

language school board, where such council was not established after the time prescribed in the Act and to provide for the rules applicable in the case of vacancy of the position of a member of a provisional council;

WHEREAS it is expedient to make the Regulation attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Regulation respecting the establishment of French-language and English-language school boards, the text of which is attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the establishment of French-language and English-language school boards

Education Act
(R.S.Q., c. I-13.3, s. 540; S.Q., c. 47, s. 50)

1. If on 27 September 1997 the establishment of the provisional council of a new French-language or English-language school board is not completed in accordance with the Education Act, amended by Chapter 47 of the Statutes of 1997, the Minister of Education shall provide therefor, within 10 days following the coming into force of this Regulation, by appointing the required number of persons living in the territory of the new school board who would be entitled to have their names entered on the list of electors of that school board on the date of appointment or who have children residing or placed in the territory of that school board and who are receiving instruction in the language of the new school board, where it is a matter of filling the position of a member referred to in paragraph 1 of section 512 of that Act made by section 31 of Chapter 47 of the Statutes of 1997 or of a member referred to in paragraph 2 of that section.

2. The position of a member of a provisional council designated by the council of commissioners of an existing school board concerned shall become vacant in the same cases as what is prescribed for elected commissioners pursuant to the Act respecting school elections (c. E-2.3) or when he ceases to be commissioner of the existing school board concerned.

The director general of the new school board who notices a vacancy shall inform the council of commissioners involved immediately.

That position shall then be filled, within 30 days of the vacancy, by the council of commissioners of the school board in question, according to the rules applicable to the position to be filled prescribed in sections 514 or 514.1 of the Education Act (c. I-13.3) or, failing that, by the Minister of Education according to the rules prescribed in section 1 of this Regulation.

3. The position of a member of a provisional council elected by the general meeting of commissioners representing parents' committees of the existing school boards concerned or appointed by the Minister of Education pursuant to section 1 of this Regulation shall become vacant where that member dies or resigns.

The director general of the new school board who notices a vacancy shall inform the Minister of Education immediately.

That position shall then be filled, within 30 days of the vacancy, by the Minister of Education among the persons living in the territory of the new school board who would be entitled to have their names entered on the list of electors of that school board on the date of designation or who have children residing or placed in the territory of that new school board and who are receiving instruction in the language of the new school board, whether it is a matter of filling the position of a member referred to in paragraph 1 of section 512 of that Act or of a member referred to in paragraph 2 of that section.

4. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

1775

M.O., 1997

Order of the Minister of Public Security dated 29 September 1997

An Act respecting lotteries, publicity contests and amusement machines
(R.S.Q., c. L-6)

Bingo game

Order concerning the Bingo Rules

The Minister of Public Security,

CONSIDERING the first and second paragraphs of section 20 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), amended by section 2 of Chapter 54 of the Statutes of 1997, which

enables the Régie des alcools, des courses et des jeux to make rules on the matters mentioned therein concerning lottery schemes;

CONSIDERING the first paragraph of section 8 of Chapter 54 of the Statutes of 1997, which provides that the Bingo Rules made before 23 March 1998 by the Board under section 20 of the Act respecting lotteries, publicity contests and amusement machines are not subject to the publication requirement prescribed by section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the third paragraph of section 20 of the Act respecting lotteries, publicity contests and amusement machines, which provides that the rules made by the Régie des alcools, des courses et des jeux under that section shall be approved by the Minister of Public Security;

CONSIDERING that the Board, at its sitting of September 1997, made the Bingo Rules attached hereto;

CONSIDERING it is expedient to approve those Rules;

ORDERS THAT:

The Bingo Rules attached hereto are approved.

Sainte-Foy, 29 September 1997

PIERRE BÉLANGER
Minister of Public Security

Bingo Rules

An Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6, s. 20, 1st par., subpars. *c, d, f, g, i* to *m* and 2nd par., ss. 36.1 and 47; 1997, c. 54, s. 2)

CHAPTER I SCOPE AND INTERPRETATION

1. These Rules governs the bingo lottery scheme and the instant-win ticket lottery scheme set up and operated during a bingo event.

2. The provisions of these Rules have precedence over any other inconsistent rule established by a holder of a bingo licence or a bingo hall operator's licence.

CHAPTER II BINGO

DIVISION I NATURE, FREQUENCY AND BINGO HOURS

3. The game of bingo is played with equipment composed, in particular, of 75 balls numbered from 1 to 75 and bingo cards.

Each card is composed of 6 rows, the first one forming the word "BINGO", and of 5 columns. It has 25 boxes, 24 of them bearing a number from 1 to 75 whereas the centre box bears the word "gratuit" or an equivalent mention.

The game of bingo may also be played with cards whose configuration differs from that described in the second paragraph.

4. Every bingo set up and operated by a charitable or religious organization shall be held within the territory where the organization carries on its activities.

Every bingo under a fair or exhibition bingo licence or agricultural concession bingo licence shall be held during the fair or exhibition and on the same site.

5. A consultative committee within the meaning of subparagraph m of section 1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6) that agrees on an agreement or a protocol for sharing the revenues and expenditures resulting from the bingo or the sale of instant-win tickets shall designate a person who will be in charge of the management of that agreement or protocol from among the holders of bingo licences who sit on the committee.

