
- (b) an employee or former employee of the corporation,
- (c) an individual who acts or acted at the corporation's request as a director or officer, or in a similar capacity, of another entity, whether incorporated or unincorporated, of

which the corporation or Crown is or was a direct or indirect security holder or creditor, or

- (d) the heirs and legal representatives of a person referred to in clause (a), (b) or (c)

against all costs, charges and expenses, including any amount paid to settle an action or satisfy a judgment, reasonably incurred by that person with respect to a civil, criminal or administrative action or proceeding to which that person is made a party by reason of holding such a position if that person acted honestly, in good faith and with a view to the best interests of the corporation or, as the case may be, to the best interests of the other entity for which the individual acted as a director or officer or in a similar capacity at the corporation's request, and in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, that person had reasonable grounds for believing that the conduct that is the subject of the action or proceeding was lawful.

(2) An indemnity under subsection (1) must be

- (a) in writing, and
- (b) authorized by a resolution of the board.

(3) The corporation shall not provide indemnities other than those

- (a) authorized by subsection (1), or
- (b) provided in accordance with the regulations.

#### **Bylaws**

**18(1)** Subject to the regulations, the board may make bylaws respecting the business and affairs of the corporation.

(2) The board shall provide a copy of a bylaw to the Minister as soon as practicable after making the bylaw.

#### **Reports, records and information**

**19(1)** The corporation must, as soon as practicable after the end of each fiscal year, provide the Minister with a report that summarizes its operations during the last fiscal year and that contains

- (a) the audited financial statements of the corporation,

- (b) general information and remarks regarding the administration of this Act during the year, and
- (c) any other information that the corporation considers relevant or the Minister requests.

**(2)** The Minister must lay a copy of the report before the Legislative Assembly if it is sitting, and if it is not sitting, within 15 days after the commencement of the next sitting.

**(3)** The corporation shall, in addition to the report required under subsection (1), submit to the Minister any reports, records, accounts and other documents or information that the Minister considers necessary, at such time and in the form and manner as the Minister determines, including personal information.

**(4)** The corporation shall allow the Minister or the Minister's representative to

- (a) inspect and make copies of all reports, records, accounts and other documents of the corporation and, in the case of an electronic document, make or cause to be made a printout of the electronic document, and
- (b) otherwise review the operations of the corporation as the Minister considers necessary.

**(5)** If the information disclosed under subsection (1) or (3), or contained in reports, records, accounts and other documents inspected or copied under subsection (4), is personal information, the Minister may only collect and use that personal information for

- (a) the purposes of reviewing and monitoring the operations of the corporation and ensuring the corporation is carrying out the purpose and intent of this Act and the regulations,
- (b) the purposes of administering this Act and the regulations, and
- (c) any other purpose authorized by the regulations.

**(6)** If the information disclosed under subsection (1) or (3), or contained in reports, records, accounts and other documents inspected or copied under subsection (4), relates to labour relations, is a trade secret or is of a confidential commercial, financial, scientific or technical nature, the information is to be treated as having been provided in confidence.

### **Disclosure of personal information by corporation**

**20** The corporation may disclose information, including personal information, that is collected by the corporation in accordance with this Act to the government of a province or territory of Canada or its agent for the purpose of administering this Act or for any other purpose authorized by the regulations.

### **Ministerial directives**

**21** The Minister may issue directives that must be followed by the corporation or the board, or both, in carrying out the powers, duties and functions of the corporation or board under this Act.

### **Complying with directives**

**22(1)** In this section, “directive” means

- (a) a directive issued under section 21,
- (b) a directive issued by the Treasury Board under the *Financial Administration Act*,
- (c) a policy set under section 10 of the *Alberta Public Agencies Governance Act*, and
- (d) any other directive or direction issued under another enactment.

**(2)** The board shall ensure that any directive issued to or required to be followed by the board, and the corporation shall ensure that any directive issued to or required to be followed by the corporation, is implemented in a prompt and efficient manner and in accordance with section 10, and compliance by the board or the corporation, as the case may be, with any directive is deemed to be in compliance with section 10.

