



Charitable Gaming Policies Handbook

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CHARITABLE GAMING POLICIES HANDBOOK

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SUBJECT: DEFINITIONS

POLICY

1.1.1 In these policies,

- a) "Active delivery of a program or service" means the volunteer membership of the applicant or a licensed group establish, maintain control of and deliver the group's regular/ongoing program(s) and services to the community.
- b) "AGLC" means Alberta Gaming, Liquor and Cannabis.
- c) "Applicant" means a group that has applied to AGLC for a gaming licence.
- d) "Board" means the Board of AGLC.
- e) "Broad-based membership" means:
 - i) membership is open to the public;
 - ii) membership does not depend on an individual's relationship with a particular individual or individuals;
 - iii) membership is representative of the larger community; and
 - iv) wherever possible, membership is not restricted by gender, ethnic, racial or cultural background, age, ability, religion, income, or sexual orientation.
- f) "Building account" means a separate bank account for administering gaming proceeds for facility expenses.
- g) "Bursary" means non-repayable financial support to students based on financial need.
- h) "Capital costs" means fixed, one-time expense(s) incurred in the purchase of land, building, construction, and equipment. Capital expenditures acquire or produce an asset whose value continues to be used (or consumed) over several years. A capital expense generally gives a lasting benefit or advantage. Capital costs include, but are not limited to:
 - i) purchase of land and/or building;
 - ii) construction of building;

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- iii) purchase or replacement of heating, ventilation, and air conditioning (HVAC) equipment;
- iv) financing costs (e.g., mortgage); or
- v) major renovations or leasehold improvements (costing more than \$50,000) that improve the property from its original state.
- i) “Charitable community benefit” means a benefit delivered to the community or a significant segment of the community in one of the areas AGLC recognizes as charitable.
- j) “Charitable gaming” means bingos, casino table games, raffles, and pull ticket sales that eligible groups conduct and that AGLC licences.
- k) “Charitable group” means a non-profit group determined by AGLC to meet licensing eligibility requirements. AGLC is not bound by the definition of “charity” used by other authorities or jurisdictions.
- l) “Charitable purpose” means a purpose that is recognized as charitable by AGLC and includes the following:
 - i) relief of poverty;
 - ii) advancement of education;
 - iii) advancement of religion; and
 - iv) other purposes beneficial to the community.
- m) “Commercial use” means the use of land, facility, equipment, or other assets with the intent to earn profit.
- n) “Community” for the purpose of conducting gaming events means the Municipality, County, Municipal District, Improvement District or special area in which the licensed charity is located.

“Community” for the purpose of determining an eligible “community benefit” means a community of persons within a geographic location or a community of persons who share a common interest, for example in the arts, culture, or sports.

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- o) "Conflict of interest" means there is real or perceived influence over a decision.
- p) "Cost recovery" means the disbursement of proceeds to pay for eligible program costs that are not covered by program revenues/receipts.
- q) "External entity" means any individual, organization, or government body other than the applicant group.
- r) "Endowment fund" means a fund where the principal is not normally disbursed and only the investment income, or a portion thereof, is used.
- s) "Facility" means a physical structure or land a charitable group uses to deliver its charitable programs.
- t) "Facility cost" means all facility capital costs, operating costs, leasehold improvements, and renovations.
- u) "Leasehold improvements" means work completed specifically to improve a leased property to bring it to a standard to allow a group to deliver its charitable program(s).
- v) "Liaise" means communicating for the purpose of establishing and maintaining mutual understanding and cooperation.
- w) "Licence" means a licence AGLC issues to a charitable group or the board of a fair or exhibition authorizing the group or board to conduct one or more gaming events.
- x) "Licensee" means the charitable group or the board of a fair or exhibition holding a valid licence that AGLC issues.
- y) "Lobby" means conducting activities aimed at influencing or attempting to influence government in favour of a specific cause.
- z) "Operating costs" means expenses related to the operation of a facility and any expenditure on assets whose value is used up within the same year. Operating costs include, but are not limited to:
 - i) utilities;
 - ii) fixtures and furnishings;

SUBJECT: DEFINITIONS

- iii) insurance;
 - iv) property taxes;
 - v) janitorial services and supplies; and
 - vi) repairs and maintenance.
- aa) "Proceeds" means gross gaming revenue less prizes and expenses, and the commission paid to charities at whose licensed gaming events AGLC conducts provincial lotteries. It also includes all interest, dividends or other income earned on gaming proceeds deposited in interest accounts or held, with AGLC approval, in deposit certificates or investments made by a trustee.
- bb) "Regular/Ongoing" means a program or service that operates on a continual or constant basis throughout the year and that is scheduled at regularly occurring intervals.
- cc) "Related party" means individuals connected by birth relationship (i.e., parent, child, brother, and sister), marriage, common-law partnership, or adoption. Related person also includes one or more corporations and:
- i) a person who controls a corporation, if it is controlled by one person;
 - ii) a person who is a member of a related group that controls a corporation; or
 - iii) any person related to the person described above.
- dd) "Related party transaction" means the transfer of economic resources or obligations between related parties, or the provision of services by one party to a related party, regardless of whether any consideration is exchanged.
- ee) "Renovation" means work completed to improve a facility that a group owns to bring it to a standard that allows the group to deliver its charitable program.
- ff) "Scholarship" means a non-repayable financial support to students based on academic development.

SUBJECT: DEFINITIONS

- gg) “Self-sustaining” means a program or facility with sufficient revenues (e.g., rental fees, grants, and donations) to pay all the operating and capital costs of the facility.
- hh) “Senior” means an individual 60 years of age or older.
- ii) “Significant segment of the community” means:
 - i) programs and services are reasonably available to all members of the public who qualify and wish to participate;
 - ii) the beneficiaries are numerically significant relative to the community to which the programs and services are provided; and
 - iii) membership or participation does not depend on a personal relationship to any particular individual or individuals.
- jj) “Total annual donation” means the total dollar value of donations to a single organization between the 12-month period beginning January 1st and ending December 31st.



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NUMBER: 1.2

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SUBJECT: LEGISLATION AND BOARD POLICIES

POLICY

- 1.2.1 AGLC is the province's gaming authority, responsible for administering and regulating the gaming industry in Alberta, including the licensing and regulating of charitable gaming activities.
- 1.2.2 Once a gaming licence has been issued, the charitable gaming activity must comply with:
- a) the *Criminal Code* (Canada);
 - b) the *Gaming, Liquor and Cannabis Act* (Alberta);
 - c) the Gaming, Liquor and Cannabis Regulation (Alberta);
 - d) Board policies; and
 - e) the terms and conditions of the licence.
- 1.2.3 Noncompliance with federal, provincial, or municipal laws or Board policies may result in disciplinary action such as fines, suspension of gaming licences, revocation of gaming licences, and/or directives to donate all gaming proceeds to other eligible charitable organizations.

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SECTION: GENERAL INFORMATION
NUMBER: 1.3

CHARITABLE GAMING POLICIES HANDBOOK

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SUBJECT: APPLICATION FOR LICENCE

POLICY

- 1.3.1 To qualify for a charitable gaming licence an organization must submit an application for licence on the prescribed form and required supporting documents to AGLC.
- 1.3.2 The eligibility of all applicants will be based on the eligibility criteria for organizational structure, program delivery, and use of gaming proceeds contained in the policies enclosed in this handbook.
- 1.3.3 If an applicant’s eligibility cannot be determined by a review of the information contained in the submitted application, additional information may be requested.
- 1.3.4 Applicants that are not eligible for a charitable gaming licence will be advised by AGLC in writing of the reasons they are not eligible.
- 1.3.5 Applicants eligible for licensing are subject to a review of their eligibility by AGLC at any time.
- 1.3.6 All information provided by applicants and licensees to AGLC must be truthful and accurate.

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SECTION: GENERAL INFORMATION

NUMBER: 1.4

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SUBJECT: TRAINING

POLICY

1.4.1 Gaming Information for Charitable Groups (GAIN) is available to applicants and licensed charities through AGLC. GAIN sessions include information on the following topics:

- a) the licensing application process;
- b) eligibility for gaming licensing;
- c) approved use of gaming proceeds;
- d) reporting requirements following a gaming event; and
- e) legislation, regulation, and policy that govern the conduct of gaming events.

1.4.2 Further information about GAIN sessions can be obtained at gain.aglc.ca.

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NUMBER: 1.5

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SUBJECT: CONTACTING AGLC

POLICY

1.5.1 Written communication may be addressed to any of the following:

- a) Alberta Gaming, Liquor and Cannabis Commission
50 Corriveau Avenue
St. Albert, Alberta T8N 3T5
Fax Number: 780-447-8912
- b) Alberta Gaming, Liquor and Cannabis Commission
310, 6715 - 8 Street NE
Calgary, Alberta T2E 7H7
Fax Number: 403-292-7302
- c) Alberta Gaming, Liquor and Cannabis Commission
3, 7965 - 49 Avenue
Red Deer, Alberta T4P 2V5
Fax Number: 403-314-2660
- d) Alberta Gaming, Liquor and Cannabis Commission
100 - 11039 - 78 Avenue
Grande Prairie, Alberta T8W 2J7
Fax Number: 780-832-3006
- e) Alberta Gaming, Liquor and Cannabis Commission
655 WT Hill Blvd South
Lethbridge, Alberta T1J 1Y6
Fax Number: 403-331-6506

1.5.2 The following is a list of AGLC office telephone numbers. Telephones will be answered by machine when staff is not available or calls are outside of normal office hours. Normal office hours are 8:15 a.m. to 4:00 p.m. Monday to Friday, excluding holidays.

- a) St. Albert (Head Office): 780-447-8600
- b) Calgary: 403-292-7300

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SUBJECT: CONTACTING AGLC

- c) Red Deer: 403-314-2656
- d) Lethbridge: 403-331-6500
- e) Grande Prairie: 780-832-3000

1.5.3 The web site address of AGLC is aglc.ca.

1.5.4 The licensee must immediately report to AGLC any irregularities, theft, fraud, cheating at play, or violations of policy in the conduct of its licensed gaming event and in the use of gaming proceeds.

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SUBJECT: GENERAL

POLICY

2.1.1 A group is eligible for gaming licensing if it is structured in accordance with these policies and can prove a record of active delivery of a charitable program to the community.

Note: The interpretation of the eligibility policies rests with AGLC.

2.1.2 To have its eligibility for gaming licensing determined, the applicant group must submit an Eligibility for Gaming Licence application (Form 5632) to AGLC.

2.1.3 The group's proposed use of gaming proceeds must comply with use of gaming proceeds policy.

2.1.4 A group whose application for licensing AGLC is reviewing or a group AGLC already licenses is expected to advise AGLC of any significant or material changes to its structure or operations.

2.1.5 Notwithstanding anything in these policies, AGLC's Board may find a group eligible for continued licensing if, in the opinion of the Board, the public benefit to the community derived from the group's program or services is of such importance that it warrants an exception to the policy.

2.1.6 If AGLC determines that an applicant is not eligible for gaming licensing, AGLC will advise the applicant in writing of the reason(s) for the decision and the process the applicant may use to appeal the decision:

- a) If the applicant disagrees with the decision of AGLC, the applicant may appeal the decision in writing to the Regulatory Services Division, providing additional information to support the eligibility review. The Regulatory Services Division will advise the applicant of the decision in writing.
- b) If the applicant disagrees with the decision of the Regulatory Services Division, the applicant may request a hearing before the Board, pursuant to section 95(1) of the *Gaming, Liquor and Cannabis Act*. The request must be made within 30 days of the written decision.

