



Randy Pettapiece, MPP
Perth-Wellington

Queen's Park
Toronto, Ontario

October 18, 2017

Hon. Yasir Naqvi, MPP
Attorney General
11th Floor
720 Bay Street
Toronto ON M7A 2S9

Hand-delivered in the Ontario Legislature

Dear Minister:

Recently I met with Kriss Snell, CAO, and Danette Beare, Deputy Clerk, of the Municipality of North Perth: 330 Wallace Avenue North, Listowel, Ontario, N4W 1L3.

We discussed the ongoing challenge for municipalities and service clubs to comply with your government's rigid lottery licensing requirements as imposed by the Alcohol and Gaming Commission of Ontario (AGCO). Currently, service groups and other organizations are effectively barred from using proceeds from lottery licenses on property belonging to municipalities.

Municipalities have said this needs to change. I agree. By permitting access to funds raised through service clubs and lottery donations for valued community services—including recreation, early childhood education, and the like—municipalities would, in effect, have a new revenue source. Your government has, in fact, encouraged municipalities to explore new revenue sources to help offset your provincial funding reductions.

On many occasions over the years, I have asked your government to recognize and fix this problem. Many of the municipalities I represent have been outspoken on this matter, and I have written on their behalf as well. In June 2015, I wrote to your predecessor to call attention to a resolution from the Municipality of North Perth. Her July 23, 2015, response dismissed our concerns, essentially stating that the federal Criminal Code prevents any such action on the part of the province. Copies of our letters are enclosed.

John Nater, MP, recently followed up with the Hon. Jody Wilson-Raybould, Attorney General of Canada. Her response is enclosed for your information. She absolutely contradicts your government's claims: *"The Criminal Code itself does not prevent a municipality from receiving proceeds from a charitable lottery scheme..."* She also writes: *"It would be for the licensing province to determine whether the charitable proceeds could be used in the manner you have suggested."*

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Based on the federal government's letter, this matter is plainly the responsibility of the province alone. Will you acknowledge this fact? As Attorney General, you have the power to make the changes requested by municipalities and service clubs across Ontario. Will you do so?

Thank you for your attention to this matter. We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Pettapiece".

Randy Pettapiece, MPP
Perth-Wellington

Enclosures

c: John Nater, MP
Jean Major, CEO, AGCO
Municipalities in Perth-Wellington

Perth Office
59 Lorne Avenue East, Unit A
Stratford, Ontario N5A 6S4
Tel: 519-273-1400
Fax: 519-273-9045

Wellington Office
39 Elora Street South, Unit 1
P.O. Box 464
Harriston, Ontario N0G 1Z0
Tel: 519-338-3589
Fax: 519-338-5615



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

John Nater

Member of Parliament
Perth—Wellington

Ottawa Office
House of Commons
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Online
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October 12, 2017

Randy Pettapiece, M.P.P.
Perth—Wellington
55 Lorne Avenue East, Unit 2
Stratford, ON N5A 6S4

Dear Mr. Pettapiece,

Please find enclosed a letter from the Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada dated May 17, 2017 and received by the Chief Administrative Officer of the Municipality of North Perth on May 24, 2017.

Sincerely,

John Nater, M.P.
Perth—Wellington

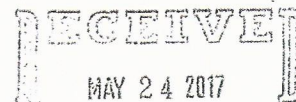
Minister of Justice
and Attorney General of Canada



Ministre de la Justice
et procureur général du Canada

The Honourable / L'honorable Jody Wilson-Raybould, P.C., Q.C., M.P. / c.p., c.r., députée
Ottawa, Canada K1A 0H8

MAY 17 2017



Mr. Kriss Snell
Chief Administrative Officer
Municipality of North Perth
330 Wallace Avenue North
Listowel ON N4W 1L3

EY:

Dear Mr. Snell:

Thank you for your correspondence, sent on behalf of the Council of the Municipality of North Perth, concerning the use of proceeds from charitable lottery schemes and the *Criminal Code*. I regret the delay in responding.

As you may know, under the *Criminal Code*, a province may conduct and manage a lottery scheme and use the proceeds from its own lottery schemes as it sees fit, including transferring money to a municipal government that has been established by provincial legislation. The *Criminal Code* also authorizes provincially licensed lottery schemes that are conducted by a charitable or religious organization, as long as the proceeds are used for charitable or religious purposes.

The *Criminal Code* itself does not prevent a municipality from receiving proceeds from a charitable lottery scheme if those proceeds are specified and used for a charitable purpose. However, a province is free to set lottery licensing policies that govern which charitable lottery schemes the province will license, and for which charitable purposes the licensed charitable lottery scheme's proceeds must be used.

At present, there is no plan to introduce an amendment to the relevant *Criminal Code* provision that would authorize a charity to give money to a municipality. It would be for the licensing province to determine whether the charitable proceeds could be used in the manner you have suggested.

Thank you again for writing.