6. An in-hall bingo licence may be issued only if the place where it will be used has already been the object of a bingo hall operator's licence where the latter licence is required. Furthermore, that licence may not expire later than the bingo hall operator's licence.

7. The total maximum value of the prizes offered during a bingo event and the frequency of the events that may be authorized by the Régie des alcools, des courses et des jeux vary according to the subcategory of bingo licence, as follows:

(1) in the case of an in-hall bingo licence;

(a) where the total maximum value of the prizes is greater than \$200 without exceeding \$3 500: no more than 1 bingo event per week;

(b) where the total maximum value of the prizes for each bingo event is greater than \$3 500 without exceeding \$5 000: no more than 2 bingo events per year;

(2) in the case of a fair or exhibition bingo licence:

(a) where the total maximum value of the prizes does not exceed \$5 000: an unlimited number of bingo events;

(b) where the total maximum value of the prizes is greater than \$5 000 without exceeding \$25 000: 1 bingo event per year;

(3) in the case of an agricultural concession bingo licence or a licence for a bingo at a public place of amusement: an unlimited number of bingo events;

(4) in the case of a recreational bingo licence for prizes whose total maximum value may not exceed \$200: no more than 1 bingo event per day;

(5) in the case of a media bingo licence for prizes whose total maximum value may not exceed \$5 000: no more than 65 bingo events per year.

A holder of an in-hall bingo licence, a holder of a fair or exhibition bingo licence or a holder of a media bingo licence who intends to offer increasing or decreasing prizes or bonus prizes is authorized to offer as a prize an amount not greater than \$500 in addition to the amount authorized by his licence. Any such licence holder shall design the game program so that the \$500 amount cannot be won at each event.

8. The value of the prizes, the pattern of the increasing or decreasing prizes and the value of bonus prizes shall be determined before the beginning of each bingo event and the value of a prize may not be a progressive prize that increases or decreases from an event to another.

9. A holder of a in-hall bingo licence, of a fair or exhibition bingo licence or of a media bingo licence may offer cash prizes only.

10. The prizes offered by a holder of a agricultural concession bingo licence and a holder of a licence for a bingo at a public place of amusement shall consist of goods, commodities and merchandise only and the value of each prize may not exceed \$125, taxes included.

The amount or consideration that may be paid or required from a participant for a chance to win a prize may not exceed \$0.50.

11. A holder of a recreational bingo licence may offer cash prizes or prizes consisting of goods, commodities or merchandises.

12. A bingo event set up and operated by a holder of an in-hall bingo licence may not last more than 5 hours in a row, nor may it be set up and operated between midnight and 6:00 a.m.

13. No holder of an in-hall bingo licence may set up and operate a bingo in a place where 2 bingo events are already scheduled on the same day.

DIVISION II APPLICATIONS FOR A LICENCE

14. Every person who wishes to obtain a bingo hall operator's licence or a bingo licence referred to in section 1 of the Regulation respecting bingos, made by Order in Council 1270-97 dated 24 September 1997, excluding a recreational bingo licence, shall

(1) during the 5 years preceding the date of his application for a licence, never have pleaded guilty to or have been found guilty of an indictable offence or an offence punishable on summary conviction in Canada, or of an equivalent offence in any other country, against any provision of sections 46, 47, 49 to 52, 59, 61, 74 to 78, 80, 81, 85, 87 to 90, 91, 119, 127, 131 and 132, 136 to 139, 144, 145, 201, 202, 206, 209, 209, 210, 212, 219, 220, 222 to 236, 239, 240, 244, 265 to 273, 279, 279.1, 342.1., 243, 344, 346, 348, 349, 352, 354, 362, 366, 380, 397, 427, 430, 433, 434, 435, 463 and 465 of the Criminal Code (R.S.C., (1985), c. C-46), in respect of which he has not been granted pardon or rehabilitated;

(2) during the 3 years preceding the date of his application for a licence, never have plead guilty to or have been found guilty of an offence against the Act respecting lotteries, publicity contests and amusement machines, or any provision of a regulation made thereunder, and in respect of which he has not been granted pardon; and

(3) not hold any other licence issued under that Act that has been suspended for a cumulative period of 6 months or more or revoked in the 3 years preceding the application.

If the applicant is a natural person, he shall be of full age.

This section so applies to the directors of a legal person and to the managers of a partnership who apply for a bingo hall operator's licence.

15. An applicant for a bingo licence or bingo hall operator's licence shall complete his application for a licence or a modification thereto and send it to the Board on the form provided by it. The form shall contain the following information, in particular:

(1) the names, addresses and telephone numbers of the applicant and of the person responsible for operating bingos under the licence; and

(2) the name, the address of the place and number of bingo events or the period during which the bingo will be set up and operated.

The applicant shall sign the form and include the fees and duties provided for in sections 6 to 9 of the Regulation respecting bingos declare therein under oath that the information provided on the form is accurate and true. The person shall also attach to it a cheque or postal money order made out to the Régie des alcools, des courses et des jeux and covering the fees and duties provided for in sections 6 to 9 of the Regulation respecting bingos.

