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CANADA MARKET

Canada

Cracking Canada's Criminal Code

Although internet gambling has been accessible in Canada for the last 30 years, Canadian authorities have largely ignored this offering. Online sports betting currently exists as a legal grey area, whilst single betting is still forbidden. With Canadians wagering an estimated \$4bn a year via offshore sports books compared to \$500m on legal provincial sports lottery games, we look at the Canadian market to see if and when the situation will change.

Gambling hit the headlines in Canada last year when Brampton East MP Raj Grewal announced he was quitting his position after a huge gambling problem and millions of dollars worth of personal debts came to light.

He later said he would not resign from parliament over his gambling addiction but instead took a leave of absence to focus on his mental health.

It brought the gambling sector into the spotlight and although Canada ranks in the top five

globally in terms of average losses per gambler, the issue of gambling has not been a huge priority in governmental discussions.

Several issues in the gambling structure in Canada still remain a talking point however particularly regarding online gambling and single game sports betting.

Grewal is a member of the Liberal party headed by Prime Minister Justin Trudeau who shifted Canada's politics to the left when his win ended a decade long rule of Conservative power in the



country, after a parliamentary majority in 2015. It was the highest turnout for an election since 1993. Trudeau, who is the son of late Prime Minister Pierre Trudeau, is still the favourite to win the next upcoming elections due in October this year (2019), despite pressure over allegations of corruption within his office.

Trudeau, however, remains popular with younger voters in Canada after creating a Twitter war with Trump, legalising cannabis in June last year and pushing for a gender balanced cabinet.

SPORTS BETTING

As the worldwide gambling industry evolved with the arrival of the internet, most jurisdictions evolved with it and today offer an array of gambling online from sports betting to casino games to lotteries.

The Canadian federal and provincial governments however appear to have ignored



The industry is calling for an update of the Canadian Criminal Code to address the grey zone that exists with respect to offshore betting which remains untaxed and unregulated by Canadian authorities. The Canadian sports betting market is huge. It is estimated around \$4bn is illegally wagered each year on sports with much of the money going to offshore online sports books.

these opportunities and since 1985 single game sports betting still remains illegal in the country, forcing players to either bet on a parlay basis (correctly predicting the outcome on a minimum of two games) with a legal Canadian operator or via an offshore operator, or via sites regulated by the Kahnawake Gaming Commission.

The industry is calling for an update of the Canadian Criminal Code to address the grey zone that exists with respect to offshore betting which remains untaxed and unregulated by Canadian authorities. The Canadian sports betting market is huge. It is estimated around

\$4bn is illegally wagered each year on sports with much of the money going to offshore online sports books. Around \$500m is estimated to be wagered annually on legal provincial sports betting games such as Ontario's Pro-Line.

Although parlays can attract recreational gamblers with higher payouts they are more difficult to win than single game wagers. If bettors do manage to cash parlays with the provincial lottery company the returns are also much lower than those offered via an offshore bookmaker.

Paul Burns, President of the Canadian Gambling Association said: "We've had legalised sports betting for 30 years through government regulated sports lottery products, but you have to bet a three game parlay in most cases."

Sports betting has a rich history in Canada. Native Canadians have always wagered on various sports activities and when the Europeans arrived they brought with them European forms of wagering as well as several laws to regulate the industry.

The first gambling related laws were passed in

Essential information and facts about Canada:

Capital Total Area **Population** Median age Religion Ottawa 9,984,670 sq.km 35,881,659 42.4 years

Catholic (39%), Protestant (20%) and other

Ethnic Groups

Canadian (32%), English (20%), French (15%), Scottish (14%), Irish (13%) plus Germany, Italian, Chinese, North American Indian. English (official) and French

Languages

mainly. Canadian Dollar (CAD)

Currency **Government type** Chief of State Federal Parliamentary Democracy Queen Elizabeth II represented by Governor General Julie Payette (since 2017)

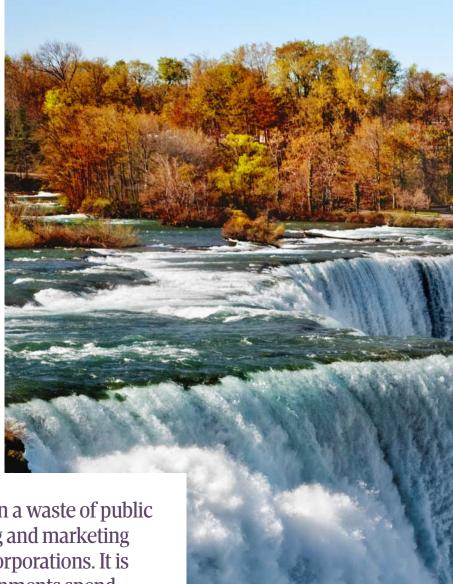
Head of Government

Elections

Prime Minister Justin Pierre James Trudeau (2015) – Liberal Party Monarch is hereditary. Governor General appointed for five year term following elections. Leader of majority party or majority coalition generally designated Prime Minister.

Tourism

20.3 million annual visitors



Single game sports betting results in a waste of public resources in the form of advertising and marketing budgets of the provincial gaming corporations. It is estimated that the provincial governments spend more than \$450m per year on gambling advertising. This is similar to, and often more than, the marketing budgets of some Fortune 500 companies.

1774 and were largely based on the laws of the UK and France. In 1867 legislation for gambling activities was introduced which was a modified version of the British gambling regulations and in 1892 the Criminal Code was introduced.

This Code defined gambling as an offence against 'religion, morals and public convenience' and it is the legal foundation for all gaming in Canada and it states that most forms of gambling are illegal except for pari-mutuel racetrack betting and games of chance giving each province the control of determining the frequency of these activities.

In 1910 an amendment was added and this included more specific and limited exceptions which enabled a) the government of a province to conduct and manage a lottery scheme in that province and b) a charitable or religious organisation to obtain a licence which is issued by the Lieutenant Governor in Council of a province if the proceeds are used for charitable or religious purposes.

In 1969 the federal government's opposition to

lotteries diminished with a change in power. The arrival of Pierre Trudeau as Prime Minister brought significant changes to the Criminal Code as Trudeau proposed that provinces would regulate their lotteries themselves.

So a further amendment authorised lotteries and sweepstakes and provinces were given the authority to licence and operate them whilst the federal government back tracked and launched a national lottery to help fund the 1976 Montreal Olympics.

In 1985 the Code was further amended and a Federal-Provincial Agreement was entered which gave provincial governments full authority to govern gaming in their jurisdiction. This also paved the way for casinos and slots.

