

## Context

The Gaming Policy and Enforcement Branch (the Branch) regulates all gaming in British Columbia, and is responsible for the overall integrity of gaming and horseracing.

The Gaming Control Act requires individuals and corporations who provide goods or services to the gaming and horse racing sectors in B.C. to be registered by the Branch. Applicants must submit to, and cooperate in, a background investigation as part of the registration process to determine their suitability to provide gaming services in B.C.

All gaming workers are responsible for adhering to the rules governing gaming in B.C., as defined in the Gaming Control Act (Act) and Regulation and the conditions of registration.

The Branch monitors compliance by gaming workers to determine their ongoing suitability to participate in B.C.'s gaming and horseracing sectors. Under the Act, the Branch has the authority to directly impose administrative sanctions on registrants that fail to comply with the Act, the Regulation and/or, the conditions of registration.

## Objectives

- To encourage registered gaming workers to voluntarily comply with the Act, regulations, and conditions.
- To ensure the integrity and lawful conduct and management of gaming.

## Authority and Application

Section 56 of the Act authorizes the General Manager to register gaming workers, and to attach conditions to the registrations. The General Manager can refuse to issue or renew the registration of a gaming worker for any of the reasons set out under section 68 of the Act, including breaching a condition of registration. Section 69 of the Act authorizes the General Manager to impose one or more administrative sanctions, which include suspending or cancelling a registration or imposing an administrative fine. The General Manager is authorized under section 80(1) of the Act to conduct background investigations to assess applications for registration and to monitor compliance of registrants with the Act, regulations, rules and conditions of registration. Under section 71, the general manger can make inquires and obtain further information from an applicant or registrant to determine if administrative sanctions are warranted, and the applicant or registrant must comply.

The registration responsibilities of the general manger have been delegated to the Branch's Director of Registration.

### Administrative Sanctions

Section 70 of the Act authorizes the General Manager to impose one or more of the following administrative sanctions on a gaming worker registrant or applicant:

- Issue a warning;
- Refuse to issue or renew a registration;
- Suspend or cancel a registration;
- Impose new, or vary existing, conditions on a registration; and/or
- Impose an administrative fine of up to \$5,000.

Examples of non-compliance where the Branch may impose one or more administrative sanctions include, but are not limited to:

- Failure to submit to, and co-operate in, background investigations, including interviews at the request of the General Manager;
- Failure to comply with the applicable standard operating procedures and rules of play;
- Failure to immediately notify the General Manager of any criminal charges or investigation involving the gaming worker;
- Failure to immediately notify the General Manager of any civil litigation in which there are allegations of fraud, theft, deceit or misrepresentation involving the gaming worker.

The [Administrative Sanctions Table](#) describes a range of sanctions that *may* be imposed by the Branch for first and subsequent violations. However, the type and severity of these sanctions depend on a number of factors, including the circumstances of the contravention and the compliance history of the registrant. The Branch may apply any of the sanctions available to it, including cancelling or refusing to issue a registration if the General Manager considers it would be detrimental to the integrity or lawful conduct, management or operation of gaming.

Note also that the violations listed in the Administrative Sanctions Table are not a definitive list of all potential violations. Registrants must comply with all provisions of the Gaming Control Act, all regulations and rules under the Gaming Control Act, all policies published by the Branch, whether enacted, published or issued before or after the date of registration, and as amended from time to time.

Disputed administrative sanctions are managed by the Branch through its Reconsideration and Administrative Review process. For more information, see <http://www.pssg.gov.bc.ca/gaming/>

### Regulatory or Criminal Offences

In addition to administrative sanctions, registrants could face additional penalties for offences that are contrary to the Gaming Control Act or the *Criminal Code* of Canada.

Branch investigators, who are designated as Special Provincial Constables, and police officers have the authority to issue violation tickets for fines up to \$500 for regulatory offences under Section 97(2)(b),(c),(d) and (e) of the Act. Disputed tickets are dealt with through the provincial court system in a manner similar to motor vehicle traffic tickets.

Registrants that receive a penalty for a regulatory or criminal offence may also face administrative sanctions, including the cancellation of registration.

**Administrative Sanctions Table**

**Note:** This table is provided for information purposes only and describes a range of likely administrative sanctions that *may be* imposed by the Gaming Policy and Enforcement Branch (Branch) for first and subsequent violations. However, the type and severity of administrative sanctions imposed depends on a number of factors, including the nature and circumstances of the contravention and the compliance history of the registrant. The sanctions that may be applied include cancelling or refusing to issue a registration. Note also that the violations listed are not a definitive list of all potential violations. Registrants must comply with all provisions of the Gaming Control Act, all regulations and rules under the Gaming Control Act, all policies published by the Branch, whether enacted, published or issued before or after the date of registration, and as amended from time to time.