16. Except for a recreational bingo, where the applicant is a legal person or a partnership, it shall indicate on the form referred to in the first paragraph of section 15 the names of the directors and, where the application pertains to a bingo hall operator's licence, the names of its shareholders and partners.

It shall also provide its registration number in the register of enterprises instituted under section 58 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45) where the applicant uses a name different from the name of the legal person or partnership and shall attach to the application a copy of its constitutive charter, or of any other document evidencing its existence, and of the resolution authorizing a person to act in its name.

17. An applicant for a bingo hall operator's licence shall certify in the application that the applicant, its directors or shareholders, or the administrators and partners in the case of a partnership, have no interest in a business involved in the printing, making, distribution or furnishing of bingo equipment.

The first paragraph does not prevent a holder of a bingo hall operator's licence to provide a holder of a bingo licence with bingo paper.

18. The following documents and information shall be provided in support of the application for a bingo hall operator's licence:

(1) a document proving that the applicant owns, rents or has the right of use of the hall;

(2) the inventory of all the bingo equipment and of the other services offered to holders of bingo licences, if any;

(3) the latest audited financial statements relating to all the revenues and expenditures concerning the hall services and the bingo paper, as well as the indirect revenues and expenditures resulting from the activities connected with the bingo; and

(4) a document attesting that the hall meets all the applicable legislative and regulatory requirements.

For the purposes of these Rules,

“hall services” means the use of the place where the bingo event is held and of the furniture, the maintenance services and the storage services for the bingo equipment, insurance, telephone services, office equipment, and the room serving as the officer of the bingo licence holder, the bingo equipment, the automated office equipment and the equipment for transmitting data, where applicable;

“indirect revenues and expenditures” means the revenues and expenditures concerning the restaurant services offered during bingo events, the operation of a souvenir boutique shop, the sale of bingo accessories and transportation services for players.

19. The following documents and information shall be provided in support of an application for an in-hall bingo licence:

(1) a description of the project for which the licence is applied for, including the schedule for carrying out;

(2) the applicant's cash requirements, demonstrated by the applicant's latest financial statements or any other document indicating such requirements;

(3) the contract entered into by the applicant for the use of the hall in which bingos will be held under the licence and for all the related hall services, where applicable;

(4) the date and time of the bingo event beginning and end and the value of the prizes to be awarded; and

(5) a document attesting that such place may be used safely as a public place for the setting up and operation of bingos.

If the Board has already issued an in-hall bingo licence during the 12 months preceding the date of the application and if the profits derived from all the events authorized by that licence are less than 10 % of their gross revenue, the applicant shall also file a description of the measures he intends to take to make the operation of his new licence profitable.

20. Each applicant for a bingo licence who sits on a consultative committee shall include with his application a resolution authorizing the person referred in section 5 to act as the person responsible for managing the agreement or protocol for sharing the revenues or expenditures of the bingo or sale of instant-win tickets.

Only the applicant for a bingo licence who has authority over the responsible person shall include a copy of that agreement or protocol in his application.

21. The following information shall be provided in support of an application for a fair or exhibition licence or an agricultural concession bingo licence:

(1) the date and place of the fair or exhibition; and

(2) the date a bingo event will be set up and operated and the value of the prizes to be awarded and, in the case of goods, commodities or merchandise, a description of each prize and its retail value, taxes included.

22. Where the issue of a licence or a modification thereto is applied for, the applicant or licence holder is not bound to provide the Board with the documents and information already provided for a previous application, if he certifies that the documents and information are still up-to-date.

23. The Board shall publish any application for a bingo hall operator's licence pertaining to a new hall or any application for changing the place where that licence is used in a newspaper circulated in the territory where the licence is likely to be used.

For the purposes of section 36.2 of the Act respecting lotteries, publicity contests and amusement machines, a consultative committee and a group are considered to be associations within the meaning of the Civil Code.

For the purposes of these Rules, "group" means bingo licence holders who negotiate for common hall services or who enter into any other agreement respecting the setting up and operation of bingos, without sharing the revenue.

24. Before refusing to issue a bingo hall operator's licence because an objection has been made, on the grounds that the market could be saturated, the Board

shall make a market survey, unless the applicant withdraws his application.

DIVISION III STANDARDS FOR USING A LICENCE

§1. Posting

25. Every holder of a bingo hall operator's licence or of a bingo licence, except for a media bingo, shall post up his licence in full view of players in the place where bingo events are set up and operated under the licence.

26. A holder of a bingo licence, except for a media bingo shall post up in full view of players the game rules and the game program.

In the case of a agricultural concession bingo licence or a licence for a bingo at a public place of amusement, the licence holder shall display a list of the prizes to be awarded and their respective retail value, taxes included.

§2. Bingo cards and paper

27. A holder of an in-hall bingo licence and a holder of a fair or exhibition bingo licence may not use reusable bingo cards.