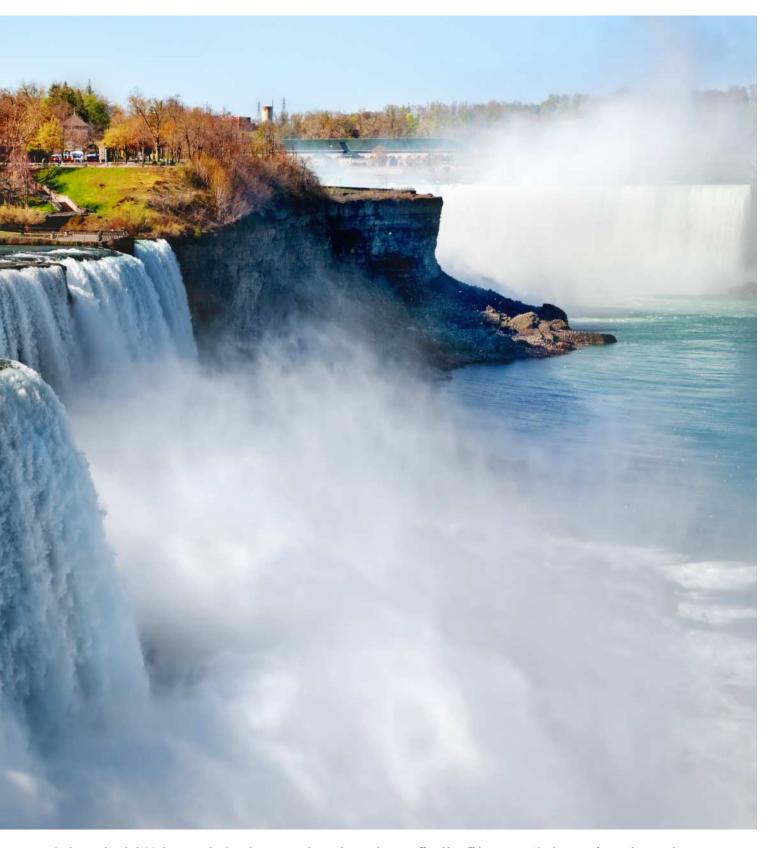
This sparked a whole new interest in gambling in Canada as the ability to raise funds became a huge pull. From this provinces then went on to install slot machines on a mass scale.

Meanwhile sports betting in lottery format was also permitted via the amendments, although

betting on the outcome of a single sporting event remained prohibited by law.

Instead Pro-Line machines were installed featuring only parlay betting options so players could bet on two to six or on three to six matches on one ticket. Pro-Line was initially introduced in Ontario and at the time only featured one simple betting option – backing a team to win. Later players could also bet on over/under and point spread betting.

This type of betting is often viewed as an inferior bet compared to the single sport betting offered by offshore gaming operators.



In the article titled "Modernising the Canadian Criminal Code to Allow for Single Game Sports Betting" authored by Michael D Lipton QC, Kevin J Weber and Chantal A Cipriano of Dickinson Wright LLP in Toronto they write: "The Code permits that only the provincial governments can offer sports betting, while at the same time prohibiting them from offering single game sports bets. Only parlay betting is permitted, often coined a 'sucker's bet' as it requires the bettor to combine two or more wagers, all of which must win for the bet to be successful.

"Educated bettors recognise these betting options as an inferior product when compared

to the single sport betting offered by offshore gaming operators, many of whom operate legally in their home jurisdictions. This creates an incentive for Canadian bettors to use offshore websites for sports betting.

"Moreover single game sports betting results in a waste of public resources in the form of advertising and marketing budgets of the provincial gaming corporations. It is estimated that the provincial governments spend more than \$450m per year on gambling advertising. This is similar to, and often more than, the marketing budgets of some Fortune 500 companies.

"In the case of sports betting, this money is being spent to promote a product that is not tailored to the demands of the betting public. Until the Code is amended to allow the provincial governments to provide an updated product that can capture the interest of young, new and existing gamblers, these promotional efforts will be wasteful, at least insofar as they relate to sports betting."

CONFLICTING INTERESTS

The law seems at odds now with Canada's recent marijuana legalisation which was issued with two principles – to minimise underage access to the drug and to reduce criminal activity associated with the illegal marijuana trade.

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LIVE TABLE GAMES

3,279

GAMING MACHINES

102,434

CANADA VLTS

33,520

CANADA CLASS III

68,914

TOTAL GAMING REVENUE

\$17BN

SPORTS BETTING WAGERS (ILLEGAL)

\$10BN

Many argue these principles are the same surrounding the legalisation of single game sports betting. They claim that since internet gambling arrived the prohibition in the Code does not prevent players from engaging in single game sports betting.

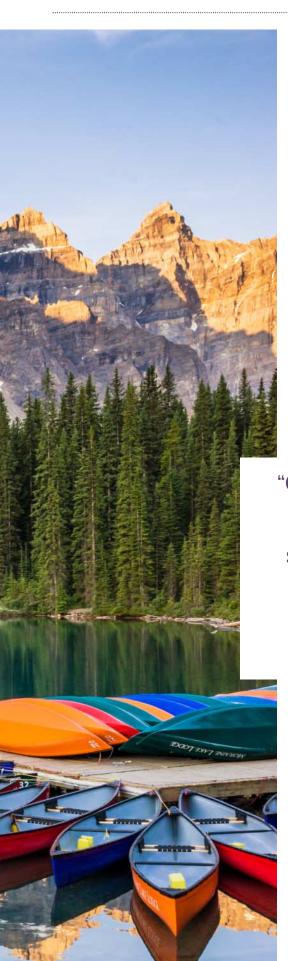
The government has not initiated any prosecutions against offshore remote gambling operators and the situation continues despite the fact the government had the opportunity recently to lift the ban on single game sports betting.

"There are multitudes of offshore gambling sites that allow dollars to flow out of Canada to sportsbooks with servers on small islands," added Lipton, Weber and Cipriano. "Many gambling sites are based in places like Antigua, Gibraltar and the Isle of Man. As such anyone in Canada can place bets with countless offshore bookmakers who accept bets from players in Canada and other countries where it is not legal to accept wagers.

"Canadian law enforcement authorities have not initiated any prosecutions against offshore remote gambling regardless of whether they have actively promoted their services in Canada or have merely passively made those services available in Canada. The absence of such prosecutions speaks volumes about the current attitude of law enforcement authorities towards offshore remote gambling and their appetite to prosecute them.

"There are only three known Code prosecutions of entities involved in remote gambling and in each of those three cases, the entities involved carried out their activities in Canada – they were not 'true' offshore operations. Accordingly it is safe to say that many internet betting operators either believe that it is legal for them to offer their services in Canada, or they accept bets from persons in Canada on the basis that it is unlikely they will be prosecuted. Other bookmakers such as those who operate websites from offshore without being regulated





in a particular jurisdiction, also view the risk of prosecution as extremely low."

Back in 2016 Brian Masse, MP for Windsor West championed the Bill C-221 to allow provinces and territories the option to allow wagering on any race or fight or on a single sports event or athletic contest.

The Bill, would have allowed wagers on single games, and would have also given the Canadian government the ability to tax and regulate it. It could also encourage provincial lottery companies to look at their offering. Some don't offer sports at all and only casino style games. With money from the provincial lotteries going back in the community, a sports betting offering could be a big additional boost to incomes.

But it was strongly opposed by members of parliament and most politicians apparently fear that single game sports betting would lead to higher levels of gambling addiction particularly for those in the lower income brackets. The bill was defeated in September 2016 by a vote of 156–133 in the House of Commons.

