



BILL NO. 81

Government Bill

*4th Session, 61st General Assembly
Nova Scotia
61 Elizabeth II, 2012*

An Act to Amend Chapter 4 of the Acts of 1994-95, the Gaming Control Act

CHAPTER 23
ACTS OF 2012

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
MAY 17, 2012**

The Honourable David A. Wilson
Minister responsible for Part I of the Gaming Control Act

*Halifax, Nova Scotia
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**An Act to Amend Chapter 4
of the Acts of 1994-95,
the Gaming Control Act**

Be it enacted by the Governor and Assembly as follows:

1 Clause 2(a) of Chapter 4 of the Acts of 1994-95, the *Gaming Control Act*, is amended by striking out “and regulating casinos and other lottery schemes” in the second and third lines and substituting “, regulating and investing in casinos, other lottery schemes and related businesses”.

2 Clause 3(d) of Chapter 4 is amended by striking out “Gaming” in the first and second lines and substituting “Provincial Lotteries and Casino”.

3 The heading immediately preceding Section 6 of Chapter 4 is amended by striking out “GAMING” in the second line and substituting “PROVINCIAL LOTTERIES AND CASINO”.

4 Section 6 of Chapter 4 is repealed and the following Section substituted:

6 In this Part,

(a) “Deputy Minister” means the deputy minister assigned responsibility for this Part;

(b) “Minister” means the member of the Executive Council assigned responsibility for this Part.

5 Section 8 of Chapter 4 is repealed and the following Section substituted:

8 (1) The Nova Scotia Gaming Corporation is hereby continued as a body corporate under the name Nova Scotia Provincial Lotteries and Casino Corporation.

(2) The members of the Board who held office immediately before the coming into force of this Section cease to hold office upon the coming into force of this Section.

6 Clause 10(d) of Chapter 4 is repealed and the following clause substituted:

(d) with the approval of the Minister, do such other things within the expertise of the Corporation in respect of casinos, lottery schemes and lottery and gaming services in order to increase the net revenue of the Province.

7 Section 11 of Chapter 4 is amended by

(a) adding “(1)” after the Section number; and

(b) adding the following subsection:

(2) The Board of Directors may make by-laws for the management of the business and affairs of the Corporation.

8 Subsections 12(1) to (3) of Chapter 4 are repealed and the following subsections substituted:

- (1) The Board consists of
- (a) the Deputy Minister;
 - (b) the Deputy Minister of Finance;
 - (c) the Deputy Minister of Health and Wellness or a person designated by the Deputy Minister of Health and Wellness;
 - (d) a public servant appointed by the Minister; and
 - (e) where the Governor in Council considers it advisable, not more than three persons appointed by the Governor in Council.

(2) Where the Deputy Minister is the Deputy Minister of Finance or the Deputy Minister of Health and Wellness, the Deputy Minister has and is entitled to exercise two votes.

- (3) A member of the Board appointed pursuant to clause (1)(e)
- (a) holds office for such term, not exceeding three years, as the Governor in Council determines; and
 - (b) may be re-appointed, but in no case may a member serve for more than three consecutive terms.

9 Section 13 of Chapter 4 is repealed and the following Section substituted:

13 (1) The Deputy Minister is the Chair of the Board.

(2) In the absence of the Chair, the members of the Board present at a meeting of the Board shall select one of the members present to preside over the meeting.

10 Section 14 of Chapter 4 is repealed and the following Section substituted:

14 (1) Subject to subsection (2), a majority of the members of the Board constitutes a quorum.

(2) The quorum must include at least three of the members of the Board referred to in clauses 12(1)(a) to (d).

11 Section 17 of Chapter 4 is amended by striking out “Governor in Council” in the last line and substituting “Minister”.

12 Subsection 19(2) of Chapter 4 is amended by striking out “with the approval of the Governor in Council and” in the first and second lines.

13 Subsection 20(2) of Chapter 4 is amended by striking out “(1)(b)” in the second line and substituting “25(1)(b)”.

14 Clause 24(1)(c) of Chapter 4 is repealed and the following clause substituted:

(c) make available to the public a copy of the rules of play for games of chance offered in a casino as approved pursuant to Part II;

15 (1) Subsection 25(1) of Chapter 4 is amended by

(a) striking out “Governor in Council” in the first and second lines of clause (a) and substituting “Minister”;

(b) striking out “Governor in Council,” in the first and second and in the last lines of clause (b) and substituting in each case “Minister”;

(c) striking out “Governor in Council” in the first and second lines of clause (c) and substituting “Minister”;

(d) striking out “Governor in Council” in the first and second lines of clause (d) and substituting “Minister”;

(e) striking out “Governor in Council” in the first and second lines of clause (e) and substituting “Minister”; and

(f) striking out clause (f) and substituting the following clause:

(f) with the approval of the Minister, enter into any other agreement or take any other action that the Board considers necessary, incidental or conducive to meeting its objects or exercising its powers;

(2) Subsection 25(4) is amended by striking out “or (c)” in the second line and substituting “, (c) or (f)”.

16 Section 26 of Chapter 4 is amended by

(a) striking out “and” in the second line and substituting a comma; and

(b) adding “and any cost associated with the exercise of the Corporation’s powers pursuant to clause 25(f)” immediately after “schemes” in the third line.

17 Subsection 27(1) of Chapter 4 is amended by striking out “and its property” in the first line and substituting “, its wholly-owned subsidiaries and the property of the Corporation and its wholly-owned subsidiaries”.

18 Clause 29(1)(e) of Chapter 4 is repealed and the following clause substituted:

(e) payments pursuant to Section 26;

19 (1) Clause 37(1)(a) of Chapter 4, as amended by Chapter 4 of the Acts of 2003, is further amended by striking out “does” in the first line and substituting “do”.

(2) Subsections 37(3) and (4) of Chapter 4 are repealed.

20 Sections 2 to 5, 7 to 11 and 14 and clauses 15(1)(a) and 15(c) to (e) come into force on such day as the Governor in Council orders and declares by proclamation.