ADMINISTRATIVE VIOLATIONS	SANCTION(S) LIKELY IMPOSED FOR SUCCESSIVE VIOLATIONS OF A SIMILAR NATURE		
	1 <sup>ST</sup> VIOLATION	2 <sup>ND</sup> VIOLATION	SUBSEQUENT VIOLATION(S)
Applicant or registrant has made a material misrepresentation, omission or misstatement in a registration application or in reply to an inquiry under the Act (Section 68(d) of the Gaming Control Act).	<ul style="list-style-type: none"> <li>◆ Registration denied, suspended or cancelled;</li> <li>◆ Administrative fine of up to \$5,000 imposed.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Registration cancelled.</li> </ul>	
Failure to submit to, and co-operate in, background investigations, including interviews at the request of the General Manager under the Act (Sections 71 and 87 of the Gaming Control Act; Section 35(a) of the Gaming Control Regulation).	<ul style="list-style-type: none"> <li>◆ Registration denied, suspended or cancelled.</li> </ul>		
Failure to comply with the standard operating procedures and rules of play relevant to the type of gaming pertinent to the registration (Section 35(b) of the Gaming Control Regulation).	<ul style="list-style-type: none"> <li>◆ Written warning with requirement to comply.</li> <li>◆ Registration suspended pending compliance.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Administrative fine of up to \$5,000 imposed;</li> <li>◆ Registration suspended for up to 3 months;</li> <li>◆ Additional conditions imposed.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Registration cancelled.</li> </ul>
Failure to immediately report to the General Manager the loss of his or her official identification card (Section 35(b.1)(i) of the Gaming Control Regulation).	<ul style="list-style-type: none"> <li>◆ Written warning with requirement to comply.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Administrative fine of up to \$5,000 imposed;</li> <li>◆ Registration suspended for up to 3 months;</li> <li>◆ Additional conditions imposed.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Registration cancelled.</li> </ul>

ADMINISTRATIVE VIOLATIONS  (continued)	SANCTION(S) LIKELY IMPOSED FOR SUCCESSIVE VIOLATIONS OF A SIMILAR NATURE		
	1 <sup>ST</sup> VIOLATION	2 <sup>ND</sup> VIOLATION	SUBSEQUENT VIOLATION(S)
Failure to immediately report to the General Manager a change of his or her name (Section 35(b.1)(ii) of the Gaming Control Regulation).	<ul style="list-style-type: none"> <li>◆ Written warning with requirement to comply.</li> <li>◆ Registration suspended pending compliance.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Administrative fine of up to \$5,000 imposed;</li> <li>◆ Registration suspended for up to 3 months;</li> <li>◆ Additional conditions imposed.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Registration cancelled.</li> </ul>
Failure to immediately report to the General Manager any criminal charges or criminal investigations involving the gaming worker, or any civil litigation in which there are allegations of fraud, theft, deceit or misrepresentation involving the gaming worker (Section 35(b.1)(iii) of the Gaming Control Regulation).	<ul style="list-style-type: none"> <li>◆ Written warning with requirement to comply.</li> <li>◆ Registration suspended pending compliance.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Administrative fine of up to \$5,000 imposed;</li> <li>◆ Registration suspended for up to 3 months;</li> <li>◆ Additional conditions imposed.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Registration cancelled.</li> </ul>
Where a gaming worker’s duties pertain to security or surveillance at a gaming facility, failure to produce for inspection his or her official identification at the request of an inspector, an investigator of the branch, an onsite gaming official of the lottery corporation or a police officer (Section 35(b.2)(c) of the Gaming Control Regulation).	<ul style="list-style-type: none"> <li>◆ Written warning with requirement to comply.</li> <li>◆ Registration suspended pending compliance.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Administrative fine of up to \$5,000 imposed;</li> <li>◆ Registration suspended for up to 3 months;</li> <li>◆ Additional conditions imposed.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Registration cancelled.</li> </ul>
Where a gaming worker’s duties do not pertain to security or surveillance at a gaming facility, failure to wear or display official identification in a manner clearly visible to the public, while on duty at a gaming facility (35(b.2)(d) of the Gaming Control Regulation).	<ul style="list-style-type: none"> <li>◆ Written warning with requirement to comply.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Administrative fine of up to \$5,000 imposed;</li> <li>◆ Registration suspended for up to 3 months;</li> <li>◆ Additional conditions imposed.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Registration cancelled.</li> </ul>