Lipton, Weber and Cipriano added: "These fears are to a large extent overstated. First polling data from the United States tells us that many sports bettors today are well educated people who earn

neighbours have changed tack. The US Supreme Court recently ruled that the Professional and Amateur Sports Protection Act of 1992 (PASPA) is null and void on constitutional grounds. In turn the US Supreme Court has made sports betting possible nationwide and it is now up to individual states to decide if they wish to include this offering in their states. The Canadian Gaming Association says Canada now runs the risk of lagging behind.

Paul Burns, President of the CGA said: "It's unfortunate that Canadian Parliament has had a couple of chances to modernise our gaming laws but chose not to.

"Clearly there are economic impacts for gaming operators. And it really leaves the public behind because that's what people want to wager on. Provinces requested a simple amendment to our Criminal Code seven years ago, which would have provided greater regulatory oversight and control to sports wagering to protect consumers, athletes and the integrity of sport. This request has fallen on deaf ears."

ONLINE GAMBLING

Meanwhile the online gambling sector in Canada is booming and is said to worth around CA\$17.3bn. The gambling industry grew by almost five per cent in 2017 driven mostly by the

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a high income and who occupy their leisure time with sports betting. Second many bettors do not see it as an addiction or problem, but simply as an investment tool similar to buying stocks, where a bettor can study the market and manipulate their wagers as they would their stock picks.

"Third, the legalisation of single game sports betting will not result in the introduction of gambling to a large swath of the Canadian public. To a large extent, it will simply capture existing Canadian bettors who are currently using offshore websites.

"If they have developed an addiction while betting on such websites, the legalisation of single game sports betting may result in their behaviour being made subject to existing provincial responsible gambling programs such as self exclusion programs whereby a trespass notice can be served upon self excluded gamblers who enter a gaming venue and which can prevent self excluded gamblers from collecting any winnings should they be discovered."

Meanwhile while Canada flounders, its southern

lotteries, land casinos and online casino gambling sectors.

At the moment there is no centralised online gambling legislation and each of the 10 provinces has the power to control regulate casinos, bingos or lotteries.

At the moment eight of the 10 provinces offer some form of online gambling. There are still two provinces which don't offer online gambling – Alberta and Saskatchewan.

British Columbia became the first to introduce online gambling and began by offering online lottery tickets and sports betting in 2004 adding poker in 2009 and online casino games and bingo a year later.

Since gambling is a provincial concern any legal uncertainty comes down to whether the Criminal Code prohibits offshore operators providing access to Canadians. In 2001 a case involved Starnet Communications International (SCI), which although based in Antigua, had an office in Vancouver, British Columbia.

SCI had developed software in Canada to

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The Kahnawake operates more or less as an autonomous jurisdiction within Canada and most of the tribe's income is made via the sale of alcohol and tobacco plus its gambling operations. They run their own schools, law enforcement and justice system. The Kahnawake Gaming Commission is an independent regulatory body which issues licences to online casinos, sportsbooks and online poker sites.

facilitate online gaming and had issued several licences to third parties to provide online gaming to Canadians. When undercover police investigated the company charges were laid and eventually SCI pleaded guilty to the charges under the Code "keep, or knowingly allow to be kept, in any place under his control, any device for the purpose of recording or registering bets or selling a pool, or any machine or device for gambling or betting."

Before the hearing SCI changed the structure of its company to comply with the Code and placed itself under the umbrella of newly created UK company called World Gaming, whilst a new company called Starnet Systems was created to operate all gambling activity from Antigua.

Meanwhile the Alberta Gaming, Liquor and Cannabis department and the government are now actively looking into legal regulated online gaming options for the province. The province recently put out a request for proposals to check for interested parties and is actively looking for a developer for online gambling with the hope of cashing in on the estimated €358m Albertans spend on offshore sites each year.

Heather Holmen, Manager of Communications department at Alberta Gaming, Liquor and Cannabis said: "Alberta has been exploring online gaming options for many years predating 2015 in fact. We continue to work with the government of Alberta to look at online gaming options for the province."

KAHNAWAKE GAMING

Although under Canadian law only provincial governments have the right to offer online gambling services, the Kahnawake tribe have the right to regulate gaming sites and the Kahnawake jurisdiction has grown to become

the largest grey market gaming jurisdiction in the world.

The Kahnawake operates more or less as an autonomous jurisdiction within Canada and most of the tribe's income is made via the sale of alcohol and tobacco plus its gambling operations. They run their own schools, law enforcement and justice system.

The Kahnawake Gaming Commission is an independent regulatory body which issues licences to a multitude of online casinos, sportsbooks and online poker sites. It was one of the first jurisdictions to jump on the online gaming bandwagon and in July 1999 enacted the Regulations for Interactive Gaming.

The Commission today regulates around 50 online gaming operators running approximately 250 online sites and they must be hosted at the



Mohawk Internet Technologies data centre located in the territory of Kahnawake and managed by Continent 8 Technologies.

Operators with licences include Abenaki Council of Wolinak, Baytree Ltd, Fresh Horizons Ltd, Goldenrod Securities Ltd, Leon International, Top Tech Media Ltd and Paxon Marketing. With a zero tax rate and a reasonable licensing fee, it is a popular choice for gambling companies.

The Commission was initially established in 1996 as part of the Kahnawake Gaming Law and is the official licensing and regulating authority for gaming activity within and from the Mohawk Territory of Kahnawake in Quebec. At the moment the commission also licences and regulates three land based gaming activities – poker rooms, raffles and electronic gaming devices.

In 2007 Regulations for Poker Rooms was enacted and since this time four poker room licences have been issued. In 2011 the Regulations for Raffles was enacted and in March 2018 the Regulations for Electronic

Gaming Devices was enacted. Meanwhile in July last year the Superior Court of Quebec held that the Quebec government's controversial Bill 74, which attempted to block ISPs and i-gaming sites was unconstitutional.

The Quebec government's Finance Minister Carlos Leitao presented the bill in a bid to end the proliferation of private gambling sites. Basically Bill 74 would have restricted illegal online gambling by requiring ISPs to block players in Quebec from accessing unlicensed igaming websites.

Leitao claimed the 2,000 or so illegal websites had cost the state owned gaming conglomerate around \$200m in lost revenue.

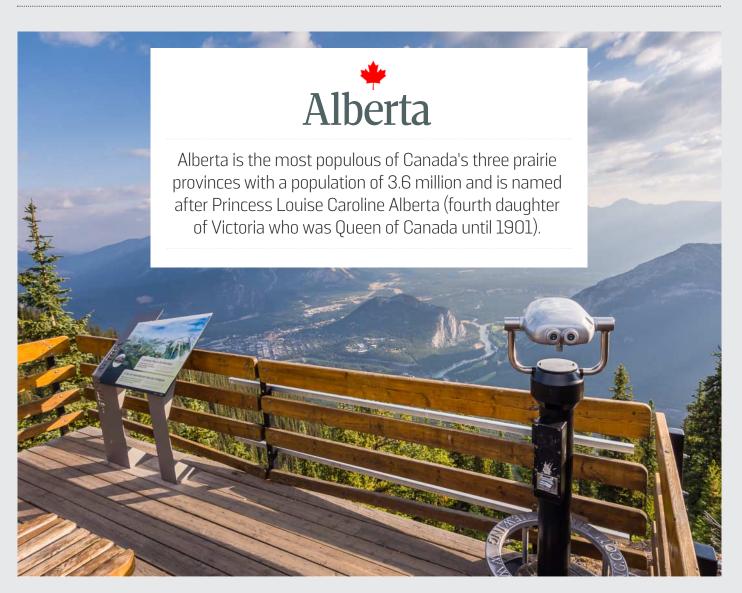
This has been an on going battle and Loto Quebec has been accused of trying to create a state monopoly. Loto Quebec provides casino games, lotteries and sports betting and up until 2015 controlled the market. This changed when off shore casinos entered the market, and not wishing to lose their control, Loto Quebec pushed for a legislation to ban offshore casinos by forcing ISPs to block international online

casinos. The Bill empowered Loto Quebec and also threatened Kahnawake as it effectively permitted Loto Quebec, to draw up a list of unlicensed gaming sites to provide to the provincial gaming regulator who would then send the list to ISPs in Quebec requesting they block access to the sites.