### **Regulations**

**23** The Lieutenant Governor in Council may make regulations

- (a) prescribing a name for the corporation;
- (b) expanding or clarifying the mandate of, or the powers, duties or functions to be exercised or performed by, the corporation;



- (c) imposing limits on the powers, duties or functions to be exercised or performed by the corporation;
- (d) respecting the dispute resolution process or processes used by the corporation when developing, undertaking, organizing, conducting or managing online lottery schemes on behalf of the Government of Alberta;
- (e) respecting the disqualification of directors;
- (f) respecting delegation by the board;
- (g) respecting the corporation entering into agreements;
- (h) respecting the giving of indemnities by the corporation under section 17, including any terms and conditions applicable to those indemnities;
- (i) respecting the making of bylaws by the board;
- (j) respecting the collection and use of information, including personal information, by the Minister under section 19(5);
- (k) respecting the disclosure of personal information by the corporation to a province or territory of Canada or its agent under section 20;
- (l) respecting the issuance of and compliance with directives;
- (m) respecting subsidiaries of the corporation;
- (n) respecting the operation of the corporation generally;
- (o) respecting the dissolution of the corporation and the winding up of the affairs of the corporation;
- (p) defining for the purposes of this Act any term or expression that is used in this Act but not defined;
- (q) respecting any other matter or thing the Lieutenant Governor in Council considers necessary to carry out the purposes of this Act.

**Amends RSA 2000 cG-1**

**24(1) The *Gaming, Liquor and Cannabis Act* is amended by this section.**



## Explanatory Notes

**24(1)** Amends chapter G-1 of the Revised Statutes of Alberta 2000.

**(2) Section 1(1) is amended**

**(a) by adding the following after clause (f):**

(f.1) “electronic channel” means a website, an application, a downloadable program or another electronic transmission method;

**(b) in clause (j.1) by striking out “as defined in the *Criminal Code* (Canada)”;**

**(c) by adding the following after clause (k):**

(k.1) “iGaming activity” means an occasion in which a lottery scheme is played through an electronic channel;

(k.2) “iGaming corporation” means the corporation established by section 2 of the *iGaming Alberta Act*;

(k.3) “iGaming site” means an electronic channel maintained for the purpose of playing or operating a lottery scheme;

(k.4) “iGaming supplier” means a person registered under section 49.2;

**(d) by adding the following after clause (t):**

(t.1) “lottery scheme” means a lottery scheme as defined in subsection 207(4) of the *Criminal Code* (Canada);

**(e) by renumbering clause (w.1) as clause (w.3) and adding the following before clause (w.3):**

(w.1) “online provincial lottery” means a provincial lottery offered through an iGaming site operated by the Commission or an iGaming supplier;

(w.2) “personal information” means personal information as defined in the *Freedom of Information and Protection of Privacy Act*;

**(f) in clause (x) by adding “, including an online provincial lottery,” after “*Criminal Code* (Canada)”.**

(2) Section 1(1) presently reads in part:

*1(1) In this Act,*

- (j.1) “gaming terminal” means a computer, video device or machine that is used, or could be used, to play a lottery scheme as defined in the Criminal Code (Canada) where, on insertion of money or a token or on payment of any consideration a person may receive or be entitled to receive money, either directly from the computer, video device or machine or in another manner, but does not include such a computer, video device or machine when used only for home entertainment and where there is no ability for any person to make money from its operation;*
  
- (x) “provincial lottery” means a lottery scheme referred to in section 207(1)(a) of the Criminal Code (Canada) that the Government of Alberta is authorized to conduct and manage by itself or in conjunction with the government of another province or territory;*

**(3) Section 3 is amended**

- (a) in clause (b) by striking out “the Minister” and substituting “the iGaming corporation”;**
- (b) by adding the following after clause (b):**
  - (b.1) to regulate online provincial lotteries and iGaming suppliers in a manner that maintains a clear commitment to social responsibility;
- (c) in clause (c) by adding “and iGaming” after “respecting gaming”.**

**(4) Section 23 is amended**

- (a) in subsection (2) by striking out “The” and substituting “Subject to subsection (3), the”;**
- (b) by adding the following after subsection (2):**
  - (3)** Application fees and fees for registration related to registration as an iGaming supplier may remain in the Commission’s accounts.