28. A holder of a bingo licence may sell bingo paper for cash only.

29. A holder of a bingo licence may sell bingo paper on the day of the event only.

30. Bingo paper may be used only for the event for which it is sold.

31. A holder of an in-hall bingo licence and a holder of a fair or exhibition bingo licence may not sell a bingo booklet or sheet less than \$1.00 per card.

The superimposed cards on the sheets of a booklet constitute a single card for the purposes of determining the sale price.

Additional sheets may be sold only in groups of 3, 6 or 9 cards and at a price not lower than \$1, \$2 and \$3, respectively.

The paper for the "Bonanza" and "Do-it-yourself" games and other special turns may not be sold less than \$0.50 per card.

For the purposes of these Rules,

"additional sheets" means the cards sold to participate in a game on the program for which the booklet already contains a chance to participate;

“special turns” the cards sold for the “Bonanza” and “Do-it-yourself” games or the other faces whose configurations differ from those described in the first paragraph of section 3, or cards sold for the games on the program for which the booklet does not contain a chance to participate.

The game program may not contain more than 20 % of games consisting of special turns.

32. Bingo booklets shall be bound with glue. The sheets in a booklet shall not be separated.

No one may alter a bingo booklet, cut or stick bingo sheets.

33. Each card in a series shall bear the same serial number.

A holder of a bingo hall operator’s licence and a holder of an in-hall bingo licence may not allow the re-use of a serial number before the expiry of 1 year following its last use.

34. A holder of a bingo hall operator’s licence and a holder of a bingo licence shall only use bingo paper on which the logo of the Board is printed on each card as a watermark, except in the case of re-usable cards. The logo shall cover at least one third of each card.

35. A holder of an in-hall bingo licence and a holder of a fair or exhibition bingo licence may not sell bingo paper that includes a coupon or any other promotional or advertising material.

36. A holder of a bingo hall operator’s licence, a holder of an in-hall bingo licence and a holder of a fair or exhibition bingo licence may sell and use bingo booklets only if a label is affixed outside each box of booklets. That label shall indicate, in particular,

(1) the name of the licence holder who acquires the paper;

(2) the name of the paper supplier and paper’s manufacture date and number;

(3) the type of product in the box and the name of the paper manufacturer;

(4) the number of booklets in the box;

(5) the first and last numbers of the cards in each series;

(6) the number of each series appearing on the first page of the booklets;

(7) the cut used; and

(8) the colours of the paper.

Furthermore, those licence holder may use the bingo booklets only if a data card containing the information prescribed in the first paragraph is inside each box.

For additional bingo sheets, those licence holder shall obtain an invoice for each purchase of paper, indicating in particular the number of cards sold, the cut used, the number of each series and the number of the first card in each series.

As for the paper used during special turns, the licence holders shall obtain an invoice for each purchase of paper, indicating in particular the number of cards sold, the name of the game, the cut used and the serial number, where applicable. In the case of cards for “Bonanza” games, that invoice shall also indicate the serial numbers printed on the back side of the cards and, in the case of cards for “Do-it-yourself” games, the numbers of the first and last cards sold.

37. A holder of a bingo hall operator’s licence, a holder of an in-hall bingo licence and a holder of a fair or exhibition bingo licence shall keep the bingo paper in its original package until it is used.

38. A holder of an in-hall bingo licence and a holder of a fair or exhibition bingo licence shall keep a register for controlling the inventory of bingo paper, used under the terms and conditions they determine.

That register shall indicate the number of cards sold during each bingo event, including the number of additional booklets and sheets of each cut that are used, as well as their respective serial numbers. The data cards in the corresponding boxes of bingo booklets shall also be entered in that register, as well as the invoices corresponding to the additional sheets.

With respect to the paper used during special turns, that register shall indicate the number of cards sold, including the name of the game and the cut used. In the case of the cards for “Bonanza” games, that register shall also indicate the serial number printed on the back of the cards and, in the case of cards for “Do-it-yourself” games, the first card number used. A copy of each corresponding invoice shall also be included in the register.

Where the holder of an in-hall bingo licence sets up and operate a bingo in a place for which a bingo hall operator's licence is issued, that register shall be kept jointly with the holder of that licence. It shall be signed by both licence holders and shall be sent to the Board by the holder of the bingo hall operator's licence, every 3 months and, in the case of the latter register, within 30 days following the date of expiry of his licence.

A holder of an in-hall bingo licence who sets up and operates a bingo in a place for which a bingo hall operator's licence is not required and a holder of a fair or exhibition bingo licence shall sign the register and send it to the Board within 30 days following the date of expiry of their licence.

§3. Organization, conduct and functioning of a bingo

39. A holder of in-hall bingo licence shall require that every player purchase a booklet containing at least 9 cards before being admitted to the bingo hall.

The licence holder shall refuse the sale of tickets issued by Loto-Québec or one of its subsidiaries for any bingo game set up and operated by Loto-Québec under the Regulation respecting bingo, approved by Order in Council 1271-97 dated September 1997, to all the player who do not participate in the bingo set up and operated by the licence holder under his licence. The foregoing also applies to a holder of a bingo hall operator's licence.

40. A holder of a bingo licence shall ensure that the set of 75 bingo balls is complete before the beginning of each bingo event and that the bingo equipment guarantees that the drawing of numbers depends on chance only.