Respectfully,

The Honourable Jody Wilson-Raybould

Canada

AUG 05 2015

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720 Bay Street
11th Floor
Toronto ON M7A 2S9
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Téléc.: 416-326-4016



Our Reference #: MC-2015-3680

July 23, 2015

Randy Pettapiece, MPP
Perth-Wellington
55 Lorne Avenue East
Stratford, Ontario
N5A 6S4

Dear Mr. Pettapiece:

Randy
Thank you for forwarding the Resolution from the Council of the Municipality of North Perth regarding their request that the Alcohol and Gaming Commission of Ontario (AGCO) allow eligible organizations to use proceeds from lottery licenses for municipal purposes. As the AGCO reports to the Ministry of the Attorney General, I am pleased to respond.

Under the federal *Criminal Code* all gambling is illegal unless it falls under one of a few exceptions. One exception allows a charitable or religious organization to obtain a license to conduct a lottery and use the proceeds for charitable purposes. Since a municipality is not a charitable organization, unfortunately, it cannot receive proceeds from charitable gaming events.

Staff from the Municipality of North Perth may wish to contact Frank Cuda, Manager of Eligibility-Gaming, at the AGCO. Mr. Cuda can be reached at 416-326-3137 or via e-mail at frank.cuda@agco.ca to further discuss the municipality's request.

Thank you again for writing.

Sincerely,

Madeleine

Madeleine Meilleur
Attorney General

c: Patricia Berfelz, Clerk, Municipality of North Perth



Randy Pettapiece, MPP
Perth-Wellington

Perth-Wellington Constituency Office
Stratford, Ontario

June 8, 2015

The Hon. Madeleine Meilleur, MPP
Attorney General
11th Floor, 720 Bay Street
Toronto ON M5G 2K1

Dear Minister:

Enclosed you will find a copy of a letter you should have received from the Municipality of North Perth.

The municipality is calling for the Alcohol and Gaming Commission to change the Lottery Licensing Policy to allow eligible organizations to use proceeds from lottery licenses for construction, renovation and improvement of buildings owned by or on land owned by municipalities for the purposes outlined in the resolution.

As Attorney General, you oversee the Commission. Will your government support the municipality's position?

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Randy Pettapiece', written in a cursive style.

Randy Pettapiece, MPP
Perth-Wellington

RP:sy

Enclosure

c: Patricia Berfelz, Clerk, Municipality of North Perth





MUNICIPALITY OF

MAY 14 2015

North Perth

www.northperth.ca

A Community of Character

330 Wallace Ave. N., Listowel, ON N4W 1L3

Phone: 519-291-2950

Toll Free: 888-714-1993

May 11th, 2015

Alcohol and Gaming Commission of Ontario
90 Sheppard Avenue East
Suite 200-300
Toronto, Ontario M2N 0A4

Attention: Eleanor Meslin, Chair

Dear Chair Meslin:

Please be advised, the Council of the Municipality of North Perth at their regular meeting on Monday, April 27th, 2015 passed the following Resolution:

"THAT:

WHEREAS: The Municipality of North Perth provides many "charitable purposes beneficial to the community";

AND WHEREAS: Service Clubs have shown an interest to assist the Municipality by raising money through the process of a lottery scheme if permitted in the Lottery Licensing Policy Manual;

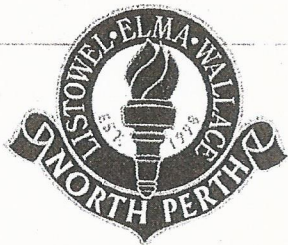
AND WHEREAS: At this time the Lottery Licensing Policy Manual regulated by Alcohol and Gaming Commission of Ontario does not permit municipalities to be recipients of proceeds raised from lottery schemes;

NOW THEREFORE BE IT RESOLVED THAT: The Council of the Municipality of North Perth request that the Alcohol and Gaming Commission of Ontario change the Lottery Licensing Policy to allow eligible organizations to use the proceeds from lottery licenses for construction, renovation and improvement of buildings owned by or on land owned by municipalities used for the relief of poverty; the advancement of education; the advancement of religion; or other charitable purposes beneficial to the community, including the i) promotion of arts and cultural activities; ii) pursuits related to cultural, ethnic, native, historic and heritage; iii) improvement of the quality of health through medical research; treatment programs and preventative programs; and iv) youth sporting activities.

AND FURTHER THAT: This resolution be forwarded to the following:

- Randy Pettapiece, MPP Perth Wellington
- The Honourable Madeline Meilleur, Attorney General
- Association of Municipalities of Ontario
- Perth County Municipalities

I urge you to give this resolution your attention.



MUNICIPALITY OF

North Perth

www.northperth.ca

A Community of Character

330 Wallace Ave. N., Listowel, ON N4W 1L3

Phone: 519-291-2950

Toll Free: 888-714-1993

Yours truly,

Patricia Berfelz, CMO
Clerk,
Municipality of North Perth

cc. Honourable Kathleen Wynne, Premier of Ontario
Honourable Madeline Meilleur, Attorney General
Randy Pettapiece, Perth Wellington MPP
Association of Municipalities of Ontario