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SUBJECT: CHARITABLE COMMUNITY BENEFIT

POLICY

2.2.1 A charitable community benefit is provided when a service or program is delivered to a significant segment of the community in one of the following areas:

- a) Relief of the aged or disadvantaged:
 - i) relief to the poor;
 - ii) programs for the elderly so they can stay active in society; or
 - iii) social services and educational programs for the emotionally or physically distressed.
- b) Advancing education and learning by providing:
 - i) student bursaries and scholarships;
 - ii) aid to schools;
 - iii) aid to libraries;
 - iv) aid to museums;
 - v) aid to the arts; or
 - vi) aid to the preservation of cultural heritage.
- c) Provide help to the community which:
 - i) make improvements to the quality of health;
 - ii) support medical research;
 - iii) aid medical treatment programs;
 - iv) supply a facility for the community's use;
 - v) support eligible amateur sports; or
 - vi) contribute to places for worship and other religious programs.

SUBJECT: STRUCTURE OF ELIGIBLE GROUPS

POLICY

- 2.3.1 To be eligible for gaming licensing, the applicant group must have:
- a) a broad-based volunteer membership which represents the community at large. For groups located within the boundaries of a casino with 15 games or less, a minimum of 15 voting members are required. For groups located within the boundaries of a casino with 16-50 games, a minimum of 25 voting members are required;
 - b) Alberta resident volunteer members and executive who establish, maintain control of, and deliver the group's programs;
 - c) 75 per cent or more of its executive democratically chosen from its volunteer base (a maximum 25 per cent of the group's executive may be appointed; no more than 25 per cent of executive members may reside outside Alberta);
 - d) a board of directors or executive (president, vice president, treasurer, and secretary or equivalent) that are not paid for their roles or paid to provide services to the group, including income, honorariums, dividends, shares, or transfers of property;
 - e) programs that benefit a significant segment of the community, not members' self-interest or individual/personal benefit;
 - f) a not-for-profit objective;
 - g) groups applying for a licence for which licence fees are charged must be incorporated under one of the following:
 - i) *Societies Act* (Alberta);
 - ii) Part 9 of the *Companies Act*;
 - iii) *Canada Not-for-profit Corporations Act*;
 - iv) *Religious Societies Land Act*;
 - v) other Alberta Statutes, such as:
 - Band Council Resolution for a First Nations charity operating an event on its reserve land. To operate

SUBJECT: STRUCTURE OF ELIGIBLE GROUPS

gaming events off the reserve for which a licence fee applies, a First Nations charity must be incorporated;

- a group governed under the *School Act* (with the exception of school councils which are not eligible for licensing); or
- a group established under the *Regional Health Authorities Act* or the *Hospitals Act* to enhance hospital care for people in the community.

2.3.2 Groups incorporated under the *Societies Act* or the *Companies Act* must be confirmed through Corporate Registry as “active.”

- a) If the group is not listed with Corporate Registry or the group is listed as “start” or “struck,” AGLC will contact the applicant (“start” is an interim status assigned when the Registrar of Corporations has started the dissolution or cancellation process for an Alberta society).
- b) If the group is listed as “start” or “struck”, AGLC will advise the group that its gaming application will not be processed until the outstanding filing is made with Corporate Registry and the group is listed as “active” on the registry.

2.3.3 The group’s registered objects as stated in a Statement of Objects, in its registered by-laws or in its Memorandum of Association must primarily be:

- a) expressed in precise terms (e.g., clearly recognized as charitable in law);
- b) not for profit;
- c) not focused on self-interest;
- d) to provide a community benefit (see Section 2.2);
- e) consistent with the group’s actual program or service delivery to the community; and
- f) for provincial groups, the objects are provincial in scope.

2.3.4 The group’s registered by-laws or Articles of Association must ensure the following:

SUBJECT: STRUCTURE OF ELIGIBLE GROUPS

- a) The rules for membership allow for a broad base of volunteer members from the community (see Subsection 2.3.1 a)) and membership is not restricted by:
 - i) gender, ethnic, racial or cultural background, age, ability, religion, income, or sexual orientation, wherever possible;
 - ii) membership fees so excessive as to prohibit participation from ordinary members of the public;
 - iii) arbitrary discretion of the group's executive or board; and
 - iv) the number of shares held by the prospective member in a non-profit company.
- b) The executive is democratically elected from the volunteer membership who reside in Alberta, that is:
 - i) each member has one vote;
 - ii) no class of membership has the right to more than one vote;
 - iii) each member has the right to run for elected office; and
 - iv) executive positions have limited terms of no more than three years, followed by an election for the position.
 - v) a maximum of 25 per cent of the executive members may be appointed; no more than 25 per cent of executive members may reside outside Alberta.

2.3.5 The membership must be broadly based, and control of the group must not be held by a small group based on family relations. For example:

- a) one individual must not hold more than one executive position, unless permitted in the group's by-laws (e.g., secretary/treasurer); and
- b) executive positions must not be held by related persons.



SECTION: BASIC ELIGIBILITY
NUMBER: 2.4

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SUBJECT: RECORD OF ACTIVE DELIVERY

POLICY

- 2.4.1 An applicant group must be able to prove a record of active delivery of its charitable programs or services to the community for the previous 12 months.
- 2.4.2 The group’s financial statement must show income from all gaming and non-gaming sources to demonstrate eligible program delivery.

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SUBJECT: INELIGIBLE GROUPS AND ACTIVITIES

POLICY

2.5.1 The following groups and activities are not eligible for gaming licensing:

- a) groups engaged in any commercial activity intended to generate income for the personal gain of the group's membership or others;
- b) groups that charge fees for their programs or services for the purpose of generating a profit rather than on a cost-recovery basis. All programs must be operated on a cost-recovery basis;
- c) groups whose activities primarily involve the social, recreational, hobby, commercial, or professional interests of its members or others; and
- d) groups whose structure, programs, or services are not specified in the eligibility policies.

SUBJECT: GEOGRAPHIC BOUNDARIES

POLICY

- 2.6.1 A group operating or delivering programs within the boundary of Edmonton must conduct casino events within that city. A group operating outside Edmonton may not access casino events within that city.
- 2.6.2 A group operating or delivering programs within the boundary of Calgary must conduct casino events within that city. A group operating or delivering programs near Calgary may conduct casino events at the casino facility designated for groups near Calgary. This area includes Banff to the west, Crossfield to the north, Strathmore to the east, and High River to the south.
- 2.6.3 Groups outside Edmonton and Calgary (except as provided for in Subsection 2.6.5) must normally conduct casino events at licensed casino facilities in accordance with AGLC-determined geographic boundaries.
- 2.6.4 A group may conduct bingo events at any bingo association hall in Alberta, with approval of the bingo association.
- 2.6.5 Provincial groups are eligible to conduct gaming events in any community in Alberta subject to compliance with Section 3.21. To establish provincial group status for a gaming licence, groups must establish with AGLC that:
- a) the registered charitable objectives of the group have a provincial focus;
 - b) the by-laws of the group provide for the establishment of offices in other Alberta communities;
 - c) the executive and membership lists of the group indicate that membership is drawn from communities throughout Alberta; and
 - d) the group has a record of program or service delivery and plans to continue to deliver its programs or services to communities throughout Alberta.



SECTION: ELIGIBILITY FOR SPECIFIC GROUPS
NUMBER: 3.1

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SUBJECT: AGRICULTURAL FAIR OR EXHIBITION

POLICY

3.1.1 Groups such as agricultural societies or exhibition boards that conduct annual fairs, exhibitions, or rodeo-style events (such as penning and sorting, barrel racing, or chuckwagon), may be eligible for licensing.

- a) an agricultural society must appear as “in good standing” on the list of Registered Agricultural Societies issued by Alberta Agriculture and the bylaws must have an Alberta Agriculture approved stamp.
- b) Exhibition boards that conduct annual fairs, exhibitions, or rodeo-style events must operate as a non-profit organization and have record of providing community benefit.
- c) Groups that organize and host amateur rodeo-style events must operate as a non-profit organization.

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SUBJECT: AID OF THE DISTRESSED

POLICY

3.2.1 Groups that have identified specific issues of social concern and provide programs and services to improve the quality of life for individuals, groups, and communities affected by disadvantages such as poverty, mental or physical illness, or disability may be eligible for licensing, including:

- a) Groups that provide educational, counselling and/or information programs to the community; and
- b) Groups that provide the necessities of life to individuals experiencing poverty, domestic violence, disasters, etc. Necessities of life include:
 - i) shelters, temporary residential accommodations, or transitional housing;
 - ii) food banks or soup kitchens; and
 - iii) community gardens that grow vegetables or fruit to promote food sustainability or to aid the distressed.

SUBJECT: ARTS GROUPS

POLICY

3.3.1 Groups that deliver a program or activity to the Alberta public in visual, literary, media, or performing arts may be eligible for licensing if the group:

- a) encourages public participation in the program or activity;
- b) gives the public opportunities to participate in the program or activity;
- c) promotes the program or activity to the community; and
- d) provides public performance(s) of the program/activities or provides training to the Alberta public in the program(s)/activities at reasonable or no cost.

3.3.2 Groups that provide and/or operate public facilities in which visual arts activities are primarily undertaken by amateurs, and are not-for-profit, may be eligible for licensing.

3.3.3 The group's programs or services may not be used exclusively for the professional development of the group's members or other.

3.3.4 The following are not eligible for licensing:

- a) groups that do not provide benefit to the public via a community arts program;
- b) the process of creating original works of art;
- c) groups that engage in art events or activities intended to generate income for individuals; and
- d) groups that primarily fundraise to offset member and/or individual expenses related to participating in other organizations' programs or services.



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SUBJECT: ASSOCIATIONS OF EMPLOYEES, OCCUPATIONS, OR PROFESSIONS

POLICY

- 3.4.1 Groups formed by employees or those founded upon a common occupation or profession with membership open to the public for the primary purpose of providing a charitable program or service which benefits the community may be eligible for licensing.
- 3.4.2 Groups formed by employees or those founded upon a common occupation or profession that are structured principally for professional development, self-help, personal benefit, or the welfare of its membership are not eligible for licensing.

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SUBJECT: CHAMBER OF COMMERCE/BOARD OF TRADE

POLICY

- 3.5.1 Chamber of Commerce/Board of Trade groups in communities where a service club or community league/association does not exist, and the chamber or board serves the purpose of operating community programs or services, may be eligible for licensing.
- 3.5.2 The following are not eligible for licensing:
 - a) Groups formed for the improvement and advancement of trade, commerce and the economic and civic welfare of an area; and
 - b) groups formed to promote and/or provide social activities (e.g., public breakfasts, beautification, etc.).

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SUBJECT: CHILDREN’S GROUPS

POLICY

3.6.1 Groups that provide children’s services such as childcare, social service, and/or educational programs, and that are non-profit and not a commercial enterprise, may be eligible for licensing under the following conditions:

- a) daycares and before and after school groups that hold a government-approved licence to deliver childcare programs, and the childcare application process is open to parents or guardians in the community at large; and
- b) there is delivery of a variety of social services and educational programs for children.

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SECTION: ELIGIBILITY FOR SPECIFIC GROUPS
NUMBER: 3.7

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SUBJECT: COMMUNITY LEAGUES/ASSOCIATIONS

POLICY

- 3.7.1 Groups that are incorporated as community leagues/associations or groups that provide the same types of functions as community leagues/associations may be eligible for licensing, including those that act as coordinating bodies for community leagues/ associations (e.g., federation of community leagues/associations and area councils).
- 3.7.2 Groups such as summer villages, condominiums boards, home-owner associations, and gated communities that are not open to the public are not eligible for licensing.

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SUBJECT: EDUCATION GROUPS

POLICY

- 3.8.1 Groups affiliated with schools or institutions that enhance the educational opportunities of students may be eligible for licensing under the following conditions:
- a) The school or educational institution affiliated with the group must be recognized by the educational authority in Alberta.
 - b) In order to raise funds for a school or educational institution, the group must obtain the written approval of the school's governing body. The proper authorities are:
 - i) Board of governors or president of a post-secondary institution such as a university, college, community college, etc.
 - ii) Principal for elementary, junior high, or high schools.
 - c) The group must offer programs that are reasonably available to all students who qualify and wish to participate.
- 3.8.2 Groups that provide post-secondary educational bursaries or scholarships to a broad-based number of students may be eligible for gaming licensing.
- 3.8.3 Only one casino licence will be issued per school or educational institution; and only one bingo licence will be issued per school or educational institution.
- 3.8.4 Public schools or educational institutions established by statute are not considered charities for the purpose of gaming licensing.