Kahnawake said the Bill was a threat to the livelihood of its 8,000 member community and joined forces with major ISPs to block the bill.

In the summer of 2018 the Superior Court held that the Bill was unconstitutional although the Attorney General has since appealed this ruling. It is estimated that provincially owned online gaming site espacejeux would see its revenues boosted by up to \$27m per year under the new law. But the court claims the law is designed to prevent competitive i–gaming sites from being available in the province not to protect consumer health as Loto Quebec had suggested.

The decision sends a message to other provincial governments that attempts to seek control of igaming in Canada will inevitably prove unsuccessful.



Alberta is the fourth largest province in Canada and is a landlocked region located in western Canada and shares a boundary with British Columbia to the west and Saskatchewan to the east, Northwest Territories to the north and the US state of Montana to the south.

Alberta's sector is managed by Alberta Gaming, Liquor and Cannabis (AGLC), a Crown commercial enterprise of the government of Alberta, under the Gaming and Liquor Act. It is the largest of the Prairie provinces in terms of population and has a long tradition of sports and gambling.

Gaming activities in Alberta are divided into two models – charitable gaming which includes bingo, casinos, raffles and pull tickets and provincial gaming which includes VLTs, slot machines, ticket lotteries and electronic bingo. Total net sales amounted to \$1.7bn last year and net income was \$1.4bn.

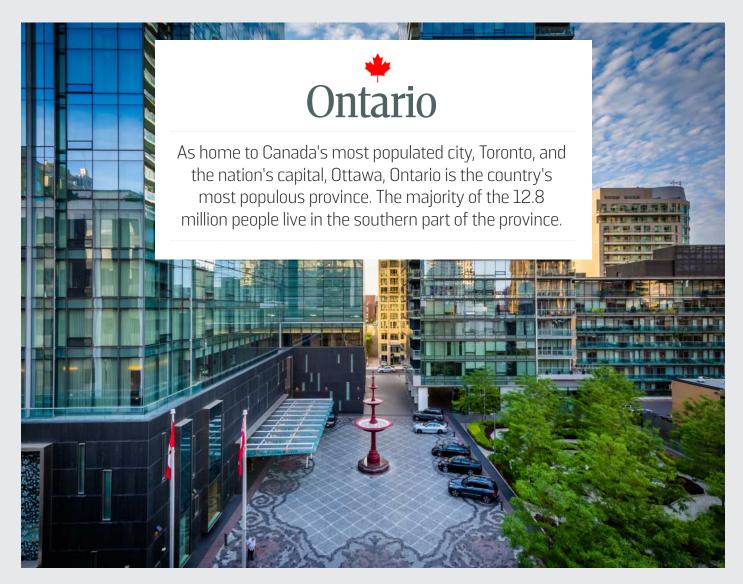
 Horse Racing/RECs is available via four racetracks and organised by Horse Racing Alberta – The four facilities are Evergreen Park in Grande Prairie, Northlands Park in Edmonton; Rocky Mountain Turf Club in Lethbridge and Century Downs (Balzac/Calgary) which opened in 2015. A new racetrack (Century Mile) is opening in the spring of 2019 in Edmonton to replace Northlands Park which closed in January 2019 after 118 years. Century Mile is fully owned by Century Casinos Europe and the casino will contain 550 slots initially.

• Casinos – there are 28 casinos in Alberta of which 19 are traditional, five First Nation and four RECs at the facilities mentioned above. There are over 14,000 slots in the casinos of which 5,176 are in the Edmonton casinos, 4,572 in the Calgary casinos and 3,318 in the

The lottery is run by a combination of the Western Canada Lottery Corporation. WCLC develops the lottery products whilst AGLC delivers the products and maintains the services to the public through 2,800 retailers in Alberta.

other areas plus 1,353 in RECs. Net sales from casino terminals was \$1.12bn last year.

- VLTs The province has a cap of 6,000 VLTs and these are located in age restricted, alcohol licensed venues under a video retailer agreement. Regular VLT retailers can have a maximum of 10 VLTs whilst specially designated gaming entertainment centres (GECs) can operate between 15 and 30. There are 855 retail locations with VLTs and net sales from this sector amounted to \$598m last year.
- Sports Betting Primary betting via parlay style plus a select host of other bets (over/under props, pools and spreads) are permitted under the Sport Select brand. No more than \$250 in wagers can be made per day. Purchases of Sports Select are facilitated through the 2,800 retail sites that also offer lottery products.
- The lottery is run by a combination of the Western Canada Lottery Corporation. WCLC develops the lottery products whilst AGLC delivers the products and maintains the services to the public through 2,800 retailers in Alberta. They offer national draw based games, regional games, scratch tickets and Sports Select.
- Online gaming there is currently no legal or regulated online gaming for Alberta residents.



Gaming is conducted and managed by the Ontario Lottery and Gaming Corporation (OLG) and includes casinos, slots, lottery, internet gaming and charitable bingo centres. The provincial gaming industry is regulated by the Alcohol and Gaming Commission of Ontario (AGCO) under the Alcohol and Gaming Regulation and Public Protection Act of 1996. In 2017–18, OLG earned \$7.58 billion in revenues from its four areas of business – Lottery (\$3.78m); charitable gaming (\$172m), land-based gaming (\$3.5m) and internet gaming (\$73m).

