



August 30, 2021

CLIFF # 623295

Andrea Glickman
Policy Director
Union of BC Indian Chiefs (UBCIC)

Email: andrea@ubcic.bc.ca

Dear : Andrea Glickman

Re: Consultation on Additional Proposed Changes to the Gaming Control Act

The Province is proposing changes to the *Gaming Control Act* (the Act) with the intent of clarifying and strengthening the role of the provincial gambling regulator and modernizing the Act. In March 2020, the Gaming Policy and Enforcement Branch (GPEB) consulted with the First Nations Gaming Commission on these changes. Since then, GPEB has continued work on the proposed legislative changes and, on the advice of the Ministry of Indigenous Relations and Reconciliation, is reaching out more broadly with Indigenous stakeholders, including members of the First Nations Leadership Council.

During this continued work on the legislation, a new proposed change has arisen on which we would like to consult with the First Nations Summit. GPEB is proposing making a legislative change to remove the requirement for the British Columbia Lottery Corporation (BCLC) to seek Ministerial approval respecting the development, relocation, or substantial change of a gaming facility under the Act.

Part 3, section 18 of the Act currently requires BCLC to receive authorization by written directive of the Minister, prior to developing, using or operating a gaming facility, relocating an existing gaming facility, or substantially changing the type or extent of lottery schemes or horse racing at a gaming facility (see Appendix A). However, the Minister has not exercised this power since BCLC sought and received Ministerial directives in 2003 and 2005 transferring the authority to make decisions under section 18 to BCLC.

Given the existing operational framework created by the 2003 and 2005 directives, government is considering removing the Minister's direct approval authority under section 18 to better reflect the current process and further clarify BCLC's conduct and manage responsibilities. The proposed amendment would allow BCLC to establish new gaming facilities, relocate existing facilities, or change the type or extent of lottery schemes in facilities without Ministerial approval.

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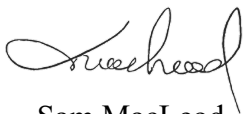
No changes are currently proposed to section 19 of the Act, which provides that BCLC must (a) receive approval from any host local government and (b) be satisfied that the host local government has consulted with each potentially affected local government, in respect of location, relocation or substantial change to gaming facilities under section 18.

The framework for BCLC's decisions regarding the establishment, relocation or substantial changes to gaming facilities under section 18, including the factors BCLC must consider and the consultation process for seeking input from First Nations, is proposed to be determined through changes to the *Gaming Control Regulation*. Consultations on amendments to the Regulation will occur in three phases beginning in September 2021. A letter including specific topics and timelines for regulatory amendments will be sent to you in the next few weeks.

If you are interested in providing feedback on the proposed overarching legislative change to section 18, the removal of the requirement for Ministerial approval, please let me know and I will have my staff set up a meeting.

I appreciate your continued engagement in helping improve the Province's legislative and regulatory scheme for the conduct and management of gaming in BC.

Sincerely,



Sam MacLeod
Assistant Deputy Minister and General Manager
Gaming Policy and Enforcement Branch

Cc: Ricardo Toledo, Chief Negotiator, Ministry of Indigenous Relations and Reconciliation