SUBJECT: ETHNO-CULTURAL GROUPS

POLICY

3.9.1 Groups that identify with specific cultural characteristics that may include traditions, ancestry, language, religion, national identity, or a specific country or region(s) may be eligible for licensing.

3.9.2 Eligible programs that are open and advertised to the community may include:

- a) preserving or enhancing heritage, language, traditions, and cultures by offering regular and ongoing educational programs or cultural activities;
- b) providing education, counselling, and other support services for immigrants and refugees in need, including:
 - i) training new immigrants or refugees to settle in Canada;
 - ii) literacy and language instruction;
 - iii) employment training;
 - iv) job-search or job-readiness activities;
 - v) life skills;
 - vi) cultural sensitivity/cross-cultural awareness;
 - vii) translation services; and
 - viii) information programs about Canadian culture and life.
- c) helping refugees or providing support to immigrants who experience poverty;
- d) providing educational opportunities related to literacy, job readiness, life-skills, cultural festivals aimed at educating the public, English or French language courses, citizenship courses, training new immigrants or refugees to settle in Canada, cultural sensitivity training, or cross-cultural awareness;
- e) providing religious or spiritual teachings and observances or operating a religious school;
- f) providing programs for seniors that comply with Sections 3.21 and 5.20; and
- g) providing programs for youth that comply with Section 3.25.



SECTION: ELIGIBILITY FOR SPECIFIC GROUPS
NUMBER: 3.9

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SUBJECT: ETHNO-CULTURAL GROUPS

3.9.3 Where a group maintains permanent facilities for its charitable program delivery and also provides a means of reasonable public access to these facilities, the group may use gaming proceeds for equipment and facilities (see Sections 5.13 and 5.15).

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AUTHORITY: Original signed by Len Rhodes

SUBJECT: FUNDRAISING GROUPS

POLICY

3.10.1 The following groups may be eligible for gaming licensing:

- a) foundations and “friends of” groups that are incorporated for the purpose of aiding and supporting the charitable work of hospitals, schools, and libraries, which are not eligible for licensing due to statutory or policy restraints;
- b) Alberta-based groups at the provincial or regional level that are recognized in the community for giving financial support to a range of unrelated arms-length organizations which provide charitable community programs, services or projects; and
- c) Alberta-based fundraising volunteer committees, chapters, and branches of national bodies that deliver charitable programs in Alberta may be eligible for licensing for raffles with a total ticket value \$20,000 and less only. Proceeds must be placed in an Alberta bank account that is controlled by a committee, chapter, or branch. Once ticket revenue has been deposited and prizes and raffle expenses have been paid, the group may donate proceeds to the national body for use for Alberta programs in accordance with AGLC policies.

3.10.2 The group must:

- a) have objectives that are provincial or regional in scope; and
- b) provide written testimonials from at least two unrelated arms-length organizations acknowledging they have received funds from the applicant group in support of their charitable programs or services.

3.10.3 Group formed to support a hospital, school, or library must obtain written approval of the respective governing body. The proper authorities are:

- a) hospital: the applicable health authority;
- b) school: refer to Section 3.8; and
- c) library: local public library board.



SECTION: ELIGIBILITY FOR SPECIFIC GROUPS
NUMBER: 3.10

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SUBJECT: FUNDRAISING GROUPS

- 3.10.4 A group whose primary purpose is to fundraise, other than in accordance with Subsection 3.10.1, as opposed to delivering a community service program, is not eligible for gaming licensing.
- 3.10.5 It is not sufficient that a group donates a percentage of gaming proceeds to a charitable organization; rather, the group must be organized and structured for the purpose of delivering programs for community service or public benefit.

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SUBJECT: GOVERNMENT

POLICY

- 3.11.1 Groups that deliver programs for community service or public benefit and demonstrate a clear separation in funding and governance from publicly funded programs may be eligible for licensing.
- 3.11.2 Groups funded from tax revenue are publicly funded if the funds are granted on terms or conditions that specify the funds be used to provide programs or services that government has a statutory duty to provide. If the group provides other charitable programs or services that provide a significant community benefit, it may be eligible for licensing.
- 3.11.3 The following are not eligible for licensing:
- a) groups created by public statute or other legislative instrument (e.g., a motion passed at a municipal council meeting) which are considered a publicly governed body; and
 - b) groups in which any level of government exerts internal control or influence over a group by appointing a majority of the group's members and/or appointing a majority of the group's executive and/or board of directors.
- 3.11.4 Notwithstanding the above, a group may not be eligible for licensing if:
- a) it receives or has received public funds directly or indirectly;
 - b) it is not sufficiently separated from a group that is not eligible for licensing or that receives or has received public funds;
 - c) it is too closely connected with any level of government; or
 - d) for any other reason AGLC deems the group ineligible for licensing.



SECTION: ELIGIBILITY FOR SPECIFIC GROUPS
NUMBER: 3.12

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SUBJECT: HISTORICAL RESOURCE GROUPS

POLICY

- 3.12.1 Groups that develop programs or are engaged in activities that provide public access to historical resources may be eligible for gaming licensing.
- 3.12.2 Groups that develop and operate public facilities for the purpose of providing access to historical resources may be eligible for gaming licensing.

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SUBJECT: HOBBY/SOCIAL GROUPS

POLICY

- 3.13.1 Groups involved in hobby/social programs, and as part of those programs also provide education and information to the community, may be eligible to conduct raffles with a total ticket value \$20,000 and less. These groups are ineligible for any other type of gaming licence.
- 3.13.2 Programs must:
- a) be promoted and open to the public;
 - b) be regularly scheduled at a public facility;
 - c) require that participants register to attend; and
 - d) operate on a cost-recovery basis (see Subsection 4.4.12).
- 3.13.3 Groups that provide leisure time, hobby, recreational, or social programs, or activities only for members and/or invited guests are not eligible for gaming licensing.

SUBJECT: LOBBY GROUPS

POLICY

3.14.1 Groups that provide public education or counselling programs and liaise with government to present research outcomes and/or a balanced range of views on issues of public concern may be eligible for licensing.

3.14.2 In regard to this policy:

- a) “lobby” means conducting activities aimed at influencing or attempting to influence government in favour of a specific cause; and
- b) “liaise” means communicating for the purpose of establishing and maintaining mutual understanding and cooperation.

3.14.3 The following are not eligible for licensing:

- a) groups formed to effect changes in public policy; and
- b) groups whose primary purpose is to lobby government.

SUBJECT: MEDICAL/HEALTH AID & RELIEF GROUPS

POLICY

3.15.1 Groups whose primary purpose is to assist individuals afflicted with a specific physical or mental health issue may be eligible for licensing, including:

- a) groups structured as a “foundation” under the *Public Health Agencies Act* or the *Hospitals Act*;
- b) groups that support medical research, health care facilities, or persons with disabilities.

3.15.2 The following are not eligible for licensing:

- a) hospitals, health centres, and for-profit medical facilities;
- b) groups whose purpose is to further the professional skills of a specific type of medical occupation serve the self-interest of their members and others associated with them.

SUBJECT: NATURE CONSERVATION

POLICY

- 3.16.1 Groups at the community or regional level that promote nature conservation, provide educational programs, or operate public facilities by volunteers may be eligible for gaming licensing, including:
- a) conservation groups that preserve, restore, and improve natural areas, plants, wildlife and its habitat; and
 - b) groups that rescue and/or provide treatment to injured, domesticated, or wild animals and birds.
- 3.16.2 The following are not eligible for licensing:
- a) the treatment, support, breeding or promotion of animals, birds, insects or plants for commercial purposes;
 - b) conservation groups that lobby government or advocate change to public policy; and
 - c) groups affiliated with commercial activity such as the trapping or camping industry.

SUBJECT: NON-PROFIT GROUPS

POLICY

- 3.17.1 A non-profit group that does not qualify for a gaming licence may be eligible for a licence to conduct a small raffle with a total ticket value of \$5,000 or less.
- 3.17.2 The authority for this type of licence is derived from the *Criminal Code* (Canada) Section 207(1)(d). Groups licensed under this section are not eligible for any other type of gaming licence.
- 3.17.3 The group is not required to be incorporated, but it must be non-profit and have an elected executive.
- 3.17.4 All proceeds must be spent in accordance with AGLC policies (see Sections 4 and 5).
- 3.17.5 The raffle must be structured as follows:
- a) The total ticket value must be \$5,000 or less.
 - b) The ticket price must not exceed \$2.
 - c) The retail value of the prize(s) must not exceed \$500.
 - d) Ticket sales and the draw(s) must occur at a public place of amusement (e.g., a building, hall, pavilion, place, premises, room, tent, or structure where amusement takes place).
 - e) The raffle must meet all other requirements of Raffle Terms & Conditions, and the group must submit a financial summary to AGLC.



SECTION: ELIGIBILITY FOR SPECIFIC GROUPS
NUMBER: 3.18

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SUBJECT: PUBLIC EDUCATION AND AWARENESS

POLICY

- 3.18.1 Groups that provide public education and awareness, such as safety or prevention programs, may be eligible for licensing.
- 3.18.2 The programs must provide a charitable community benefit and a balanced range of views.

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SUBJECT: RELATED GROUPS

POLICY

- 3.19.1 Related groups may be eligible for a maximum of one casino and one bingo licence.
- 3.19.2 Groups are considered related if one or more of the following conditions apply:
- a) The group has branches, subsidiaries, auxiliaries, or is similarly affiliated with another group(s).
 - b) Membership in the affiliate group(s) is limited to members of the principal group.
 - c) The principal group appoints more than 25 per cent of the affiliate group(s) directors or the affiliate group(s) appoints more than 25 per cent of the principal group(s) directors.
 - d) Decisions of the affiliate group(s) are subject to the approval of the principal group.
 - e) The majority of funds of either the principal or affiliate group(s) is given to the other group.
 - f) The principal and affiliated group(s) donate to or use most funds to support a common purpose.
- 3.19.3 Groups that are not related in a manner identified in Subsection 3.19.2, but share all of the following characteristics, are considered related for the purposes of casino and bingo licensing:
- a) The principal group and affiliate group(s) share a common or overlapping executive.
 - b) The affiliated group(s) was created pursuant to the bylaws of the principal group.
 - c) The participants or beneficiaries of the principal and affiliated group(s) programs consist largely of the same persons.
- 3.19.4 Groups that have structures with provincial, regional, district, and/or zone components are not considered related if all the following circumstances are present:
- a) Each group is structured in accordance with Section 2.3.



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NUMBER: 3.19

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SUBJECT: RELATED GROUPS

- b) Each group delivers a charitable program in the community and uses proceeds to support its programs.
- c) Written approval from the provincial governing body is included with each application for a gaming licence from the regional, district, and/or zone groups.

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SECTION: ELIGIBILITY FOR SPECIFIC GROUPS
NUMBER: 3.20

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SUBJECT: RELIGIOUS GROUPS

POLICY

- 3.20.1 Groups, such as churches, parishes, congregations, and lay groups, that further religious principles or objectives may be eligible for licensing.
- 3.20.2 Groups that offer programs, regular religious services, instruction, and places of worship to the public may be eligible for licensing.