**(5) Section 26 is amended**

- (a) in subsection (2) by adding “or from fees referred to in section 23(3)” after “subsection (1)”;**
- (b) in subsection (3) by adding “and the remaining fees in the Commission’s accounts under section 23(3)” after “subsection (1)”.**

**(6) Section 34 is amended**

- (a) by renumbering it as section 34(1);**
- (b) in subsection (1) by adding the following after clause (b):**
  - (c) information obtained by the Commission from an iGaming supplier that the iGaming supplier was required under this Act to provide to the Commission;

(3) Section 3 presently reads in part:

*3 The objects of the Commission are*

- (b) to conduct and manage provincial lotteries for the Government of Alberta, except provincial lotteries conducted and managed by the Minister;*
- (c) to carry out the functions respecting gaming delegated to it by the Lieutenant Governor in Council under the Criminal Code (Canada) or conferred on it by this Act;*

(4) Section 23 presently reads in part:

*(2) The fees and fines referred to in subsection (1), less amounts for refunds, are to be transferred to the General Revenue Fund as directed by the President of Treasury Board, Minister of Finance.*

(5) Section 26 presently reads in part:

- (2) The Commission may pay from the revenue deposited into its accounts under subsection (1)*
- (3) After payment of the amounts referred to in subsection (2), the remaining revenue deposited into the Commission's accounts under subsection (1) must be transferred to the General Revenue Fund as directed by the President of Treasury Board and Minister of Finance.*

(6) Section 34 presently reads:

*34 For the purposes of section 16(1)(b) of the Freedom of Information and Protection of Privacy Act, the following information in the custody or under the control of the Commission is deemed to have been supplied to the Commission in confidence:*

- (a) information obtained by the Commission before, on or after the coming into force of this section relating to the Commission's acquisition or sale of cannabis;*

- (d) information obtained by the Commission from the iGaming corporation that the iGaming corporation was required under this Act to provide to the Commission.

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

**(2)** The Commission may only use information referred to in subsection (1)(c) or (d) to regulate online provincial lotteries and iGaming suppliers and not for any other business purpose unless authorized to do so in the regulations.

**(3)** The Commission may only disclose information referred to in subsection (1)(c) or (d)

- (a) to a regulatory body in another province or territory that performs functions that are similar to the Commission, for any purposes consistent with the objects of the Commission set out in section 3,
- (b) for the purposes of carrying out responsibilities under this Act, or
- (c) in accordance with the regulations.

**(7) The following is added after section 34:**

**Information sharing by iGaming corporation**

**34.1** Information, including personal information, collected by the iGaming corporation in accordance with the *iGaming Alberta Act* may be disclosed to the Commission

- (a) for the purposes of carrying out responsibilities under this Act and the *iGaming Alberta Act*, and
- (b) in accordance with the regulations.

**(8) Section 43.1 is repealed.**

**(9) Section 44(1) is amended by striking out “or the Minister”.**

*(b) information obtained by the Commission before, on or after the coming into force of this section relating to the Commission's acquisition or sale of liquor.*

(7) Information sharing by iGaming corporation.

(8) Section 43.1 presently reads:

*43.1 The Minister may, in accordance with the regulations, if any, conduct and manage provincial lotteries on behalf of the Government of Alberta either alone or in conjunction with the government of another province or territory.*

(9) Section 44(1) presently reads:

**(10) The following is added after section 49:**

**Online Provincial Lotteries**

**Requirement for registration**

**49.1(1)** Except as provided in this Act or the regulations, no person may provide or operate an iGaming site or provide goods or services for an iGaming site unless

- (a) the person is registered under section 49.2, and
- (b) the person is
  - (i) providing or operating an iGaming site on behalf of, or under a contract with, the iGaming corporation or the Commission, or
  - (ii) providing goods or services to the iGaming corporation, the Commission or an iGaming supplier.

**(2)** For the purposes of subsection (1), providing goods or services includes

- (a) making or supplying equipment or services to operate or to support the operation of an iGaming site,
- (b) providing testing or maintenance services for equipment used to operate or to support the operation of an iGaming site,
- (c) providing management or consulting services for operating or supporting the operation of an iGaming site, and
- (d) providing goods or services prescribed in the regulations.

**(3)** No iGaming supplier shall provide or operate an iGaming site except on an electronic channel that is named on the iGaming supplier's registration.



*44(1) The Commission or the Minister may, on behalf of the Government of Alberta and in accordance with the regulations, if any, enter into agreements with the governments of any other provinces or territories or their agents regarding the conduct and management of a provincial lottery within Alberta and those other provinces or territories.*

(10) Online Provincial Lotteries.