41. A bingo event is deemed to have begun when the first game on the program and the first number drawn are called.

For the purposes of this section, the parties reserved for quickies and "Bonanza" games are deemed to be included in the game program.

42. Once a bingo event has begun, the holder of the bingo licence shall ensure that it progresses in accordance with the game program.

43. A holder of a bingo licence may not change the game rules after the beginning of the first game.

44. The layout of numbers on a card required for a win and the amount of the prize or the pattern of the prizes for each game shall be announced immediately before the game begins.

45. A player shall be declared the winner of the game if he has covered on his card all the numbers of the required layout, before other numbers are called, even if another player turns out to have a winning combination following the calling of other numbers. However, the prize shall be shared between all the players who have declared to be winners.

46. Once a winner has declared himself, the bingo caller shall ask if there are other winners. If there is no reply, the game shall be declared over.

No one may declare to be a winner once the bingo caller has declared the game over.

47. The numbers on a player's card shall be verified when he declares that he is a winner of the game. It shall be done by an electronic means or by repeating the winning numbers in the presence of the person in charge of verification designated by the holder of the bingo licence.

48. A prize shall be paid completely, as announced at the beginning of a game. Notwithstanding the foregoing, where a prize is shared among several winners, the holder of a bingo licence shall ensure that the amount paid to each of them is reduced to the nearest dollar, where applicable, regardless of the total value of the prizes to be awarded.

49. Where a drawn number is not correctly announced, the number actually drawn has precedence over the announced number and becomes the official number. No player may be declared to be a winner on the basis of a number incorrectly announced.

50. A holder of a bingo licence who awards prizes consisting of goods, commodities or merchandise shall

(1) where there is more than one winner, award the prize by a drawing of lots in the presence of at least 2 witnesses; and

(2) ensure that the value of the prize to be awarded is equal to the total amount that a person would have to pay to purchase an identical or similar item on the Québec market, taxes included, even if the prize was given to the licence holder free of charge or sold at a discount price.

51. If the attendance at the beginning of a bingo event is or could be insufficient to provide enough receipts to cover the cost of prizes and other expenses incurred for the setting up and operation of that event, as a result of superior force, the holder of the in-hall bingo licence, the holder of the fair or exhibition bingo licence

and the holder of the media bingo licence may either go on with the bingo event or cancel it.

If a bingo event has begun and is later cancelled by a reason of superior force, the holders of those licences shall refund every player who bought bingo paper, in proportion to the number of games that were played or interrupted or in proportion to the percentage of the value of the prizes that were not awarded.

52. A holder of a bingo hall operator's licence and a holder of an in-hall bingo licence may not

(1) require an admission fee or a reservation fee for a seat; and

(2) provide players with a transportation service, free of charge, intended to take them to the bingo hall or to bring them back home.

Furthermore, they may neither use the transportation service as a means of promoting bingos, nor propose a package deal including bingo paper in the transportation charge.

53. During a bingo event, a holder of a bingo licence may not offer or award prizes whose total value does not comply with the total value authorized by the bingo licence.

The value of a prize awarded during a bingo shall not be based on a percentage of the receipts from a game or bingo event.

54. No one may serve, sell or drink alcoholic beverages in a hall during a bingo event, except in the case of a recreational bingo.

55. A holder of a bingo licence may not allow any minor person to participate in a bingo game or event as a player.

56. No participant in the setting up and operation of a bingo may buy bingo paper or participate as a player, unless his work is finished before the bingo event begins.

57. No player shall be allowed to use a verification device during a bingo event.

DIVISION IV ADMINISTRATION

58. A holder of an in-hall bingo licence is responsible for setting up and operating a bingo and, where his licence authorizes it, for selling instant-win tickets.

59. All the prizes offered and expenditures made in the course of a bingo event shall be deducted from the total sales resulting from the bingo event and shall be paid out of those receipts.

60. A holder of an in-hall bingo licence and a holder of a fair or exhibition bingo licence shall keep, throughout the duration of their licence and for one year after their expiry, a voucher for each expenditure related to the use of their licence, except for the duties paid for the issue of their licence and the prizes offered during a bingo event.

61. The net revenues derived from a bingo event set up and operated under an in-hall bingo licence shall be established by deducting from the amount of the total sales of bingo paper the value of the prizes offered, the cost of hall services, the cost of bingo paper and the cost of the salaries of the personnel directly involved in the setting up and operation of the bingo, as well as the cost of the bingo equipment if they are paid by the holder of the bingo licence.

62. For the purposes of the calculation provided for in paragraph 1 of section 61:

(1) the costs related to all the services offered by the holder of a bingo hall operator's licence and those related to the bingo equipment may not exceed 14 % of the total sales, taxes included;

(2) the paper-related costs may not exceed 5 % of the total sales, taxes included; and

(3) the costs in the form of salaries paid to all the personnel involved in the setting up and operation of the bingo shall include the security service and the controller of the bingo licence holder and that amount may not exceed 9 % of the value of the prizes offered.