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SECTION: ELIGIBILITY FOR SPECIFIC GROUPS
NUMBER: 3.21

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SUBJECT: SENIORS' GROUPS

POLICY

- 3.21.1 Groups that provide programs and services to assist seniors to remain physically, mentally, and socially active in the community may be eligible for licensing.
- 3.21.2 A seniors' group is one in which at least 75 per cent of the membership is 55 years of age or older.
- 3.21.3 Programs must be:
 - a) regularly scheduled; and
 - b) open and advertised to all seniors in the community who wish to participate.

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SUBJECT: SPORTS GROUPS

POLICY

- 3.22.1 Groups at the community or regional level that promote a charitable objective through the delivery of a structured and developmental amateur sports program to the public, that primarily benefits youth, seniors, and/or persons with disabilities, may be eligible for gaming licensing.
- 3.22.2 Consistently the courts have held that sports by themselves are not charitable. The courts have found some sports activity to be charitable due to the object sought to be advanced and the character of the intended beneficiary. For example, sports have been recognized as part of the education of the young, and as therapy and relief of suffering for persons with disabilities, which are themselves recognized as charitable activities. The provision of sports facilities for public use has also been recognized as charitable.
- 3.22.3 In regard to this policy:
 - a) Adult sports groups refer to groups where membership or participants are 22 to 59 years of age.
 - b) Sports groups for persons with disabilities refer to groups where membership or participants are persons with disabilities and participate only in leagues for persons with disabilities.
 - c) Seniors’ sports groups refer to groups where membership or participants are 60 years of age or older and participate only in seniors’ leagues.
 - d) Youth sports groups refer to groups where membership or participants are 21 years of age or younger and participate only in youth leagues.
- 3.22.4 Groups for youth, seniors, and/or persons with disabilities may be eligible for licensing if they deliver a structured and developmental amateur sports program which contains the following characteristics:
 - a) The program is delivered by a group that operates with the approval and support of a governing body.
 - b) There is a published set of rules and regulations established by the sport’s governing body.

SUBJECT: SPORTS GROUPS

- c) There is an official schedule that shows the dates of sanctioned games or events for a specific season or year.
- d) The program uses accredited coaches recognized by the sport's governing body.
- e) The games or competitions are refereed or judged by officials approved by the sport's governing body.
- f) There are different age or skill-level classifications for the participants.
- g) Participants can be promoted to a higher classification category according to age or skill level.
- h) Participants are not paid, directly or indirectly, for participation.

3.22.5 All groups must demonstrate their programs are open, advertised, and promoted to the public, and include a structured and developmental program for youth, seniors, and/or persons with disabilities.

3.22.6 An adult sports group with a youth component may be eligible for licensing if:

- a) the group delivers a structured and developmental youth program in the same sport activity as its adult component. A youth program is defined as a program comprised of youth competing against or participating with other youth; and
- b) the group uses at least 50 per cent of its gaming proceeds on its youth programs (the remainder of the proceeds may be used on the adult programs).

3.22.7 An adult sports group with a component for seniors or persons with disabilities may be eligible for licensing if:

- a) the group delivers a structured and developmental program for seniors or persons with disabilities in the same sport activity as its adult component;
- i) A program for persons with disabilities is comprised of participants with disabilities competing against or participating with other participants with disabilities.

SUBJECT: SPORTS GROUPS

- ii) A seniors program is comprised of seniors competing against or participating with other seniors.
 - b) the group uses all its gaming proceeds on its programs for persons with disabilities and/or seniors.

3.22.8 Groups affiliated with a post-secondary institution may be eligible for licensing if the group's members or participants are registered students at the institution and the group's athletic program is administered under the auspices of the institution's athletic department.

 - a) The group must submit the following in writing from the institution's board of governors or president or designate:
 - i) confirmation that the group's athletic program is administered with the approval and support of the institution's athletic department;
 - ii) approval of the application for licensing; and
 - iii) confirmation that the group's members or participants are registered students at the post-secondary institution.

3.22.9 A group may be recognized as a sport governing body if it has the following mandatory characteristics and a majority of the non-mandatory characteristics for the sport in the province:

 - a) Mandatory Characteristics:
 - i) it facilitates the establishment and participation of clubs for its sport;
 - ii) it establishes and maintains rules of play and operational regulations, such as disciplinary, arbitration and appeal process guidelines for disputes; and
 - iii) it provides programs and services for the sport's participation, such as group insurance, safety programs, equipment, and uniforms.
 - b) Non-Mandatory Characteristics:
 - i) it provides training of coaches and officials;
 - ii) it provides a unified representative voice; and

SUBJECT: SPORTS GROUPS

iii) it is recognized as a governing body by Sport Canada or is affiliated with a provincial, national, or international body.

3.22.10 A governing body responsible for the delivery of a structured and developmental amateur sports program with adult and youth components may be eligible for licensing if:

- a) it meets the criteria for recognition of a governing body outlined in 3.22.9.; and
- b) at least 50 per cent of its gaming proceeds are used on youth programs (the remainder of the proceeds may be used on the adult programs).

3.22.11 A governing body responsible for the delivery of a structured and developmental amateur sports program with components for adults and persons with disabilities and/or seniors may be eligible for licensing if:

- a) it meets the criteria for recognition of a governing body outlined in 3.22.9; and
- b) all of its gaming proceeds are used on programs for seniors and persons with disabilities.

3.22.12 The following are not eligible for licensing:

- a) an adult sports group if the only programs it provides are for adults;
- b) groups formed to promote leisure-time, recreational, personal, or social interests, with activities focused on participation in sporting events; and
- c) a governing body responsible solely for the delivery of an adult sports program.

3.22.13 Single teams are not eligible for gaming licensing, unless a team represents the most senior level of competitive activity. It may be eligible for gaming licensing if:

- a) its players are 21 years of age or under;
- b) the team is a member of a league sanctioned by the sport's governing body;



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NUMBER: 3.22

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SUBJECT: SPORTS GROUPS

- c) the team is not represented by a local association for the particular sport; and
- d) the team represents a senior level team (e.g., Jr. A, AA, AAA, B, or C).

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SUBJECT: UMBRELLA GROUPS

POLICY

3.23.1 An umbrella group that provides support to other charitable groups and that also has responsibility for direct active delivery of charitable programs or services to the community may be eligible for licensing.

3.23.2 “Umbrella group” means a group that provides support services to many charitable groups that share a common objective in delivering programs and services to the community.

3.23.3 Umbrella groups (e.g., governing bodies of eligible amateur sports leagues) that have joint responsibility with charitable groups for the direct delivery of programs or services to the public and contribute resources necessary to the delivery of these programs and services may be eligible for licensing.

Note: “Necessary” means the program or service cannot be delivered to the community in the absence of the resources.

3.23.4 The following are not eligible for licensing:

- a) an umbrella group formed to provide administrative services, resources, training, or consultation services to assist charitable groups to deliver programs or services to the community; and
- b) an umbrella group that is not responsible for direct program delivery to the community.

SUBJECT: VETERANS, SERVICE & FRATERNAL GROUPS

POLICY

- 3.24.1 Groups established by a national or international charter and whose objectives are to provide community benefit, and “auxiliaries” of such groups, may be eligible for licensing.
- 3.24.2 Auxiliary veteran, service, and fraternal groups, such as Royal Canadian Legion Ladies Auxiliary groups and Fraternal Order of Eagles Ladies Auxiliary groups, are groups formed in connection with the principal group and whose purposes and objects conform to those of the principal group.
- 3.24.3 Auxiliary groups that support community projects, organizations, and/or individuals in need which are not the same as those supported by the principal group, and which are independently established by a national or international charter, may be eligible for licensing.
- 3.24.4 Auxiliary groups whose primary purpose is to fundraise for the principal group are not considered charitable groups eligible for licensing (see Section 3.19).



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NUMBER: 3.25

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SUBJECT: YOUTH GROUPS

POLICY

- 3.25.1 Groups that provide youth development programs and services, life-skills training, youth camps, or social development skills may be eligible for licensing.
- 3.25.2 Sponsoring committees or support groups may be licensed on behalf of youth groups involving minors, if the sponsoring group is adequately incorporated in accordance with Section 2.3.
- 3.25.3 The group’s programs or services must be reasonably available to all youth in the community who qualify and wish to participate.
- 3.25.4 Youth groups such as Scout and Guide groups that are recognized as a chapter or branch may be eligible for licensing if they:
 - a) operate under the authority of a national or international body; and
 - b) have the written approval of the governing body.

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SUBJECT: COMMUNITY EVENTS

POLICY

- 3.26.1 Groups that conduct community events of a not-for-profit nature which promote community heritage or cultural understanding may be eligible for gaming licensing provided:
- a) groups establish, maintain control of, and deliver the community event; and
 - b) community events are promoted and open to the public. Community events that are for members and/or invited guests only are not eligible.
- 3.26.2 Community events that may be eligible include ongoing yearly celebrations, festivals, parades, and fairs.
- 3.26.3 Groups formed to conduct a one-time only community event, such as an anniversary celebration, may be eligible to conduct raffles with a total ticket value \$20,000 and less.
- a) These groups are not eligible for any other type of gaming licence.
 - b) Gaming proceeds generated must be spent in accordance with Section 5.7.
- 3.26.4 Community events that generate income for individuals are not eligible for licensing.
- 3.26.5 Examples of community events that are not eligible for licensing include, but are not limited to, graduations, alumni and high school reunions, and homecomings.

SUBJECT: FACILITY

POLICY

- 3.27.1 A group whose sole purpose is to provide a facility for community use and does not deliver charitable programs of its own may be eligible for gaming licensing.
- 3.27.2 A group that owns or leases a facility and provides the facility to the community may be eligible for gaming licensing if the:
- a) facility has been in operation for the prior 12 months;
 - b) group has a certificate of title, lease, or legal contractual agreement (care and custody) for the facility;
 - c) facility is widely and reasonably available for a range of community programs or use:
 - i) The hours of operation of the facility are advertised to the community.
 - ii) Records of facility use for community programs are provided to AGLC upon request.
 - d) Facility is located in Alberta and the zoning is compatible with the intended use of the facility; and
 - e) Facility is not a private residence or one involving commercial, for-profit activities.
- 3.27.3 The following are not eligible for licensing:
- a) Groups that operate a facility on a self-sustaining basis, where the rent and/or fees charged to users are sufficient to maintain the facility; and
 - b) Groups whose purpose is to fundraise for the future construction or purchase of a facility.

SUBJECT: GENERAL

POLICY

4.1.1 The group must comply with policy including, the terms and conditions for prizes, expenses, and use of proceeds which are provided in policies, including this handbook and the terms and conditions for each type of gaming licence issued.

Gaming Revenue

4.1.2 Gaming revenue must only be spent on approved prizes, event expenses, and charitable purposes.

- a) Gaming revenue is the total income from sales of games of chance at licensed gaming events.
- b) Prizes are anything of value, such as money, property, merchandise, or services that a player of a game of chance, played during a licensed gaming event, has a chance to win.
- c) Gaming event expenses are the costs incurred by the licensed groups to operate a gaming event. Eligible expenses are outlined in AGLC policies for casino, bingo, raffle, and pull ticket licences.

Gaming Proceeds

4.1.3 Gaming proceeds are funds remaining from total gaming event revenue after the payment of approved prizes and event expenses. Gaming proceeds include:

- a) charity commissions; and
- b) all donations received from gaming funds and interest, dividends, or other income earned from gaming proceeds.

Timelines for Use of Gaming Proceeds

4.1.4 Except as provided for at Subsection 4.1.6, gaming proceeds must be used within 36 months of receipt, unless the proceeds are contributed to an endowment fund (see Subsection 4.4.9)

4.1.5 A group that requires longer than 36 months to use its gaming proceeds must submit a Retention of Gaming Funds form (Form 5642) to AGLC for prior approval that includes, but is not limited to:

- a) amount of proceeds;

SUBJECT: GENERAL

- b) reason for the retention;
- c) other sources of revenue (i.e., non-gaming) associated with the planned project or event; and
- d) timelines for the retention.