- (4) Except as provided in this Act or the regulations,
- (a) no person who is required to be registered under section 49.2 may advertise in relation to an iGaming site unless the person is registered under section 49.2, and
  - (b) no person may advertise in relation to an iGaming site except in accordance with the regulations, if any.
- (5) It is an offence to advertise in relation to an iGaming site contrary to the regulations if the regulations designate that it is an offence to do so.

**Issuing registration**

**49.2** The board may, with or without a hearing, register an applicant as an iGaming supplier if

- (a) the board considers it appropriate to do so,
- (b) the applicant is eligible to be registered, and
- (c) the requirements under this Act for issuing the registration have been met.

**iGaming activity by minors**

**49.3(1)** No minor may enter or remain on an iGaming site or engage in any iGaming activity.

(2) No person may

- (a) permit a minor to engage in an iGaming activity, or
- (b) facilitate a minor's engagement in an iGaming activity.

**iGaming activity by others**

**49.4(1)** No person may enter or remain on an iGaming site contrary to the regulations.

(2) It is an offence to enter or remain on an iGaming site contrary to the regulations if the regulations designate that it is an offence to do so.

**Standards and requirements**

**49.5(1)** The board may, in accordance with the regulations, if any, establish standards and requirements for the following:



- (a) the conduct and management of an online provincial lottery;
- (b) the operation of an iGaming site operated by an iGaming supplier or a business related to an iGaming site operated by an iGaming supplier or related to an online provincial lottery;
- (c) the provision of goods or services related to the conduct and management of an online provincial lottery or the operation of an iGaming site operated by an iGaming supplier.

**(2)** The standards and requirements referred to in subsection (1) may have one or more of the following purposes:

- (a) prohibiting or restricting certain persons from entering an iGaming site or playing an online provincial lottery;
- (b) preventing unlawful activities;
- (c) maintaining the integrity of an online provincial lottery;
- (d) establishing surveillance, security and access related to an iGaming site or online provincial lottery;
- (e) creating internal controls;
- (f) protecting assets, including money and money equivalents;
- (g) protecting players;
- (h) ensuring responsible gaming;
- (i) establishing standards or requirements relating to the keeping of records, including financial records.

**(3)** An iGaming supplier must comply with standards and requirements established by the board under this section.

**(4)** The Lieutenant Governor in Council may, by regulation, establish requirements that the Commission, the iGaming corporation and iGaming suppliers must comply with respecting advertising, social responsibility, consumer protection or any other matter.



#### **Duty of iGaming corporation**

**49.6(1)** If the iGaming corporation conducts and manages an online provincial lottery, the iGaming corporation must ensure that the online provincial lottery is conducted and managed, and any iGaming site for the online provincial lottery and any business related to the online provincial lottery or iGaming site is operated, in accordance with this Act, the regulations and the standards and requirements established by the board under section 49.5.

**(2)** Every employee or other person retained by the iGaming corporation for the purpose of conducting and managing an online provincial lottery must comply with this Act, the regulations and the standards and requirements established by the board under section 49.5 when conducting and managing an online provincial lottery.

#### **Duty of Commission**

**49.7(1)** If the Commission conducts and manages an online provincial lottery, the Commission must ensure that the online provincial lottery is conducted and managed, and any iGaming site for the online provincial lottery and any business related to the online provincial lottery or iGaming site is operated, in accordance with this Act, the regulations and the standards and requirements established by the board under section 49.5.

**(2)** Every employee or other person retained by the Commission for the purpose of conducting and managing an online provincial lottery must comply with this Act, the regulations and the standards and requirements established by the board under section 49.5 when conducting and managing an online provincial lottery.

#### **Conditions**

**49.8(1)** The board's policies respecting the activities of an iGaming supplier are conditions of the registration, including policies made or amended after the registration.

**(2)** The Commission must make available to an iGaming supplier the board policies that are conditions of the registration and must notify the iGaming supplier if those policies are amended after registration is complete.

**(3)** When considering an application for registration, the board may, with or without a hearing, impose conditions on an iGaming supplier that are in addition to the conditions referred to in subsection (1).



(4) When the board imposes a condition under subsection (3) without a hearing, the board must give the iGaming supplier information about an application for a hearing.

**Duty of iGaming supplier**

**49.9(1)** An iGaming supplier must ensure that

- (a) in providing or operating an iGaming site or providing goods or services, the iGaming supplier is not contravening
  - (i) this Act or the regulations,
  - (ii) the standards and requirements established by the board under section 49.5, or
  - (iii) the board’s policies respecting iGaming suppliers,and
- (b) iGaming activity on an iGaming site provided or operated by the iGaming supplier is conducted in accordance with
  - (i) this Act and the regulations,
  - (ii) the standards and requirements established by the board under section 49.5, and
  - (iii) the board’s policies respecting iGaming.