Notwithstanding subparagraph 1 of the first paragraph, a holder of a bingo licence may not pay to the holder of a bingo hall operator's licence an amount greater than \$1 000, taxes included, for the hall services required per event.

63. Profits from the setting up and operation of a bingo by a holder of an in-hall bingo licence, including the profits from the sale of instant-win tickets, where applicable, shall be used for the project for which the licence was issued.

All the amounts referred to in the first paragraph shall be spent within 90 days from the date of expiry of that licence. However, in the case of a project that requires more time to be carried out, all the amounts shall be spent according to the schedule referred to in paragraph 1 of section 19.

DIVISION V ADVERTISING

64. A holder of a bingo licence is responsible for the content of any advertisement made for a bingo event.

A consultative committee or a group may advertise the bingos set up and operated by the holders of bingo licence who sit on it.

A holder of a bingo hall operator's licence is also authorized to advertise the bingo events set up and operated in his hall. However, the resulting expenditures may not be deducted in the calculation of the net revenues referred to in section 61.

65. In the advertising for a bingo event, a holder of a bingo licence or of a bingo hall operator's licence shall indicate his name and his licence number.

Where a consultative committee or a group does advertising for the holders of bingo licences who sit on it, the licence number of at least one licence holder shall be indicated.

66. The advertising for a bingo may not indicate the total value of prizes to be awarded during several bingos events, so as to create the impression that the value of the prizes offered exceeds the value authorized by the bingo licence or that there is only one big prize.

67. A holder of a bingo hall operator's licence and a holder of an in-hall bingo licence may not offer a promotion during a bingo event.

For the purposes of this section, "promotion" means any action resulting in the granting of a rebate, an advantage or goods to players, for instance by giving door prizes, gifts, coupons, gift certificates or bingo paper.

68. A holder of an in-hall bingo licence may not incur as advertising expenses more than 2 % of the value of the prizes offered during all the bingo events authorized by his licence, excluding the additional amount provided for in the second paragraph of section 7, where applicable.

DIVISION VI REPORTS AND REGISTERS

69. A holder of an in-hall bingo licence and a holder of a fair or exhibition bingo licence shall complete and keep a report on receipts and expenses on the form provided by the Board for each bingo event they set up and operate.

That report shall include, in particular,

- (1) the date of the event;
- (2) the number of players;
- (3) the amounts from the sale of bingo paper;
- (4) the total value of the prizes awarded;
- (5) the total amount paid for salaries;
- (6) the total amount paid for advertising;
- (7) the amount paid to the holder of the bingo hall operator's licence for hall services;
- (8) the amount paid to the holder of the bingo hall operator's licence as his share of the net revenues, where applicable;
- (9) the expenses paid for equipment, where applicable;
- (10) the expenses paid for bingo paper, where applicable;
- (11) the net revenues or losses resulting from the bingo event; and
- (12) the net revenues from the bingo set up and operated by Loto-Québec or one of its subsidiaries, where applicable.

If the in-hall bingo licence authorizes the sale of instant-win tickets, the report shall also indicate

- (1) the total sales of tickets and the serial number of each batch of tickets sold;
- (2) the total value of the prizes awarded;
- (3) the purchase cost of all the instant-win tickets, including the number of the corresponding invoice;
- (4) the total amount paid for salaries if the instant-win tickets are sold by another person than the person who sells the bingo paper; and
- (5) the net revenues or losses resulting from the lottery scheme.

Where the holder of the in-hall bingo licence sets up and operates a bingo in a place for which a bingo hall operator's licence is issued, he shall send that report to the Board within 30 days following the holding of any

series of 15 consecutive bingo events and for the other events, within 30 days of the date of expiry of his licence.

A holder of in-hall bingo licence who sets up and operates a bingo in a place for which a bingo hall operator's licence is not required and the a holder of a fair or exhibition bingo licence shall send that report within 30 days of the date of expiry of their licence.

70. A holder of a fair or exhibition bingo licence and a holder of a licence for a bingo at a public place of amusement shall complete and send to the Board, within 30 days of the expiry of their licence, a report on the form provided by the Board indicating the total sales of bingo paper for all the bingo events set up and operated during the period of validity of their licence.

71. A holder of a bingo hall operator's licence shall complete an activity report on the form provided by the Board.

For each bingo event set up and operated in his hall, the report shall indicate

- (1) the date of the event;
- (2) the total amount collected from the holder of the bingo licence for using the hall;
- (3) the total amount collected for bingo paper, with the corresponding serial numbers, where applicable;
- (4) the purchase price of the bingo booklets, including the corresponding invoices, where applicable; and
- (5) the amount received from the bingo set up and operated by Loto-Québec or one of its subsidiaries, where applicable.

That licence holder shall send that report to the Board every 3 months and, as for the latter report, within 30 days of the date of expiry of his licence.

72. A holder of an in-hall bingo licence and a holder of a media bingo licence shall complete and send to the Board a report on the use of the funds on the form provided by the Board within 90 days of the date of expiry of their licence.

That report shall include a description of the goods or services in support of each payment, and the price paid for each good or service.

If those licence holders remit an amount greater than \$500 to a charitable or religious organization, they shall

keep a document from that organization attesting to the amount received and how it is used.