4.1.6 The following conditions apply to retained proceeds:

- a) Groups are not required to request approval to retain balances of \$50,000 or less.
- b) Groups may retain a maximum of \$100,000.
- c) Group may request to retain proceeds for a maximum of 24 additional months.
- d) Fundraising groups, licensed under Section 3.10, must request approval to retain an amount greater than \$100,000, but must not retain proceeds longer than an additional 24 months.
- e) Groups may request approval to retain proceeds for a facility (see Subsection 4.4.10 to 4.4.18)

Financial and Banking Requirements

4.1.7 The group must deposit gaming revenue, less cash prizes awarded at a licensed gaming event, into the group’s designated gaming account. (Note: Separate bank accounts must be established for each gaming type. It is recommended the gaming accounts are named accordingly).

4.1.8 The group must make all payments for prizes from the gaming account (excluding cash prizes awarded at a licensed gaming event and raffles with a total ticket value \$20,000 and less).

4.1.9 Payments for event expenses and the use of proceeds must be:

- a) made directly from the gaming account to the vendor or supplier by credit card, debit card, pre-authorized debit (PAD), electronic funds transfer (EFT), bank draft, or cheque;
- b) fully supported by receipts, invoices, and/or other documents such as contracts, agreements, time sheets, etc.; and
- c) authorized by one current member of the group’s volunteer elected executive:

SUBJECT: GENERAL

- i) invoices or other supporting documents for credit card, debit card, PAD, EFT, and bank draft payments must be signed by one member of the group's executive;
- ii) cheques must be signed by one authorized signing authority of the group's executive.; and
- iii) authorized executives must not sign cheques or authorize any payment payable to themselves if they are the sole signatory.

4.1.10 Transfers from the gaming account to a non-gaming account must only be made for reimbursement of AGLC-approved wages paid from a non-gaming account.

4.1.11 Gaming proceeds must be deposited with a recognized financial institution in Alberta and must remain in the respective gaming account(s) until spent on the group's charitable purposes. If not immediately required, gaming proceeds may be:

- a) deposited into separate Canadian Deposit Insurance Corporation (CDIC) insured account(s); or
- b) used to purchase Guaranteed Investment Certificates.

Note: the financial institution, account or deposit number, and value of funds in the account(s) must be identified on all financial reports.

All interest, dividends, or other income earned by these funds are deemed gaming proceeds.

4.1.12 Proceeds must be used for current expenses only. Non-gaming funds must be used when gaming funds have been exhausted.

4.1.13 Proceeds from one licence may be used to cover gaming losses from the same licence type.

Direction of Gaming Funds

4.1.14 Groups directed by AGLC to donate remaining gaming proceeds must provide the following to AGLC within 30 days of the date of notification:

- a) Name(s) of charitable organization(s) to receive donation(s) of remaining gaming proceeds.
- b) Amount of the donation(s).

SUBJECT: GENERAL

- c) Purpose of the donation(s).
- d) Supporting documentation as per Subsection 4.3.9.

AGLC will review the list and approve all proposed recipients that are eligible to receive donations of gaming proceeds.

Appeal Process

4.1.15 AGLC will notify the group in writing if a proposed use of gaming proceeds is not approved, or if the group has used gaming proceeds for a non-approved use and is required to reimburse the gaming account.

- a) If the group disagrees with the decision of AGLC, it may appeal the decision in writing.
- b) AGLC reviews the written appeal from the group and responds in writing outlining the reason for the decision.
- c) If the group disagrees with the decision, it may appeal the decision in writing to the Vice President, Regulatory Services.
- d) The Vice President, Regulatory Services reviews the written appeal from the group and responds in writing outlining the reason for the decision.

Hearing Process

4.1.16 If the group receives a Notice of Administrative Sanction, the group may, within 30 days of receipt of the notice, request a hearing before a panel of AGLC's Board.

SUBJECT: KEY PRINCIPLES

POLICY

- 4.2.1 Gaming proceeds must only be used for charitable objects or purposes which are consistent with the group's eligibility for a gaming licence and supports the delivery of the group's charitable objectives, programs, and services.
- 4.2.2 Gaming proceeds must be spent reasonably and in a cost-effective manner to support the group's charitable purpose.
- 4.2.3 The following are ineligible uses of gaming proceeds:
- a) fundraising activities;
 - b) activities, events or operations intended to generate a profit, and the purchase of any equipment, supplies, or services for the purpose of generating a profit;
 - c) members' self-interest or individual/personal benefit;
 - d) payment to board or executive members for their services;
 - e) donations to individuals (except as permitted at Subsection 4.4.7);
 - f) the social, recreational, hobby, commercial, or professional interests of its members or others;
 - g) professional fees for conducting an audit or review engagement;
 - h) legal fees;
 - i) reimbursement of wages for travel, such as a conference;
 - j) providing cash for awards and recognition of earned achievements or volunteer appreciation;
 - k) political activities such as candidacy costs for public office, political conventions, and research costs for a political party;
 - l) lobbying activities aimed at influencing or attempting to influence government for a specific cause or to achieve changes in public policies;
 - m) avoidable fees such as late fees, non-sufficient funds (NSF), overdraft, etc.;

SUBJECT: KEY PRINCIPLES

- n) debt incurred by the group except as permitted in Subsections 4.4.10 – 4.4.18 – Facility;
- o) alcoholic beverages;
- p) funerals, cremations, burial plots or headstones; and
- q) community beautification.

4.2.4 Groups must maintain ownership and control of items purchased with gaming proceeds and maintain an asset log of all items.

4.2.5 Major items (e.g., facilities, equipment, vehicles) must be purchased, leased, registered, and insured in the name of the group or other approved entity.

4.2.6 Funds from the rental or sale of items purchased with gaming proceeds must be deposited to a gaming bank account.

4.2.7 Groups must establish a written policy for the use of equipment, vehicles or other items purchased using gaming proceeds.

Program Cost Recovery

4.2.8 Expenses for charitable programs or activities that generate or receive revenue should be managed on a cost-recovery basis.

Related-Party Transactions

4.2.9 Related-party transactions must be:

- a) conducted at fair-market value or less; and
- b) fully disclosed to the group’s membership, documented in the meeting minutes and in requests for approval (as applicable), including:
 - i) a description of the relationship between the transacting parties;
 - ii) a description of the transaction(s), including those for which no amount has been recorded;
 - iii) the recorded amount of the transaction(s); and
 - iv) contractual obligations with related parties.



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Note: Quotes from third parties must be obtained prior to the completion of related-party transactions to determine fair-market value. This information must be provided to AGLC upon request.

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL NOT REQUIRED

BASIC USE OF GAMING PROCEEDS

Accounting Fees

POLICY

4.3.1 Groups may use gaming proceeds to pay a reasonable fee for the preparation of gaming financial reports (see Subsection 4.6.5).

Administrative Expenses

POLICY

4.3.2 Gaming proceeds may be used for administrative expenses that are necessary for eligible charitable programs or services.

- a) Administrative expenses are limited to a maximum cumulative total of 30 per cent of gaming proceeds earned.

GUIDELINES

4.3.3 Administrative expenses may include, but are not limited to:

- a) wages for administrative positions such as receptionists, other clerical positions, and executive director positions that are primarily administrative;
- b) bookkeeping and preparation of financial statements (income statement and balance sheet only);
- c) phone, internet, and online meeting service fees, with billing in the name of the group;
- d) computer hardware (e.g., hard drives, monitors, printers, servers, photocopiers, etc.) and software for administrative purposes such as accounting, membership, program management, and licensing fees;
- e) office supplies, postage and courier fees;
- f) Workers Compensation and liability insurance premiums for directors' and program/event liability;
- g) moving/relocation expenses; and
- h) organizational rebranding.

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SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL NOT REQUIRED

Aid of the Distressed

POLICY

4.3.4 Gaming proceeds may be used for necessary costs to deliver programs that address specific issues of social concern and provide aid to the distressed.

Note: For wages, salaries, and honorariums, the Request to Use Gaming Proceeds to Pay Wages/Salaries form may be required.

GUIDELINES

4.3.5 Expenses for the Aid of the Distressed may include, but are not limited to:

- a) resources for education, counselling, and/or information programs;
- b) basic life needs such as food, clothing, furniture, and shelter (e.g., homeless, battered women/children, and youth shelters, and transitional housing);
- c) school breakfasts and lunches for children in educational programs from pre-school through grade 12 (available to all students);
- d) activities that address specific issues of social concern for children under the age of 18;
- e) food/meals when provided in conjunction with programs for children (under the age of 18) that specifically address social concerns (e.g., children in care);
- f) community gardens, such as:
 - i) rent/purchase of land and/or physical structures (e.g., greenhouse);
 - ii) utilities and equipment; and
 - iii) educational programs related to community gardens (e.g., nutrition awareness, food preservation, etc.).
- g) gift cards issued to provide the necessities of life (e.g., food, clothing, and shelter) (see Subsection 4.6.2).

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Note: Letters in support of the need for the programs and services and their benefits (e.g., from local agencies or registered professionals such as psychologist or social workers etc.) are recommended as documentation in support of the use of proceeds for Aid of the Distressed.

Community Events Under \$100,000

POLICY

- 4.3.6 Gaming proceeds may be used for eligible community events that are open and promoted to the public, and do not exceed \$100,000 in gaming proceeds (for community events \$100,000 or more see Subsection 4.4.4).
- 4.3.7 Gaming proceeds must not be used to support commercial or for-profit activities.

GUIDELINES

- 4.3.8 Community event expenses may include, but are not limited to:
- a) venue or facility rental;
 - b) rental or purchase of equipment, supplies, furnishings, uniforms, costumes, and/or vehicles;
 - c) security;
 - d) event advertising and promotion;
 - e) wages/salaries (see Subsection 4.4.27);
 - f) entertainment;
 - g) fireworks;
 - h) floats;
 - i) clean up;
 - j) municipal fees, excluding items such as liquor licence fees and vendor permits; and
 - k) food and non-alcoholic beverages.

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL NOT REQUIRED

Donations

POLICY

4.3.9 Gaming proceeds may be donated to organizations that deliver a program or service which provides a community benefit.

- a) Donations must only be used for eligible charitable purposes.
- b) No compensation or exchange for anything of value, directly or indirectly, can be made in return for a donation of gaming proceeds.
- c) All donor groups must retain a completed Recipient Agreement (Form 5627 for AGLC-licensed groups and Form 5507 for non-AGLC licensed groups).

4.3.10 Donations within Alberta

- a) Groups may donate gaming proceeds with no annual limit if the recipient is licensed with AGLC and conducts one or more of the following gaming events and deposits the proceeds to a gaming bank account:
 - i) casino;
 - ii) bingo;
 - iii) pull ticket; or
 - iv) raffles with a total ticket value more than \$20,000.
- b) Groups may donate up to \$25,000 annually to an eligible group within Alberta that does not conduct licensed gaming events or only conducts raffles with a total ticket value \$20,000 and less (see Subsection 4.4.6 a)) for donations exceeding \$25,000).

4.3.11 Donations Outside Alberta, but within Canada

- a) Groups may donate a maximum of 75 per cent of gaming proceeds earned per licence to eligible recipient groups outside Alberta, but within Canada.
- b) Groups may make a total annual donation up to \$10,000 to an eligible individual group outside Alberta, but within Canada (see Subsection 4.4.6 b)) for donations exceeding \$10,000).

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- c) The recipient group must support at least one of the following purposes:
 - i) disaster/emergency relief;
 - ii) nationally recognized charitable programs that benefit Albertans (e.g., the Lions Eye Bank); or
 - iii) medical and educational research programs which may benefit all Canadians.

Note: If the donor group is uncertain if a recipient qualifies as an eligible charitable group, the donor group must submit a written request to AGLC for approval.