- Lottery Lottery games in Ontario began in 1975. Currently, OLG offers 22 terminal-based lottery and sport games and 79 instant lottery products. New lottery games are continually introduced. These products are sold at 10,000 licensed retailers across the province.
- Sports Betting Sports betting is a popular part of the lottery business. Players can use the Pro-Line service to wager on various types of sports. Customers can set up wagers through the internet or a smart phone app and must complete the transaction at lottery retailers. Single sports wagers are not permitted – only parlay betting is allowed.
- Casinos OLG manages 26 casinos across Ontario. The land-based gaming sector has been through a period of modernisation. In 2012, OLG announced it would allow private gaming operators (service providers) to run the day-to-day operations of the casinos, provide their capital to build new sites or renovate existing sites, while OLG retains the conduct and manage functions. The casinos have been grouped into eight Gaming Bundles representing different regions across the

- province. Following an extensive procurement process, the following service providers have been selected to operate:
- East Gaming Bundle included two existing gaming sites and was awarded to Ontario
 Gaming East Partnership in September 2015. The majority partner, Great Canadian Gaming, built a new casino in Belleville in 2017 and opened a new gaming facility in Peterborough in 2018;
- North Gaming Bundle with three existing casinos and two optional new builds was awarded to Gateway Casinos and Entertainment in December 2016;
- Southwest Gaming Bundles with six casinos was awarded to Gateway Casinos and Entertainment in December 2016;
- Ottawa Area Gaming Bundle with one existing casino was awarded to HR Ottawa L.P (Hard Rock) in May 2017;
- Greater Toronto Area (GTA) Gaming Bundle with three casinos was awarded to Ontario Gaming GTA LP in August 2017. The partnership

is comprised of Great Canadian Gaming, Brookfield GTA Gaming Management and Clairvest Group;

- West GTA Gaming Bundle with four existing casinos was awarded to Ontario Gaming West GTA L.P. in December 2017. This partnership is comprised of Great Canadian and Clairvest;
- Central Gaming Bundle with two existing casinos, and the opportunity to build a new gaming site was awarded to Gateway Casinos and Entertainment in March 2018;
- Niagara Gaming Bundle with two casinos was awarded to Mohegan Gaming in July 2018. This bundle includes Fallsview Casino Resort and Casino Niagara. MGE will also operate the new Niagara Falls Centre due to open in late 2019.

A modernisation strategy for Caesars Windsor resort facility is currently underway by OLG.

- Online gaming Casino style games and lottery tickets are offered on the internet through OLG's online gaming site known as PlayOLG.ca. PlayOLG is the only online casino regulated by the province. Online gaming revenue amounted to \$73m last year.
- Charitable Gaming OLG continues to collaborate with the charitable gaming industry (formerly known as bingo halls). This sector generated \$172m in revenue.



Quebec is the second most populous province after Ontario and the majority live in urban areas near to the Saint Lawrence River between Montreal and the capital Quebec City. Quebec has been offering legal gambling since the 1970s and there are various types of gaming permitted in Quebec from lotteries, VLTs, casinos, bingo and online gaming. Loto Québec was founded in 1969 by the government of Quebec and was set up to oversee the activities of games of chance and create profits for the state. It was the first lottery corporation in Canada and the third of its kind in North America. Today it is responsible for the sale and marketing of traditional, instant tickets, terminal based lotteries and sports betting.

In Quebec gambling is regulated by the Régie des alcools, des courses et des jeux which covers alcohol, gaming, horse racing and sports. Total revenues for Loto Québec in fiscal 2017/18 amounted to \$3.76bn and net income of \$1.33bn.

- Lottery Loto Québec organises various lottery games and has some 8,500 retailers. The lottery offer includes scratch cards, draw lotteries, televised lotteries and sports and event betting. All profits are returned to the public in the form of services. Its various subsidiaries also run the casinos and bingo and VLT network. Lottery revenues for 2017/18 amounted to \$1.88bn about 50 per cent of the company's revenue share.
- State controlled VLTs were introduced into Quebec in 1994. Prior to that legislation only the operation of video poker type amusement machines which did not payout were permitted, however illegal operations were rife. VLTs can be operated in casinos and bars subject to licences and are operated by Loto Queébec via the subsidiary Sociéteé des

- establissements de jeux du Québec (SEJQ). There are three types of games line games, keno games and poker games. Approximately 1,600 bars and taverns in Quebec exploit a VLT licence. The SEJ has removed VLTs throughout the last year or so, to ensure the total network does not exceed the 10,000 terminals.
- Casinos are run by the Société des casinos du Québec, a Loto-Québec subsidiary which operates four casinos – Montreal, Lac-Leamy, Charlevoix and Mont-Tremblant. Casino revenues have seen steady growth which amounted to \$906.9m last year (23.4 per cent share of Loto Québec's revenues) with a total of 9,513,315 visits.
- Montreal is the largest casino in Canada with five restaurants, four bars plus 3,000 slots, 100 gaming tables and a 25 table poker hall. The casino saw revenues of \$511.4m.
- Lac-Leamy has over 1,700 slots, 60 gaming tables and a 12 table poker hall. There are four

restaurants and three bars. The casino saw revenues of \$270.5m.

- Charlevoix offers 725 slots, 18 gaming tables and four restaurants and two bars. It saw revenues of \$42.6m.
- Mont-Tremblant is located in a mountain resort and has 500 slots, 15 gaming tables and four poker tables as well as one restaurant and two bars. It saw revenues of \$17.9m.
- Online casino gaming saw revenues of \$64.3m.
- Loto Québec's SEJQ subsidiary also operates its own **Gaming Halls**, the first of which opened back in 2007 and they are large scale sites offering slots, VLTs and various electronic games. Revenues last year were \$1bn for this sector (which includes VLTs in bars, gaming halls plus bingo and Kinzo), a 26.7 per cent share of Loto Québec's total revenues. The company operates two gaming halls: Salon de Jeux de Quebec and Salon de Jeux de Trois-Rivieres.
- Online games are run via Loto Québec's site lotoquebec.com offering lotteries, casino games, sports betting, poker and bingo. The sector grew by 37.5 per cent last year in terms of revenue and saw total revenues (online lottery purchases and casino games) of \$118m.



It is the second smallest province in the country and the mainland is surrounded by the Atlantic Ocean whilst the region is also made up of some 3,800 coastal islands including Cape Breton Island which is a large island to the northeast. It is also the second most densely populated province with around 921.000 inhabitants.

The Alcohol, Gaming, Fuel and Tobacco division of Service Nova Scotia (AGFTD) regulates and monitors the gaming industry and activities including; VLTs, casinos, lottery, charitable bingo and charitable lotteries.

The Nova Scotia Gaming Corporation manages gaming in the province on behalf of the provincial government. The Atlantic Lottery Corporation is the operator of the lottery, sports betting and VLT sectors whilst the Great Canadian Gaming Corporation is the operator of Nova Scotia's two casinos. Atlantic Provinces Harness Racing Commission covers the horse racing sector.

Total gaming wagers in 2017/18 amounted to \$1.39bn with net gaming revenues of \$350.3m.

 The lottery sector is operated by Atlantic Lottery Corporation, which was set up in 1976 to offer lottery games on behalf of the governments of Nova Scotia, New Brunswick, Newfoundland and Labrador and Prince Edward Island. It offers Scratch 'n' Win games, lotteries, bingo, VLTs and Pro-Line sports betting via 1,000 plus retailers. Total revenues last year amounted to \$225.3m.

- VLTs are operated by Atlantic Lottery and can be found in bars and restaurants throughout the four Atlantic Canada provinces. There are 2,067 VLTs operating in Nova Scotia at 280 VLT retailers. Total revenue for 2017/18 was \$136.lm. First Nation communities operate an additional 622 VLTs as negotiated through gaming agreements between the province of Nova Scotia and individual bands.
- Horse Racing began in 1765 in Nova Scotia

The Atlantic Lottery Corporation is the operator of the lottery, sports betting and VLT sectors whilst the Great Canadian Gaming Corporation is the operator of Nova Scotia's two casinos.

and there are three harness racing tracks offering wagering on live and simulcast races plus at teletheatres in the province.