Where all the revenues from the bingo have not been used when the report is filed, those licence holders shall indicate therein when it will be spent and for what purposes. They shall also send the Board a document attesting to the use of those amounts on the form provided by the Board, within 30 days of their spending.

73. A consultative committee that has entered into an agreement or a protocol referred to in section 5 shall complete and send to the Board a report on how the bingo revenues will be disposed of, on the form provided by the Board. That report shall indicate

- (1) the amount of each money inflow from the setting up and operation of a bingo and the name of the bingo licence holder from whom the amount comes;
- (2) the amount of each expenditure and the name of the bingo licence holder to whom the amount was remitted; and
- (3) the amount stipulated in the agreement or protocol that has not yet be spent according to the terms of that agreement or protocol, including the names of the licence holders among whom that amount will be shared and the sum that will thus be remitted to each of them.

The responsible person referred to in section 5 shall send that report to the Board, within 30 days following the holding of any series of 15 consecutive bingo events and for the other events, within 30 days of the date of expiry of the last bingo licence issued to the members of the consultative committee.

74. A consultative committee that has set up an assistance fund for charitable or religious organizations not holding a bingo licence shall complete and send to the Board a report on the management of the fund on the form provided by the Board. That report shall indicate

- (1) the amount of each money inflow into the fund resulting from the setting up and operation of a bingo and the name of the bingo licence holder from whom that amount comes;
- (2) the amount paid to a charitable or religious organization, including its name and how it used it; and
- (3) the balance of the fund, if any, including the names of the charitable or religious organizations that will benefit from it and the amount that will be remitted to them.

The responsible person referred to in section 5 shall send that report to the Board, not later than the 90th day following the last date of expiry of the bingo licences issued to the members of the consultative committee.

75. A holder of a bingo hall operator's licence and a holder of a bingo licence shall keep up-to-date registers, books and other documents in support of all reports sent to the Board under these Rules for at least one year from the date of expiry of their licence.

The information in the forms, registers, reports and other documents, as well as the in the vouchers accompanying them, provided to the Board under these Rules, are considered to be given under oath and their veracity and accuracy attested to.

DIVISION III SPECIAL PROVISIONS APPLICABLE TO MEDIA BINGOS

76. A media bingo event may be set up and operated only if it is broadcast by a community radio station or a community television channel.

77. In addition to the documents and information provided for in subparagraphs 1, 2 and 4 of the first paragraph of section 19, a applicant for a media bingo licence shall provide the Board with the following documents and information on the form provided by the Board:

(1) the name, address and frequency of the radio station or television channel that will broadcast the bingo he will set up and operate and the authorized territory for broadcasting the bingo;

(2) a specimen of the bingo cards to be sold and the number of cards to be printed, and the name and address of the printer; and

(3) the procedure to be followed to sell cards indicating, in particular, how and where they will be distributed and how the money collected by card sellers will be managed.

78. A holder of a media bingo licence shall keep his licence in the place where the bingo is set up and broadcasted.

79. Each bingo card or its packaging shall indicate

(1) the sale price of each face;

(2) the number of the licence issued by the Board;

(3) the name of the charitable or religious organization to the benefit of which the bingo is set up and operated;

(4) the name, address, telephone number and frequency of the community radio or television station broadcasting the bingo;

(5) the time and date on which the bingo event will be broadcasted on radio or television;

(6) the internal rules and procedure to be followed by the winner to claim his prize; and

(7) the game program and the value of the prizes offered during each game.

80. Notwithstanding section 28, a holder of a media bingo licence is also authorized to sell bingo paper in the days preceding a bingo event.

81. The bingo caller of a media bingo event shall animate it before 2 witnesses who shall sign an attestation of their presence during each bingo game.

The original of that document shall be attached to the report on receipts and expenses provided for in section 85.

82. The percentage of the net profits from a media bingo may not be less than 15 %. Likewise, the percentage of administrative expenses may not exceed 25 % of the gross receipts.

83. The remuneration of a person who fulfils duties in connection with the setting up and operation of a bingo shall be included in administrative expenses.

84. Gasoline and travel expenses incurred by bingo card sellers, their commissions on card sales, and the duties on the media bingo licence may not amount to more than 20 % of the total gross receipts of the bingo.

A holder of a media bingo licence who pays a cash commission to a card seller or to a person who fulfils duties in connection with the setting up and operation of a media bingo event shall obtain from that person or seller a receipt indicating his name, his address and the amount received.

85. A holder of a media bingo licence shall complete a report of the receipts and expenditures, on the form provided by the Board for each bingo event he sets up and operates.

That report shall indicate, in particular,

- (1) the date of the event;
- (2) the amount of the total sales of bingo paper;
- (3) the total value of the prizes awarded;
- (4) the total amount paid for salaries, including those of card sellers;
- (5) the total amount paid for promotion and advertising;
- (6) the total amount of expenses paid for bingo paper;
- (7) the amount of expenses paid for equipment; and
- (8) the net revenues or losses from the bingo event.

That licence holder shall send that report to the Board within 30 days following the holding of any series of 15 consecutive bingo events and for the other events, within 30 days of the date of expiry of his licence.