4.3.12 Donations Outside of Canada

- a) Groups may donate a maximum of 50 per cent of the gaming proceeds earned per licence to an eligible recipient group outside Canada.
- b) Groups may make a total annual donation up to \$5,000 to an eligible individual group outside Canada (see Subsection 4.4.6 c) for donations exceeding \$5,000).
- c) Donations to recipients outside Canada must be used to support at least one of the following purposes:
 - i) international disaster/emergency relief; or
 - ii) projects in developing countries that the Canadian federal government approves for international development, such as:
 - the development of local self-sufficiency, including microloans, in the provision of basic human needs for water, food, sanitation, or shelter; or
 - the provision of primary health care (e.g., acute care and public health) and basic education (e.g., reading, writing, and basic math).

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL NOT REQUIRED

- d) Donations may be made directly to a specific eligible project or organization, such as World Vision Canada, Care-Canada, or Canadian Red Cross, that:
 - i) carries out projects and programs of international development assistance or international emergency relief; and
 - ii) agrees to use donated gaming proceeds for eligible purposes as outlined in 4.3.12 c).

Hosting Conferences, Seminars, Workshops and Clinics

POLICY

4.3.13 Gaming proceeds may be used to host conferences, seminars, workshops, or clinics within Alberta for educational purposes; related to a charitable program or service the group delivers.

4.3.14 Gaming proceeds must not be used for:

- a) travel and accommodation for attendees; and
- b) hospitality suites.

GUIDELINES

4.3.15 Gaming proceeds may be used for:

- a) rental of a venue or facility;
- b) rent or purchase of equipment, such as tables, chairs, podiums, and audio-visual equipment;
- c) advertising and promotion;
- d) resource materials;
- e) wages and travel expenses for speakers, instructors, or performers, only for the duration of the event; and
- f) food and non-alcoholic beverages.

Program Related Expenses

POLICY

4.3.16 Gaming proceeds may be used to pay expenses required for the direct delivery of the group's charitable programs or services.

Note: See Section 3.22 for sports program requirements.

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GUIDELINES

4.3.17 Advertising/Promotional Activities:

- a) to promote participation and increase public awareness in a group's charitable programs;
- b) advertising the group's programs and membership within newspapers, radio, television, posters, signs, pamphlets, letters, internet web pages and social media open to the public;
- c) website development, design, updates, maintenance, domain, and hosting;
- d) providing recognition of the group's programs or contribution to the community through plaques, benches, murals, monuments, statues, cenotaphs, memorial walls, etc.; and
- e) branded promotional giveaways (e.g., tote bags, water bottles, name tags, pins, lanyards, wristbands, etc.).

4.3.18 Awards/Trophies/Plaques:

- a) Awards and recognition of earned achievements, including volunteer appreciation, such as;
 - i) trophies, plaques, and ribbons; and
 - ii) items inscribed with the event details (e.g., belt buckles).

4.3.19 Equipment/Resource Materials/Supplies:

- a) sports equipment;
- b) musical equipment;
- c) electronics;
- d) resource materials such as software, books, pamphlets, brochures, and manuals;
- e) program supplies; and
- f) furnishings.

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4.3.20 Judges/Officials:

- a) costs associated with officiating/judging competitions or tournaments (see Subsection 3.22.4):
 - i) referees;
 - ii) umpires;
 - iii) adjudicators; and
 - iv) other positions responsible for officiating or judging a competition.
- b) reasonable costs of certifying officials and judges in their sport, including training and education costs.

4.3.21 Membership/Registration/Affiliation Fees:

- a) membership, registration, or affiliation fees to local, provincial, national, or international governing bodies when the fees are related to a group's specific objectives and individual members of the group do not also pay the fee.

4.3.22 Uniforms/Costumes:

- a) required for competitive play, practice, cultural or organizational representation, or artistic performance, including cleaning and repair;
- b) provided to a participant for a specified period of time (e.g., sports season or event) and returned at the end of the period; and
- c) uniforms that have a distinctive logo or marking representing the charity.

4.3.23 Venue/Facility Expenses (see also Subsection 4.4.10):

- a) ad hoc rental of a venue or facility when required to deliver a group's charitable programs and services;
- b) space rental used primarily for administrative purposes and regular membership meetings (see also Subsection 4.4.10 e)); and

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- c) storage, including rental and purchase of items to accommodate storage (e.g., sheds, shipping containers, cabinets, trailers, etc.) (see also Subsection 4.4.10 e)).

Travel

POLICY

4.3.24 Gaming proceeds may be used to pay expenses for travel if the travel is directly related to the delivery of the group’s charitable programs and services.

4.3.25 Support personnel may be eligible for travel at a ratio of one support personnel per five participants, with justification provided if travel requires extra support.

4.3.26 Gaming proceeds must not be used for:

- a) non-participants (e.g., spouse or family members);
- b) individual or team practice or rehearsal days and those that do not include eligible event activities;
- c) wages, including reimbursement of wages from an individual’s regular employment because of participating in the travel;
- d) visas, travel insurance, personal items, etc.; and
- e) social or recreational activities (e.g., banquets, galas, tours, sightseeing, shopping, free days, and outings).

4.3.27 Eligible travel activities may include, but are not limited to:

- a) organized and structured sporting events; sanctioned by the local or provincial governing body;
- b) organized and structured performing arts events;
- c) youth programs (e.g., exchanges, jamborees, summer camps);
- d) field trips that enrich educational institution curriculum;
- e) educational conferences, seminars, or workshops;
- f) travel for administrative purposes; and
- g) seniors’ programs and activities.

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Conferences, seminars, workshops, clinics, meetings, or conventions

4.3.28 The event must be organized primarily for educational purposes related to a specific charitable program or service the group supports or delivers to the community.

- a) Attendees must train or share information with other members of their group upon return.
- b) A breakdown of conference sessions/workshop topics for each day must be retained.

Education

4.3.29 The purpose of the travel must be to enrich the educational institution's curriculum and provide students an educational experience that would otherwise be unavailable.

- a) The educational institution or school must be recognized by the educational authority in Alberta.
- b) The appropriate authority of the educational institution, such as the principal, must provide the group with written approval for the trip and confirm it enriches the curriculum.
- c) The travel must be reasonably available to all students who qualify and wish to participate.

Performing Arts

4.3.30 The performing arts event must be organized, such as a music, dance, or drama competition or festival.

- a) The group must be selected for the event because of its level of creative achievement or success and retain an invitation from event organizers.
- b) Eligible travel days include those with performances.
- c) Instructor training may be eligible under Subsection 4.4.21.

Sports

4.3.31 Events such as competitions, tournaments, or games must be organized, structured, and sanctioned (See Section 3.22 for sports program requirements).

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- a) The governing body must provide the group with written approval for the event.
 - i) The local or provincial governing body normally sanctions travel outside Alberta.
 - ii) The national governing body normally sanctions travel outside Canada.
 - iii) Eligible travel days include those with games.
 - iv) Coach training may be eligible under Subsection 4.4.21.
- b) Travel to an event must meet at least one of the following conditions:
 - i) It must form a regular part of the group's programs, such as scheduled league games, sanctioned league tournaments, or competitions which affect the individual or team standing in the sport.
 - ii) It must be a recognized or sanctioned playoff/championship game or competition that the individual or team qualified for through previous competition in Alberta.
 - iii) It must be a sanctioned invitational or exhibition event essential to the development of the individual or team.

Other

4.3.32 Travel may be eligible for purposes directly related to charitable program delivery (e.g., youth programs, medical treatment, etc.) and will be considered by AGLC on a case-by-case basis.

GUIDELINES

- 4.3.33 Travel expenses for charitable program activities include, but are not limited to:
- a) direct-route transportation (e.g., bus charters or mileage);
 - b) transportation of equipment;
 - c) vehicle rental;
 - d) food and non-alcoholic beverages;
 - e) accommodation; and

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- f) registration fees.

SPECIFIC USE OF GAMING PROCEEDS

Fundraising Groups

POLICY

4.3.34 Gaming proceeds may be used for the charitable purposes of foundations and “friends of” groups according to their eligibility under 3.10 (for donations, see Subsections 4.3.9 to 4.3.12).

- a) Gaming proceeds may be used by eligible fundraising groups (see Section 3.10) to support enhancements for hospitals, schools, and libraries that are not already provided by, or are the responsibility of, the related arm of government and that are not otherwise available.
- b) Except as otherwise noted, gaming proceeds must not supplement operational or capital budgets, such as renovations, utilities, staff salaries, and administrative areas/equipment.

GUIDELINES

4.3.35 Hospital Foundations

Expenses for hospital foundations may include, but are not limited to:

- a) medical research;
- b) medical equipment;
- c) medical treatment and education programs; and
- d) capital projects that are essential to accommodate a charitable purpose, such as education, treatment programs, or integrating medical equipment.

4.3.36 Library Groups

Expenses for fundraising groups that support libraries include, but are not limited to:

- a) providing information to the public through print and non-print resources;
- b) speakers;

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- c) programs and program materials;
- d) educational resources;
- e) shelving;
- f) furniture.; and
- g) capital projects and operational costs that are essential to accommodate a charitable purpose that would otherwise be unavailable.

4.3.37 Education Groups

Expenses for education groups that support curriculum enhancements contributing to student learning development may include, but are not limited to:

- a) educational field trips, athletic tournaments/competitions, and travel (e.g., music festivals, science excursions, or language/cultural experiences). All travel disbursements must comply with Subsections 4.3.24 to 4.3.32;
- b) educational equipment (e.g., audio-visual, athletic, and science equipment, musical instruments, computers/laptops/tablets for student use, etc.);
- c) resource materials excluding required textbooks (e.g., library books, online learning applications/readers, subscriptions);
- d) in-school presenters;
- e) venue rentals (e.g., swimming pool, sports arena, or theatre stage);
- f) uniforms/costumes (see Subsection 4.3.22);
- g) playground development/equipment, science gardens, and outdoor classrooms; and
- h) student meal programs (see Subsections 4.3.4 to 4.3.5).

Seniors Groups

POLICY

4.3.38 Gaming proceeds may be used to develop and deliver regularly scheduled programs and activities that assist seniors to remain physically, mentally, and socially active in the community.

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GUIDELINES

- 4.3.39 Expenses for seniors groups may include, but are not limited to:
- a) educational programs to learn a new skill;
 - b) physical and mental activities, including instructor-led group programming;
 - c) programs to encourage social interaction;
 - d) food and non-alcoholic beverages;
 - e) venue rental;
 - f) advertising;
 - g) equipment rental or purchase;
 - h) instructors, performers, entertainers;
 - i) guest speakers (see Subsection 4.4.21);
 - j) travel (see Subsection 4.3.27); and
 - k) reasonable gratuities for meals or service fees (e.g., to chartered bus drivers, tour guides, etc.).

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL REQUIRED

POLICY

4.4.1 Groups requesting approval for or changes to currently approved specific use of proceeds must submit the Request to Amend Use of Gaming Proceeds (Form 5506) to AGLC and must have AGLC approval prior to the use of proceeds for those purposes.

4.4.2 The group must submit a written request signed by one current volunteer executive member to AGLC for approval prior to making any amendments to the licence.

Bursaries and Scholarships

POLICY

4.4.3 Gaming proceeds may be used for educational bursaries or scholarships for post-secondary study at Alberta government-approved provincial, national, or international institutions and programs.

- a) With prior AGLC approval, the group may:
 - i) establish its own bursary or scholarship program;
 - ii) establish a bursary or scholarship program in the name of the group and have it administered by a post-secondary educational institution; or
 - iii) donate gaming proceeds directly to an eligible post-secondary institution for existing bursary or scholarship programs in accordance with Subsections 4.3.9 to 4.3.12.
- b) The selection process for awarding bursaries or scholarships must include the following information:
 - i) eligibility criteria;
 - ii) composition of the decision-making body responsible for reviewing the applications; and
 - iii) number and value of the bursaries/scholarships awarded.
- c) The bursaries or scholarships must be widely publicized and made available to all qualified individuals, not limited to family, friends, or members of the licensed group, or decision-making body that selects the recipients.