- Online gaming has been operated via Atlantic Lottery's alc.ca site for the four Atlantic provinces since 2004 with a range of games from lottery, ibingo, Instant Win and Pro-Line sports.
- Sports betting is offered by Atlantic Lottery with Pro-Line, Pro-Line Stadium parlay, Pro-Line Fantasy and Pro-Line Future Bets.
 Betting on events like fighting and racing is currently not permitted in Nova Scotia based on the Canadian Criminal Code.
- There are two casinos in Nova Scotia in Halifax and Sydney. The casinos are operated by the Great Canadian Gaming Corporation which now has 28 properties across Canada. Total casino wagers amounted to \$464.7m (33 per cent market share) with revenue of \$86 lm
- Halifax has a 35,000sq.ft gaming area and saw 877,350 visitors last year. There are 573 slots and 29 tables. Total wagers amounted to \$355.7m
- Sydney has 10,470sq.ft of gaming area and saw 418,610 visitors. There are 274 slots and seven table games. Total wagers amounted to \$109.1m.



It was also one of the first provinces along with Ontario, Quebec and Nova Scotia to join together to form the Dominion of Canada back in 1867. Gaming in New Brunswick began in 1976 when the New Brunswick Lottery Act established the lotteries commission which was able to organise and conduct lottery scheme on behalf of the government. The New Brunswick Lotteries and Gaming Corporation (NBLGC) which was previously the Lotteries Commission, was established in June 2008. It is a crown corporation governed by the Gaming Control Act and responsible for organising and managing provincial lottery schemes on behalf of the province under the Minister of Finance.

The NBLGC has three areas of business – VLT, ticket lotteries and casino gaming. In May 2008 there was a modernisation of the legislative framework and the new Gaming Control Act was introduced to provide a new governance structure for gaming. Under the Act the Lotteries Commission was transformed into two entities 1). It established the NBLGC as a crown corporation responsible for the management of all provincial gaming and 2). transferred the regulatory function of the former commission to a new authority – The Gaming Control Branch created under the Department of Public Safety – which would regulate the sector.

Total gaming revenue in 2017 was \$157.7m divided between VLTs with \$88.2m, ticket lotteries with \$40m and casinos with \$29.5m.

- Lottery The Atlantic Lottery Corporation organises the VLT and lottery sectors with 855 lottery retail terminals in the province.
- VLIs are also operated by the ALC of which there are around 2,000 in the market and 220 VLT sites (maximum 300 permitted). Net

sales amounted to \$134.1m. They were introduced in 1990 and in 2010 underwent a reduction programme cutting the number of terminals and venues. Today there are two classes of VLT sites – the first is for 15–25 VLTs per site and the second is for up to 10 VLTs per site.

- Sports betting is offered by ALC with Pro-Line, Pro-Line Stadium parlay, Pro-Line Fantasy and Pro-Line Future Bets.
- Horse racing is covered by the Atlantic Provinces Harness Racing Commission and began in the province back in the 1830s. There are three racetracks – Fredericton Raceway, Exhibition Park Raceway in Saint John and Woodstock Driving Club.
- Casino gaming is operated by two service providers agreements - Great Canadian Gaming New Brunswick which operates the Casino New Brunswick and Grey Rock Entertainment Centre which operates the Grey Rock Casino. Casino revenue was \$29.5m.

Casino New Brunswick is located in Moncton and comprises of a hotel, entertainment and convention centre and casino with 600 slots, 21 tables and six poker tables with 1.5m visitors per year.

- Casino New Brunswick opened in 2008, is located in Moncton and comprises of a hotel, entertainment and convention centre and casino. There are around 600 slots and 21 tables plus six poker tables and the casino sees 1.5m visitors. It was initially operated by Sonco, but changed hands to Great Canadian in 2015.
- Grey Rock Casino opened in 2014 and is located on the Madawaska Maliseet First Nation in Edmundson. It offers 130 slots and two electronic table games and four poker tables. Visitor figures were 148,000.
- Online gaming is operated via Atlantic Lottery's alc.ca site for the four Atlantic provinces since 2004 including New Brunswick. Range of games from lottery, ibingo, pick n click and Pro-Line sports.



Government sanctioned gambling began in Manitoba in the 1970s when lottery tickets were introduced. Today, gambling in the province is controlled by the Manitoba Liquor and Lotteries Corporation (MBLL) which owns two of the five casinos in the province, the province-wide VLT network and distributes and sells lottery tickets operated by the Western Canada Lottery Corporation (WCLC) and the Interprovincial Lottery Corporation (ILC). MBLL also provides online gambling via the website PlayNow.com. Total MBLL revenue, including liquor revenue, amounted to \$1.42bn in the 2017-18 fiscal year.

WCLC was established in 1974 and is a partnership of three Prairie Provinces – Manitoba, Saskatchewan and Alberta with the three territories participating as associate members. WCLC is responsible for providing equipment to retail lottery products and the central gaming system for the Prairie provinces.

The Manitoba gambling sector is regulated by the Liquor, Gaming and Cannabis Authority of Manitoba (LGCA) and governed by the Gaming Regulation of 2014 as listed in The Liquor, Gaming, and Cannabis Control Act.

 WCLC Lottery offers games such as Lotto Max, Lotto 6/49, along with regional drawbased games, scratch 'n win tickets, keno and Sport Select via more than 900 retail lottery outlets. It is operated by WCLC with distribution and sales through MBLL.

WCLC products sold in Manitoba saw gross revenues of \$224.lm last fiscal year. MBLL publicly reports its share of the results of WCLC using the equity method as net profit, which totalled \$60.9m in 2017–18. MBLL

Lottery also sells bingo paper and breakopen tickets which saw revenues of \$2.7m last fiscal year.

- VLTs are owned and operated by MBLL and offer games including reels, poker and keno. There are approximately 6,600 VLTs in Manitoba and they are located in bars, lounges, Veteran organizations and First Nation VLT sites. VLTs saw revenues last fiscal year of \$361.lm.
- Casinos there are five in Manitoba which include the two government owned casinos (located in Winnipeg) and three First Nation casinos. The two government owned casinos saw revenues last year of \$253.6m (includes online gaming).
- Club Regent Casino is operated by MBLL and has 1,195 electronic gaming devices plus table games, poker and off track betting.
- McPhillips Station Casino is also operated by MBLL. It has 1,245 electronic gaming devices plus table games and off track betting.

- South Beach Casino opened in 2005 and is owned by a consortium of First Nations. It has 600 slots and 11 table games.
- Aseneskak Casino opened in 2002 and is owned by a consortium of First Nations. It has 163 slots plus six table games.
- Sand Hills Casino opened in 2014 and is owned by a consortium of First Nations. It has 34l slots plus seven table games.
- Online gaming is provided via the provincially regulated site PlayNow.com, which offers casino games, live casino, sports betting, lottery, poker and bingo. The site was developed and ongoing service is provided by the British Columbia Lottery Corporation. Players must be 18 to access.
- Sports Betting is available via WCLC's Sport Select using parlay betting. Minimum age is 18
- Horse racing is available via thoroughbred and standardbred races at Assiniboia Downs which is the only live permanent track in the province. Pari-mutuel wagering totalled \$23.3m last year at this track which also offers 140 VLTS in its Club West Gaming Lounge. Winnipeg also has off track betting facilities and live and simulcast events are overseen by the Manitoba Horse Racing Commission.