**(2)** An iGaming supplier must

- (a) keep records, including financial records, in accordance with the board’s policies and the regulations, and
- (b) when required by the board, file an audited financial statement showing matters specified by the board.

**Inducing breach of conditions or contract**

**49.91** No person who is an employee or agent of an iGaming supplier may induce an iGaming supplier to break a contract with another iGaming supplier for the provision of goods and services for an iGaming site.

**(11)** Section 91(2)(c)(ii) is amended by adding “or \$500 000 in any other case in which the person is an iGaming supplier” after “any other case,”.



(11) Section 91(2)(c)(ii) presently reads:

**(12) Section 103(5) is amended by adding** “other than an online provincial lottery,” **after** “provincial lottery or gaming or facility licence,”.

**(13) The following is added after section 103:**

**Inspection — iGaming**

**103.1(1)** To ensure compliance with this Act, an inspector may enter and inspect, at any reasonable time, any premises with respect to an iGaming supplier where records may be kept, including any office of an iGaming supplier and any premises containing a data server used by an iGaming supplier.

**(2)** An inspector may enter and inspect, at any reasonable time, the premises or facilities described in an application for registration under section 49.2 to determine whether an iGaming supplier is complying with this Act, the terms of a registration or the board’s policies.

**(3)** When acting under the authority of this section, an inspector must carry identification in the form established by the board and present it on request to the owner or occupant of the premises or facility being inspected.

**(4)** In carrying out an inspection relating to an iGaming supplier, an inspector may

- (a)** inspect, audit, examine and make copies of any records, documents, books of account and receipts, including electronic records, documents, books of account and receipts, relating to the operation of an iGaming site, the operating or playing of a lottery scheme or the provision of goods or services for an iGaming site, or may temporarily remove any of them for those purposes,

*(2) If subsection (1) applies, the board may, by order, with respect to a licensee or registrant, do any one or more of the following, with or without a hearing:*

*(c) impose a fine of not more than*

*(ii) \$200 000 in any other case,*

(12) Section 103(5) presently reads in part:

*(5) In carrying out an inspection relating to a gaming activity, provincial lottery or gaming or facility licence, an inspector may*

*(a) take reasonable samples of gaming supplies from the licensee or any person in the licensed facility,*

(13) Inspection — iGaming.

- (b) interview the iGaming supplier or an agent of the iGaming supplier with regard to any of the records, documents, books of account and receipts, and
- (c) conduct such tests as are reasonably necessary for the inspection.

**(5)** When an inspector removes records, documents, books of account and receipts under this section, the inspector must

- (a) give a receipt for them to the person from whom they were taken, and
- (b) within a reasonable time, return them to that person.

**(6)** An inspector may, for the purposes of this section,

- (a) use any electronic data processing equipment of, at the premises of or in respect of an iGaming supplier, and
- (b) examine, take extracts from, make copies of or print any data contained in or available to the data processing equipment.

**(7)** Any person who has custody or control of the electronic data processing equipment referred to in subsection (6) must, on request, assist the inspector with the use of the equipment.

**(14)** Section 104(a) is amended by adding “or 103.1” after “section 103”.

**(15)** The following is added after section 104:

**Duty of iGaming corporation to assist inspector**

**104.1** The iGaming corporation and its directors, officers, employees and agents must, on the request of an inspector conducting an inspection under section 103.1, provide the inspector with records and documents, including electronic records and documents, relevant to the investigation.

(14) Section 104(a) presently reads:

*104 A licensee, a registrant, an applicant for a licence or registration and a common carrier and their officers, employees and agents must, on the request of an inspector, the Commission or an employee of the Commission,*

*(a) assist the inspector in carrying out an inspection under section 103, and*

(15) Duty of iGaming corporation to assist inspector.