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- d) Prior to awarding the bursary or scholarship, the group must confirm the recipient:
 - i) meets the eligibility criteria for receiving the bursary or scholarship; and
 - ii) will be attending the post-secondary institution (e.g., acceptance letter).
- e) The group may make payment directly to the post-secondary educational institution for tuition or related costs on behalf of the recipient or directly to the recipient with proof of payment (e.g., tuition receipt).

Community Events \$100,000 or More

POLICY

4.4.4 Gaming proceeds may be used for eligible community events that are open and promoted to the public.

- a) Groups requesting to use \$100,000 or more of gaming proceeds for the event must submit a request to AGLC for prior approval and include:
 - i) details about the event, (e.g., celebration, festival, parade, fair, etc.);
 - ii) location, date, time, and duration of the event;
 - iii) confirmation the event is open to the public;
 - iv) explanation how the event is advertised; and
 - v) sources and amounts of anticipated revenue and expenses for the event.
- b) Gaming proceeds must not be used to support commercial or for-profit activities.

GUIDELINES

4.4.5 Community event expenses may include, but are not limited to:

- a) venue or facility rental;
- b) rental or purchase of equipment, supplies, furnishings, uniforms, costumes, and/or vehicles;

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- c) security;
- d) event advertising and promotion;
- e) wages/salaries (see Subsection 4.4.21);
- f) entertainment;
- g) fireworks;
- h) floats;
- i) clean up;
- j) municipal fees, excluding items such as liquor licence fees and vendor permits; and
- k) food and non-alcoholic beverages.

Donations

POLICY

4.4.6 Further to the requirements for donations at Subsections 4.3.9 to 4.3.12, the following additional requirements apply as applicable:

- a) With prior AGLC approval, groups may donate more than \$25,000 annually to an eligible group within Alberta that does not conduct licensed gaming events or only conduct raffles with a total ticket value \$20,000 and less. The donor group must submit the:
 - i) Request to Amend Use of Gaming Proceeds (Form 5506); and
 - ii) Recipient Agreement (Form 5507).
- b) With prior AGLC approval, groups may make a total annual donation that exceeds \$10,000, using a maximum of 75 per cent of gaming proceeds earned per licence, to an eligible individual group outside Alberta, but within Canada. The donor group must submit the:
 - i) Request to Donate Proceeds Outside Alberta (Form 5502); and
 - ii) Recipient Agreement (Form 5507).

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- c) With prior AGLC approval, groups may make a total annual donation that exceeds \$5,000, using a maximum of 50 per cent of the gaming proceeds earned per licence, to an eligible individual group outside Canada. The donor group must submit the following forms:
 - i) Request to Donate Proceeds - Outside Alberta (Form 5502); and
 - ii) Recipient Agreement (Form 5507).

Emergency Funds

POLICY

4.4.7 Gaming proceeds may be used for emergency funding to provide relief to people in distress or who are victims of physical or natural disaster.

- a) Each request to assist with emergency relief must be submitted to AGLC for prior approval.
- b) Gaming proceeds may be provided to the Canadian Red Cross for disaster relief or donated to eligible organizations for disasters or emergencies in accordance with Subsections 4.3.9 to 4.3.12.
- c) Gaming proceeds may be used to assist people in need through online campaigns. Contributions must be made directly from a gaming bank account, or through gift cards in accordance with Subsection 4.6.2.
- d) In accordance with approved methods of payment outlined in Subsection 4.1.9, groups may make payment directly:
 - i) to the individual with a receipt or invoice for the expense; or
 - ii) to the vendor for the expense on behalf of the recipient.

Note: The group must retain the invoice or receipt and provide it to AGLC upon request.

GUIDELINES

4.4.8 Emergency fund expenses may include, but are not limited to:

- a) necessities such as shelter, food, clothing, or furnishings;

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- b) equipment, supplies, and volunteers to assist with emergency measures because of a physical or natural disaster (e.g., tsunami, earthquake etc.);
- c) mobility aids;
- d) specialized beds;
- e) vehicle or home modifications; and
- f) travel outside the individual’s community (within Alberta only) to attend medical treatments.

Endowment Funds

POLICY

4.4.9 With prior AGLC approval, gaming proceeds may be used to establish and/or donate to an endowment fund, whose purpose is to support approved charitable purposes.

- a) “Endowment fund” means a fund where the principal is not normally used and only the investment income, or a portion thereof, is used.
- b) The group may administer its own endowment fund or have a third party administer the fund on its behalf.
- c) A group must request AGLC approval to either administer its own or have a third-party administer an endowment fund before any gaming proceeds are placed in the fund for the first time. The group must provide:
 - i) the purpose of the fund;
 - ii) minutes of the executive or general meeting authorizing use of gaming proceeds for an endowment fund;
 - iii) the identity of the third-party administrator, if applicable;
 - iv) confirmation that gaming proceeds placed into the fund will be separated for accounting purposes;

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL REQUIRED

- v) if the group is administering the fund, an explanation of how proceeds will be disbursed from the fund and how the fund will be administered including:
 - who determines how the proceeds from the endowment fund will be invested;
 - the identity of the investment manager responsible for the endowment fund's investments. A copy of the draft agreement between the group and investment manager must be submitted;
 - a breakdown of how the proceeds from the endowment fund will be invested;
 - the signing authorities for the endowment fund; and
 - the fee structure associated with the administration of the fund.

- d) If a third-party is administering the fund, a copy of the draft agreement between the group and the third-party administrator which states:
 - the purpose of the fund;
 - an explanation of how proceeds placed into the fund will be separated for accounting purposes;
 - a breakdown of how the proceeds from the fund will be invested;
 - the signing authorities for the fund;
 - the identity of the third party's investment manager;
 - the fee structure associated with the administration of the fund; and
 - how often financial statements are provided to the group.

- e) Investments for endowment funds must be deposited with a trust company or recognized financial institution in Alberta. Investments must also be managed in accordance with the Trustee Act by a person possessing a recognized professional investment designation (e.g., Certified Financial Planner (CFP),

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Chartered Financial Analyst (CFA)) or a recognized licensed investment management corporation.

- f) A proposed change in the purpose of the endowment fund, the intended recipient of the fund's disbursements, or the party to the change taking effect. Minutes of the executive or general meeting at which authorization was granted for the proposed change must be submitted with the letter of request.
- g) Groups must request AGLC approval to withdraw a portion, or all, of the principal of the endowment fund to be spent on approved charitable purposes.
- h) Gaming proceeds donated to an endowment fund held by other charitable groups or eligible institutions (e.g., hospitals, post-secondary institutions) must be made in accordance with Subsections 4.3.9 to 4.3.12.
- i) Endowment funds must not be merged with other endowment funds without prior AGLC approval.
- j) If the endowment fund ceases, all gaming proceeds must be transferred back to the gaming bank account and spent on approved charitable purposes.
- k) Groups must provide all endowment fund records, including those of the fund manager or third-party administrator, to AGLC upon request.

Facility

POLICY

4.4.10 Gaming proceeds may be used in a cost-effective manner for the purchase, rental, capital, leasehold, and operating costs of a facility that is used for charitable program delivery.

- a) The facility must:
 - i) be owned by the group or the group has a legal right to occupy and control the facility through a contractual agreement such as a mortgage or lease;
 - ii) be accessible to the public at least 50 per cent of the time; and

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- iii) be in Alberta.
- b) “Facility” means a physical structure and/or land.
- c) Gaming proceeds may be used for, including but not limited to:
 - i) fixtures and furnishings;
 - ii) mortgage, lease, or rental payments;
 - iii) utilities;
 - iv) insurance;
 - v) property taxes;
 - vi) janitorial costs and supplies;
 - vii) repairs and maintenance, including snow removal, lawn care, and ice maintenance, etc.; and
 - viii) renovations and leasehold improvements.
- d) Gaming proceeds may be used for shelters for the homeless or victims of domestic violence, temporary residential accommodations, and transitional housing.
- e) Gaming proceeds must not be used for:
 - i) residential facilities such as a seniors’ complex, rectory, convent, or dormitory, except for common areas accessible to the public for charitable program purposes (except as provided at Subsection 4.4.10 d));
 - ii) the purchase or lease of a facility and/or land intended for commercial use;
 - iii) the rental or lease of space within a residence;
 - iv) supporting a facility where 50 per cent or more of the facility is rented or leased for commercial activities, as a residential rental property or other non-charitable uses; and Note: Rentals for functions such as weddings, family reunions, and anniversaries are not considered commercial use of the facility.
 - v) paying a member for storage or office space within a residence or business premises that belongs to a member.

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL REQUIRED

Rental or Lease of a Facility

4.4.11 Gaming proceeds may be used for the lease/rental or leasehold improvement costs for an existing facility, including:

- a) Short-Term Rental of a Facility
 - i) Rental is for 12 months or less for facilities such as arenas, sports fields, performing arts venues, and space for charitable programs.
 - ii) The rental fee is for use of the space only and does not include operating or capital costs.
- b) Long-Term Rental or Lease of a Facility
 - i) Rental is greater than 12 months for eligible program-related activities.
 - ii) Prior approval to use gaming proceeds for facility rental is required. The request should identify all charitable program activity and any commercial use in the facility.
 - iii) The rental agreement must be submitted to AGLC for prior approval and should include:
 - payment terms (amount, frequency of payments, damage, or other deposits);
 - agreement terms (start and end dates);
 - ownership details (such as name of lessor) of the facility or space (including sub-leasing from a third party, if applicable);
 - breakdown of cost responsibilities for the landlord and tenant; and
 - early termination clause.
 - iv) Gaming proceeds may only pay for facility rental, operating, and leasehold improvements.
 - v) If the rental or lease is not arm's-length (e.g., renting from a member of the group, a related party, or is a related party transaction), it must comply with related party transaction requirements (see Subsection 4.2.9).

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL REQUIRED

c) Leasehold Improvements

i) Prior AGLC approval is required for leasehold improvements that exceed \$100,000 of gaming proceeds per calendar year. A project plan must be submitted to AGLC at least 30 days before the start of the renovation. The following should be included in the project plan:

- a copy of the minutes from the membership or executive meeting at which the project plan was approved;
- reason for the proposed improvements;
- description of proposed improvements, budget, and project timelines;
- a breakdown of gaming and non-gaming funds to be used for the project; and
- written approval from the landlord authorizing the proposed improvements.

ii) Groups that have a legal right to occupy and control a facility through a contractual agreement such as a long-term lease may be approved to use gaming proceeds for leasehold improvements to that facility, in accordance with their lease agreement, including, but not limited to:

- interior partitions, drywall, and painting;
- millwork;
- acoustic material;
- restroom fixtures;
- window coverings;
- lighting fixtures: and
- interior flooring.

iii) When a group has used gaming proceeds for facility leasehold improvements and vacates the facility less than one year after the completion of the improvements, the group must reimburse the gaming account, on a pro-

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL REQUIRED

rated basis, the gaming proceeds used to pay for the cost of the leasehold improvements.

- d) Renovations to a Facility
 - i) Prior AGLC approval is required to use gaming proceeds for renovations that exceed \$100,000 per calendar year.
 - ii) A renovation plan must be submitted to AGLC at least 30 days before the start of the renovation. The following should be included in the renovation plan:
 - a copy of the minutes from the membership or executive meeting at which the renovation was approved;
 - reason for the renovation;
 - change in the use of the facility (if applicable);
 - renovation budget and timelines;
 - amount of any new debt and implied interest rate; and
 - a breakdown of gaming and non-gaming funds used to renovate the facility.
 - iii) Gaming proceeds must not be used to renovate commercial space or to enhance the facility beyond what is required for the licensed group to conduct its charitable programs.
 - iv) A group that receives grants specifically for the renovations of its facility must use the grant funds prior to gaming proceeds being used for the renovation.
 - v) All gaming proceeds used to renovate a facility are considered gaming funds until such time as the facility is designated, in writing by AGLC, as a vested facility according to the requirements set out in Subsection 4.4.17).