The region has strong cultural and personal ties to the Canadian Prairies and Ontario as well as to the West Coast of the US and to Alaska and Yukon. It is also a component of the Pacific Northwest. The province has a population of 4.4 million. The capital, Victoria, is the 15th largest metropolitan region in Canada however the largest city is Vancouver. Half of all British Columbians live in the Metro Vancouver area.

British Columbia has offered regulated gambling to residents for the last 24 odd years. Currently it operates under the Ministry of the Attorney General and functions under the Gaming Control Act 2002.

The BC Lottery Corporation (BCLC), a Crown corporation established in 1985, manages and conducts all commercial gambling on behalf of the province of British Columbia, including online gambling via the playnow.com site, 17 casinos, four bingo halls and 18 community gaming centres.

BCLC contracts with private service providers to build and operate gambling facilities via operational service agreements. In 2017/18 BCLC generated \$3.26bn in total gambling revenue (before prizes) an increase from previous years boosted in part by its casino business. BCLC

delivered \$1.4bn in net income to the province to support communities, provincial programs and services, charities and major events across British Columbia

- The Lottery is run by BCLC offering various games such as Lotto Max, Lotto 6/49, Scratch & Win and Keno via 3,500 retail locations throughout the province at petrol stations, bars and pubs. Revenues (before prizes) for last year amounted to \$1.31bn (lottery and egaming).
- Casinos there are 17 casinos in operation hosted by municipal and First Nation governments. This includes two at the racetracks Fraser Downs and Hastings and a First Nations operated casino (St Eugene). The largest casino is River Rock Casino Resort in Richmond with over 1,260 slots, 112 table

BCLC contracts with private service providers to build and operate gambling facilities via operational service agreements. In 2017/18 BCLC generated \$3.26bn in total gambling revenue and delivering \$1.4bn in net income.

games whilst the latest to open was Parq Casino in Vancouver. Revenues (before prizes) totalled \$1.6bn divided between slot revenue \$1.08bn and table games \$514m.

- There are 18 Community Gaming centres which generated a total of \$355m in revenue (before prizes) last year, divided between slots (\$284.2m) and table games (\$1.2m) and bingo (\$69.6m).
- Horse Racing is operated by the provincial Gaming Policy and Enforcement Branch and available via five racetracks – Desert Park in Osoyoos, Sunflower Downs in Princeton, Fraser Downs in Surrey, Hastings Racecourse in Vancouver and Kin Park in Vernon – or onscreen at teletheatres around the province. Total wagering amounts to around \$200m annually.
- Online gambling BCLC operates regulated online gambling via playnow.com and features sports betting as well as lottery, bingo, keno, slot games and table games. Players can also play interactive games of baccarat, blackjack and roulette with other players on Live Casino.
- Sports betting is available via playnow.com with sports betting, lottery, slots, table games and bingo. Approximately 450,000 adults are registered on playnow.com. BCLC also licences online services to Manitoba.



It was named after Prince Edward, Duke of Kent and Stratheam and consists of the 5,620 sq.km main island plus 231 minor islands. The main island is the 104th largest island in the world and 23rd largest in Canada. Geographically it is located in the Gulf of St Lawrence which is west of Cape Breton Island and is around 200km north of Halifax in Nova Scotia and 600km east of Quebec City.

The Prince Edward Island gaming industry is made up primarily of VLT gaming and lotteries which see a total of \$53.9m in net revenues for ALC. The Prince Edward Island Lotteries Commission was established in 1976 under the Lotteries Commission Act and the mandate is to conduct and manage the lottery schemes on behalf of the province. The Commission has in turn delegated these duties to its agent the Atlantic Lottery Corporation.

ALC operates retail lotteries and internet sales for the four Atlantic provinces administered through the Interprovincial Lottery Corporation. The Gaming Centres Control Regulations established under the Lotteries Commission Act provide the legislative framework for gaming activities on Prince Edward Island.

- Lottery available via ALC and includes retail lotteries, online lotteries, Destination and Red Shores Racetrack. Red Shores includes casino games, harness racing, food and beverage and lottery tickets offered at two facilities on PEI. Revenues for the lottery sector (retail lottery ticket and internet sales) totalled \$35.6m with net profits of \$17.9m.
- Racinos In 2004 the government

- approached ALC to develop a racing entertainment centre at the Charlottetown Driving Park and the Summerside Raceway. The idea was to revamp the harness racing industry. These are operated by ALC on behalf of the province and the racetracks see around \$14m in sales (of which casinos games represent 73 per cent the remainder from racing and food/beverage). In January 2018 Red Shores introduce the first electronic roulette and baccarat tables.
- Red Shores Summerside is believed to be the oldest racing track in Canada opening back in

Canada. The 50,000sq.ft driving park entertainment centre opened in 2005 and the facility was renamed in 2009 Red Shores. The casino has over 200 slots, five poker tables and other table games.

- Sports betting is offered by ALC with Pro-Line, Pro-Line Stadium parlay, Pro-Line Fantasy and Pro-Line Future Bets
- Online gaming has been operated via Atlantic Lottery's alc.ca site for the four Atlantic provinces since 2004. Gaming include lottery, ibingo, pick n click and Pro-Line sports.
- VLTs back in the 1980s the island saw a rapid expansion of illegally operated video poker machines. In 1991 the government introduced regulations reducing the number

In 2003 the Atlantic Lottery Corporation became the sole operator of VLTs and assumed responsibility for the supply, maintenance and tech support of the machines.

1886. In 2009 it reopened under the name of Red Shores and its gaming floor includes 12 VLTs and 28 slots machines and one blackjack table

- Red Shores Charlottetown is a harness racing track which first opened its doors in 1888 and became one of the premiere tracks in eastern

of sites and restricting access for those under the age of 19. In 2003 the Atlantic Lottery Corporation became the sole operator of VLTs and also assumed responsibility for the supply, maintenance and technical support of the machines. Today there are 280 VLTS in the market and net sales are around \$20.6m.



Around 94 per cent of the province resides on the island of Newfoundland including some 7,000 smaller associated islands of which over half live on the Avalon Peninsula. Labrador is joined to Quebec and Nunavut.

In Newfoundland and Labrador (NL) there are two main types of lotteries or gaming.

- 1. Games which are conducted by the Atlantic Lottery Corporation on behalf of the government which include 6/49, Super 7, scratch tickets and breakopen tickets which can be sold in convenience stores plus VLTs.
- 2. Games which are conducted by charitable and non profit organisations which can then include bingo, raffles, ticket lotteries, games of chance, card games, breakopen tickets which can be sold at bingos or other fundraising events. Over 3,800 charitable licences are in use approximately.

All gambling activities in NL are handled by the Department of Government Services whilst the Canadian Pari-Mutuel Agency and

Standardbred Canada govern the horse racing sector and Atlantic Lottery Corporation operates the lotteries.