86. Profit derived from the setting up and operation of a media bingo shall be used for the charitable or religious purposes for which the bingo licence was issued and shall be spent to the benefit of citizens in the territory within the range of the community radio or television station.

87. Notwithstanding sections 30 and 35, a holder of a media bingo licence is authorized to use sold bingo cards to advertise or promote his bingo events.

88. A holder of a media bingo licence may offer a promotion outside the hours of a bingo event.

The costs of such promotion shall be included in the administrative expenses.

CHAPTER IV INSTANT-WIN TICKETS

89. Only a holder of an in-hall bingo licence may offer instant-win tickets.

He is responsible for the management and accounting required by that lottery scheme.

90. The expenditures and receipts derived from the sale of instant-win tickets shall be accounted for separately from the bingo's.

91. A holder of an in-hall bingo licence shall use batches of instant-win tickets that comply with the following:

- (1) they shall comprise a minimum number of 983 tickets;
- (2) a winning ticket may not confer a prize greater than \$200;
- (3) the percentage of gross profits from the sale of a batch may not be less than 25 % of gross receipts; and
- (4) the sale price of a ticket may not exceed \$1.00.

In these Rules, "batch" means a series of winning and losing instant-win tickets contained in a box or package, each ticket bearing the same number.

92. A holder of an in-hall bingo licence shall use tickets that comply with the following:

(1) those tickets shall be composed of one part only that indicates:

(a) the name of the charitable or religious organization and the number of its bingo licence;

(b) the name of the game;

(c) the number of prizes offered and the value of each, as well as their respective winning combination;

(d) the sale price of the ticket, the serial number and the name of the ticket manufacturer;

(2) the surface of each ticket shall be opaque so that it is impossible to read the combinations by means of any light source;

(3) each box on the ticket shall be designed so that it is impossible to read the content without breaking the perforation protection or the seal protecting it, or without leaving other traces of alteration; and

(4) in the case of a winning ticket, it shall not be identifiable by the quality of its colour, its size the presence of any mark on its edges or any other particular sign.

93. Winning instant-win tickets shall be distributed at random in each batch.

Each batch shall be packaged in a sealed box that makes it impossible to alter its content. Each box shall remain sealed and the batches shall be kept intact until they are sold by the bingo licence holder.

94. No one may alter, modify or counterfeit an instant-win ticket.

95. A holder of an in-hall bingo licence may sell instant-win tickets only during a bingo event, where that bingo is set up and operated.

96. A holder of an in-hall bingo licence shall post up a notice in full view of the players that indicates that prizes must be claimed before the end of the bingo event and that they are paid in cash.

97. A holder of an in-hall bingo licence shall shuffle the place the instant-win tickets in a transparent container and all the tickets sold shall come from that container.

98. Each winning instant-win ticket shall be perforated in the winning combination when the prize is given. Winning tickets for a prize equal to or greater than \$100 shall be kept with the report prescribed in section 71.

99. In order to be declared valid as a winning ticket, an instant-win ticket shall be intact, except for the boxes, and it shall not be modified, altered, reconstituted or counterfeited in any way whatsoever.

100. The person responsible for the sale of instant-win tickets and sellers may not buy, participate indirectly in such lottery scheme or share a prize.

101. No instant-win ticket shall be sold to a minor.

102. No instant-win ticket shall be sold on credit or be paid by cheque or credit card.

103. A holder of an in-hall bingo licence shall obtain invoices from every person who provides him with instant-win tickets and he shall keep them for at least one year after his licence's date of expiry. Such invoices shall indicate

(1) his name and the number of his bingo licence;

(2) the type of tickets, including the name of the game, the name of the manufacturer and the name of the supplier;

(3) the number of batches of tickets bought, including their respective serial number and the number of tickets in each batch; and

(4) the date on which the invoice is issued.

DIVISION V TRANSITORY AND FINAL PROVISIONS

104. Charitable and religious organizations that hold a bingo licence and that set up and operate a bingo in a hall where prizes of more than \$200 are offered and that use re-usable cards may continue to use them until 21 January 1998.

105. Holders of bingo licences may continue to use bingo paper not bearing the logo of the Board until 21 January 1998.

106. Any person who, before 23 October 1997, has submitted an application for the issue of a bingo licence or a modification thereto to the Board shall modify it before (enter the date corresponding to the 90th day following the date of coming into force of these Rules) in such manner as to comply with these Rules.

107. The Board shall reimburse to any person who has applied for reimbursement before 23 October 1997 the amount of the fees prescribed in paragraph 1 of section 4.1 of the Lottery Schemes Regulation, made by Order in Council 2704-84 dated 5 December 1984, as it read before being revoked by section 4 of the Regulation to amend the Lottery Schemes Regulation, made by Order in Council 1269-97 dated 24 September 1997.

Such reimbursement shall be made in accordance with section 11 of that Regulation, as it read before 23 October 1997.

108. Sections 61 and 62 do not apply to holders of bingo licences in force on 23 October 1997 until their licences expire.

109. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*, except sections 36, 38 and 103, which will come into force on 21 January 1998.

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