**(16) Section 116 is amended**

- (a) by adding “34(2),” after “who contravenes section”;**
- (b) by adding “49.1(1), 49.1(3), 49.1(4)(a), 49.3, 49.5(4), 49.6, 49.7, 49.9, 49.91,” after “46,”;**
- (c) by adding “Act or” after “or a section in the”.**

**(17) Section 118 is amended by striking out “section 45 or 46” and substituting “section 45, 46, 49.1(1) or 49.1(4)(a)”.**

**(18) Section 120(2) is amended by adding “or is registered under this Act” after “licence”.**

**(19) Section 121 is amended by adding “or iGaming supplier” after “licensee” wherever it occurs.**

**(20) Section 129(1) is amended**

- (a) in clause (g) by adding the following after subclause (ii):**
  - (ii.1) iGaming suppliers,**
- (b) in clause (m)(i)**
  - (i) by adding “or registrant” after “licensee”;**
  - (ii) by adding “or registration” after “licence”;**
- (c) in clause (m.01) by striking out “or 43.1”;**

(16) Section 116 presently reads:

*116 A person who contravenes section 36, 37.1, 37.2, 39, 40, 41, 45, 46, 50, 64, 65(1), 66, 68, 69, 69.1(6), 70, 71, 72(1), 73, 74, 75, 75.1, 77, 79, 81, 84, 86(2), 87, 89, 90, 90.03, 90.04, 90.05, 90.06, 90.08, 90.14, 90.15, 90.16, 90.18, 90.19, 90.2, 90.21, 90.22, 90.23, 90.24, 90.25, 90.26, 90.27, 90.28, 90.29, 99, 100, 101, 101.1 or 115(1) or a section in the regulations the contravention of which is designated by the regulations to be an offence is guilty of an offence.*

(17) Section 118 presently reads:

*118 A person who contravenes section 45 or 46 is liable to a fine of not more than \$500 000 or to imprisonment for not more than 12 months, or to both.*

(18) Section 120(2) presently reads:

*(2) If a partnership that is the holder of a licence commits an offence under this Act, every member of the partnership who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and is liable to the punishment provided for the offence, whether or not the partnership has been prosecuted for or convicted of the offence.*

(19) Section 121 presently reads:

*121 If an employee or an agent of a licensee contravenes a provision of this Act, the licensee is deemed also to have contravened the provision unless the licensee establishes on a balance of probabilities that the licensee took all reasonable steps to prevent the employee or agent from contravening the provision.*

(20) Section 129(1) presently reads in part:

*129(1) The Lieutenant Governor in Council may make regulations*

*(g) establishing classes of registration in respect of*

*(ii) people who deal in gaming terminals or gaming supplies,*

*(m) respecting the requirements and consequences that apply despite anything in this Act*

*(i) if a licensee sells or assigns the business under which the activities authorized by the licence are carried out, or*

**(d) by adding the following after clause (m.01):**

- (m.02) authorizing the Commission to use information referred to in section 34(1)(c) or (d) for any purpose;
- (m.03) authorizing and respecting the disclosure of information referred to in section 34(1)(c) or (d);
- (m.04) respecting the disclosure of information by the iGaming corporation to the Commission under section 34.1;
- (m.05) exempting any person from the need to register as an iGaming supplier to provide or operate an iGaming site or to provide goods or services for an iGaming site;
- (m.06) respecting advertising in relation to an iGaming site, including exempting any person from the application of section 49.1(4)(a);
- (m.07) defining “provide”, “operate”, “goods or services” and “advertise” for the purposes of section 49.1;
- (m.08) prohibiting a person from entering or remaining on an iGaming site;
- (m.09) designating that a contravention of section 49.1(4)(b) or 49.4(1) is an offence;
- (m.1) respecting standards and requirements established by the board under section 49.5;
- (m.11) establishing requirements that the Commission, the iGaming corporation and iGaming suppliers must comply with;
- (m.12) respecting records an iGaming supplier must keep for the purposes of section 49.9(2);

**(e) by adding the following after clause (w.1):**

- (w.2) respecting the disentitlement of a person to the awarding of a prize or to the payment of winnings from that person’s participation in an iGaming activity where the person is prohibited by the



*becomes dispossessed of the business by bankruptcy or  
operation of law, or*

*(m.01) respecting provincial lotteries managed and conducted under  
section 43 or 43.1 or under an agreement referred to in  
section 44;*

regulations from entering or remaining on the  
iGaming site where the iGaming activity occurred;

**Coming into force**

**25** This Act comes into force on Proclamation.

**25** Coming into force.

**RECORD OF DEBATE**

Stage	Date	Member	From	To
		<b>Interventions</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Interventions</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Interventions</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Interventions</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Interventions</b>	<b>From</b>	<b>To</b>