The province has a long standing policy prohibiting casinos and there are still currently no landbased casinos in the province, and as such NL remains the only province in Canada without a casino. Betting is permitted at the racetracks. Slots are banned although VLTs are permitted.

- Lottery the lottery is conducted by the Atlantic Lottery Corporation on behalf of the government. Tickets are sold via convenience stores. There are 923 lottery retail terminals in NI
- VLTs there are around 2,000 VLTs in the province overseen by the ALC and in 500 or

so bar outlets across the province. Net sales amounted to \$140.1m.

- Horse racing is run by privately operated corporations and regulated by the Canadian Pari-mutuel Agency and the Standardbred Canada. Back in 1961 Newfoundland and Labrador racing enthusiasts decided it was time the province had a harness racing track. And so racing began a year later and parimutuel wagering in NL was also born. The St Johns Racing and Entertainment Centre is located in Goulds and is the only pari-mutuel betting track in the province and is over 50 years old. The centre is a multi faceted business with bar, lounge and indoor and outdoor events.
- Sports betting is offered via ALC's Pro-Line product via licensed retailers in the province or online. Age limit is 19.
- Online betting mostly via offshore sites offering players access.

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Of the one million inhabitants the majority live in the southern half of the province as the north is heavily forested. In 1992 the government signed a land claim agreement with the First Nations which gave them the ability to buy land and as such around 761,000 acres have been turned into reserve land.

According to a study the residents of Saskatchewan spend more per household on gambling than any other province. The Saskatchewan Liquor and Gaming Authority (SLGA) operates and regulates many forms of gambling in province from electronic gaming, charitable gaming, bingo, raffles, poker and horse racing and is a Treasury Board Crown Corporation. It directly manages the majority of the VLTs and slots at First Nations casinos.

There are some 5,300 charitable gaming licences, 10 bingo halls, eight casinos and almost 4,000 VLTs in the province.

- Lotteries are operated by Sask Sport since 1974 via Western Canada Lottery Corporation.
- VLTs The SLGA owns and manages 3,974
 VLTs in 581 licensed sites such as bars and lounges throughout the province. SLGA contracts with Western Canada Lottery Corporation to operate the VLTs. Gross VLT revenue amounted to \$224.lm last year.
- Horse racing is part of the SLGA and regulates the race tracks in Saskatchewan and thoroughbred racing takes place at Marquis Downs race track in Saskatoon. There are

track and off-track betting facilities. Total provincial handle was \$7.9m last year.

- **Sports betting** is available via Sport Select via Western Canada Lottery Corporation.
- Online gaming is not legally permitted in Saskatchewan.
- Casinos There are a total of eight casinos of which two are run by the Saskatchewan Gaming Corporation (SGC) in Regina and Moose Jaw and six are run by Saskatchewan Indian Gaming Authority (SIGA). They are regulated by the Saskatchewan Liquor and Gaming Authority (SLGA). Slots revenue for SLGA was \$221.4m last year and table games was \$12.6m. Total number of slots at the casinos is 2,120 (SIGA) and 1,023 (SGC).

- North Battleford is operated by Gold Eagle First Nation and opened in 1996.
- Prince Albert is operated by Northern Lights and opened in 1996.
- Yorkton is operated by Painted Hand First Nation and opened in 1996.
- Swift Current is operated by Living Sky First Nation which opened in 2008.
- Bear Claw opened in 1996 and is operated by White Bear First Nation near Carlyle
- Dakota Dunes opened in 2007 and is operated by Whitecap Dakota First Nation, south of Saskatoon.
- Regina is operated by SGC and opened in 1996.
- Moose Jaw is operated by SGC and opened in 2002.

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Insight

Market Analysis CANADA



Paul Burns CEO and President of the Canadian Gaming Association

Paul Burns has been CEO and President of the Canadian Gaming Association since March 2018 and has more than 20 years experience in the private and public sectors. The CGA is a non profit organisation working to advance the evolution of Canada's gaming industry. www.canadiangaming.ca

We know that Canadians enjoy sports betting because they are wagering approximately \$10 billion annually through illegal bookmaking operations in Canada, usually operated by organised crime organisations. Additionally, more than \$4bn is wagered through offshore online sports wagering sites.

CGA pressures government for Single-Event Sports Wagering



"The Canadian Gaming Association (CGA) welcomed the decision in May 2018 by the United States Supreme Court to strike down a federal law that barred gambling on sports betting. While this was encouraging news for U.S. operators, it further reinforced the need for the Canadian Parliament to act.

We know that Canadians enjoy sports betting because they are wagering approximately \$10 billion annually through illegal bookmaking operations in Canada, usually operated by organised crime organisations. Additionally, more than \$4bn is wagered through offshore online sports wagering sites.

Compare that with the amount spent on parlay wagers (a bet on the outcome of two or more games). Parlay is the sport lottery product offered by provincial lottery corporations and Canadians wager approximately \$500m a year this way, which means that many people are primarily betting through illegal and often dangerous means.

The CGA has repeatedly called on the federal government to make the simple amendment to the

Canadian Criminal Code to permit single–event sports wagering. This would provide provinces with the necessary tools to deliver a safe and legal option to Canadians as well as the power to address important issues such as consumer and athlete protection, while enabling the economic benefits to flow to licensed gaming operators, communities and provincial governments.

In October 2018 the NHL announced its decision to establish a partnership with the gaming industry in the United States in order to bring an exciting new level of engagement for NHL fans both in arenas and casino sports books across America.

This partnership has caused the NHL to publicly reverse its previous opposition to changing Canadian



law to permit single-event wagering. Deputy Commissioner Daly stated: "We would not oppose changes." and added "We think it makes sense to put clubs on a level playing surface."

The CGA continues to aggressively push for changes to sports wagering laws in Canada, as we led the campaign on the previous two attempts through private members' bills (C-290 and C-221) to eliminate the Criminal Code prohibition against single-event sport wagering. Canadians are without question the world's most passionate hockey fans and want new ways to engage with their favourite sport, and we hope we can make single-event sports wagering a reality for Canadian fans.

Canadians have access to different products depending on the province in which they live. All provinces except Saskatchewan and Alberta currently offer online gaming, although Alberta just issued an RFP to identify a provider for an online platform to allow Albertans to have a provincially regulated option.

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Despite the grey area that exists in online gaming, the Canadian gaming industry remains strong and robust. Results from the most recent (2017) Economic Benefits Study show that:

- Industry revenues were just over \$17bn in 2017, which includes non-gaming revenue just over \$1bn annually.
- Direct purchase of goods and services amounted to over \$4bn to support operations.
- We spent \$2.6bn in labour income. The national average annual wage is \$50,000.
- The industry annually shares more than

\$7.8bn with provinces, municipalities and First Nations and \$932m with charities across the country.

The CGA is aware of the need to encourage the innovation of our industry's products, spaces, and technology which is now dictating the reinvention and repurposing of traditional games, facilities and channels to meet the expectations of the ever–growing online community that represents the next generation of gamers.

"You can be certain that the CGA will continue to advocate for change to enable the Canadian gaming industry to meet consumer demand."