Rental Revenue, Donations and Other Funding

4.4.12 A group that leases or owns a facility and charges a fee for its use must apply a minimum of 50 per cent of the rental revenue towards

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facility expenses (cost recovery) prior to gaming proceeds being used.

- a) Groups may use rental income on facility expenses, such as costs of administrative staff for facility bookings which are not allowed to be paid from gaming proceeds.
- b) Grants or funding from other agencies, specifically for the operation of the group's facility, must be used to pay facility expenses prior to gaming proceeds being used for this purpose.
- c) A group that rents its facility and is approved to use gaming proceeds for facility expenditures must keep a rental calendar including contact information and fees charged for each renter. The calendar must be available for review upon request by AGLC.

Facility Purchase

4.4.13 AGLC may approve the use of gaming proceeds to purchase or construct a facility for the delivery of charitable program(s).

- a) Groups that receive funding from other agencies specifically for the purchase or construction of a facility must use these funds prior to gaming proceeds being used for this purpose.
- b) Prior to disbursing any gaming proceeds to build or purchase a facility, the group must submit a detailed business plan to AGLC for approval. The business plan must be submitted at least 60 days prior to the possession date and should include the following:
 - i) a copy of the minutes from the membership and/or executive meeting at which members or the executive voted to accept the purchase agreement (or other contractual agreement);
 - ii) a detailed description of charitable program activity at the facility and any commercial use in any part of the facility;
 - iii) a copy of the offer to purchase, purchase agreement, or other legal contractual agreement;

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- iv) legal fees for the purchase of the facility, including closing, and land transfer title costs;
- v) location of facility, floor plan, and square footage;
- vi) zoning of property (zoning must be compatible with the intended use of the land);
- vii) sources of gaming and non-gaming funding and/or proposed funding arrangements such as mortgages and loans;
- viii) sources of funds for ongoing operating costs including, but not limited to, utilities, property taxes, insurance, and maintenance; and
- ix) the possession or completion date.

Note: Written permission from the government agency which administers the land is required when constructing a facility on land owned by municipal, provincial or federal governments.

- c) A group that fails to initiate the development of land for charitable purposes within two years of land purchase, will be required to repay a gaming account the amount of gaming proceeds used for the original purchase.
- d) The purchase price or cost of construction must not be greater than fair market value. If the agreement is not an arm's-length transaction (e.g., purchasing from a member of the group, a related party, or is a related party transaction), then the requirements at Subsection 4.2.9 must be met.
- e) A group should provide a copy of the certificate of title to AGLC upon taking possession of a facility. Copies of purchase agreements and/or other supporting documentation must be maintained for financial reporting and audit purposes.
- f) All gaming proceeds used to purchase or construct a facility are considered gaming funds until such time as the facility is designated, in writing by AGLC, as a vested facility according to the requirements set out in Subsection 4.4.17).

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Retention of Gaming Proceeds for Future Facility Purchase/Construction

- 4.4.14 A group may request to retain gaming proceeds for the future purchase or construction of a facility to a maximum of \$500,000.
- a) Once a group’s maximum approved retention is reached, these funds are expected to be used within 24 months.
 - b) A group may request approval to retain gaming proceeds for an additional 24 months for future purchases or construction of a facility.
 - c) Approval to retain gaming proceeds does not constitute approval to proceed with the purchase or construction of a facility. A group must seek specific approval prior to using retained gaming proceeds.
 - d) If a group fails to use retained gaming proceeds within approved timelines, the group may be subject to sanctions or directed to donate all gaming proceeds to other eligible groups as approved by AGLC.

Refinancing an Existing Facility

- 4.4.15 A group that purchased a facility with gaming proceeds must request prior AGLC approval to refinance.
- a) The equivalent portion of gaming proceeds used to purchase, construct, refinance, or renovate a facility must be deposited into the group’s gaming account when the facility is refinanced. For example, a group that used gaming proceeds for 30 per cent of the total costs to purchase, construct, refinance, or renovate its facility must deposit 30 per cent of the total amount received from the refinancing of the facility to a gaming account.
 - b) A group proposing to increase debt on the facility more than \$50,000, must include the following information with the request:
 - i) a copy of the minutes from the membership or executive meeting at which members or the executive approved to refinance the facility;

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL REQUIRED

- ii) reason for refinancing;
 - iii) change in the use of the facility (if applicable);
 - iv) term of the new loan (start and end dates);
 - v) amount of new debt and implied interest rate; and
 - vi) details of how the funds received from refinancing will be broken down between gaming and non-gaming purposes.
- c) All funds received from financing a facility are considered gaming funds until such time as the facility is designated, in writing by AGLC, as a vested facility according to the requirements set out in Subsection 4.4.17.

Sale of a Facility

4.4.16 A group that used gaming proceeds for the original purchase, construction, refinancing, or renovation of its facility and intends to sell it, must request approval from AGLC at least 30 days prior to the sale date.

- a) The request must include the following information:
- i) a copy of the minutes from the membership or executive meeting at which the sale was approved;
 - ii) reason for the sale and any changes to the group's charitable programs;
 - iii) a copy of the offer to purchase, purchase agreement, or other legal contractual agreement; and
 - iv) the intended use of the gaming proceeds to be derived from the sale of the facility.

Note: The requirements of this section do not apply if AGLC has designated the facility as a vested facility.

- b) If the sale of the facility is not an arm's-length transaction (e.g., sale to a member of the group, a related party, or is a related party transaction), the purchase price must be no less than the fair market value of the property. The relationship between the parties must be disclosed to AGLC.
- c) Details of the sale of a facility involving gaming proceeds must be included in the group's gaming financial report.

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL REQUIRED

- d) If the group is not purchasing a replacement facility, the equivalent portion of the gaming proceeds used in the original purchase, construction, refinancing, or renovation of the facility must be deposited to a gaming account from the total revenue from the sale of the facility. For example, a group that used gaming proceeds for 30 per cent of the total costs to purchase, construct, refinance, or renovate its facility must deposit 30 per cent of the total amount received from the sale of the facility to a gaming account.
- e) If the group intends to purchase a replacement facility using the revenue from the sale, a detailed business plan (see Subsection 4.4.13 b)) must be provided. The difference between the revenue received from the sale of the previous facility and the cost of the new facility will be used by AGLC to determine the amount of gaming proceeds that must be deposited to a gaming account.

Note: Subsections 4.4.16 d) and 4.4.16 e) do not apply to a facility designated, in writing by AGLC, as a vested facility as set out in Subsection 4.4.17).

Designation as a Vested Facility

4.4.17 A group that has used gaming proceeds for the purchase, construction, refinancing, or renovation of its facility may request, in writing, to have the facility designated as a vested facility.

- a) For a facility to be designated as a vested facility, the following conditions must be met:
 - i) the group can demonstrate ongoing charitable program delivery to the community;
 - ii) the group has been licensed to conduct gaming activities for a minimum of seven years;
 - iii) the facility has been in operation for at least five years since the last payment using gaming proceeds was made towards the purchase, construction, refinancing, or renovation of the facility; and
 - iv) the group owns the facility with no outstanding mortgages or loans.

SUBJECT: USE OF GAMING PROCEEDS – PRIOR APPROVAL REQUIRED

- b) A group that submits a request to AGLC for its facility to be designated as a vested facility must include the following in its submission:
 - i) a copy of the minutes from the membership and/or executive meeting at which members or the executive voted to request its facility to be designated as a vested facility;
 - ii) location of the building and description of all charitable program activity occurring in the building; and
 - iii) current land title for the facility to confirm no mortgage, loans, or other encumbrances are registered against the facility.
- c) When a group receives written confirmation from AGLC that the facility is designated as a vested facility, any gaming proceeds that were used to purchase, construct, refinance, or renovate the facility are no longer considered gaming funds. If the vested facility is sold, the revenue from the sale does not have to be deposited in a gaming account or reported on in future gaming financial reports.
- d) If a facility has been designated as a vested facility, any subsequent use of gaming proceeds to refinance or renovate the facility are deemed gaming funds and subject to the policies in Subsections 4.4.10 to 4.4.18.

Government Owned and Operated Facilities

4.4.18 Gaming proceeds must not be used to construct or pay expenses for a facility owned by, or which is the responsibility of, any level of government, including government groups funded from tax revenue or created by public statute.

- a) Gaming proceeds must only be used for expenses in a government facility when a charitable community benefit is provided in accordance with Section 2.1. Gaming proceeds may only be applied to an enhancement that would otherwise not be available.
- b) Groups that have a long-term agreement to pay a minimal fee for land owned by municipal, provincial, or federal

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governments, may use gaming proceeds for all eligible facility operational and capital costs if:

- i) the group has constructed a facility at its expense and maintains full custody and control of the facility; and
- ii) the group provides written confirmation to AGLC from the landowner, acknowledging ownership of the facility lies with the group.

Vehicles

POLICY

4.4.19 Gaming proceeds may be used to purchase, rent, or lease vehicles (e.g., van, bus, all terrain, trailer), including repairs, operation, maintenance, registration, and insurance (also see Subsections 4.2.4 to 4.2.7).

4.4.20 A group using gaming proceeds to purchase, rent or lease a vehicle essential to the delivery of its charitable program must maintain a log for the use of the vehicle. The log must include:

- a) date of use;
- b) destination;
- c) purpose;
- d) driver; and
- e) mileage.

Wages, Salaries, Fees for Service and Honorariums

POLICY

4.4.21 Gaming proceeds may be used to pay salaries, wages, fees for service, and honorariums if the duties performed are essential to the group's charitable programs.

- a) Payment for administrative positions such as receptionists, bookkeepers, and other clerical positions, and executive directors whose functions are primarily administrative, are limited within 30 per cent allowed for administrative expenses (see Subsection 4.3.2).

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- b) Position roles and responsibilities must include specialized training, expertise, and/or skills required to deliver the charitable program or to develop additional charitable programs.
- c) The group may pay non-board or non-executive members to provide charitable program delivery or services to the group.
- d) Groups must request prior AGLC approval to pay wages, salaries, fees for service, and honorariums by submitting the Request to Use Gaming Proceeds to Pay Wages/Salaries (Form 5442) and demonstrate how the position is essential to the group's charitable program.
 - i) This form is not required for:
 - officiating or judging fees; or
 - facility-related positions.
 - ii) Travel expenses may be eligible for individuals who are paid for services essential to the group's program delivery and must be identified on the request.
- e) The group must retain support payment for wages, salaries, fees for service, and honorariums with documentation such time sheets, invoices, or an employment contract.
- f) Gaming proceeds may pay for payroll deductions and remittances, such as Canada Pension Plan contributions, employment insurance premiums, or income tax.
- g) Gaming proceeds must not pay for benefits including, but not limited to:
 - i) life, disability, and health insurance;
 - ii) workers' compensation benefits;
 - iii) reimbursement accounts (e.g., tuition, healthcare spending, etc.);
 - iv) retirement benefits or contributions;
 - v) termination benefits;



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- vi) work permits/visas, residence applications, or other fees;
and
- vii) accommodations, fitness memberships, meal plans, etc.

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Original signed by
Len Rhodes

SUBJECT: VOLUNTEER CREDITS AND EVENT EXPENSES

Volunteer Credits

POLICY

4.5.1 Groups may provide a credit system for volunteers working at licensed gaming events provided:

- a) groups must not make it compulsory to volunteer at gaming events;
- b) all volunteers must be given equal opportunity to earn credits by volunteering at gaming events;
- c) the credits must not be used for any social or recreational purposes or personal services;
- d) groups issuing or receiving the volunteer credits must maintain records of these transactions; and
- e) transfers of credits with other AGLC licensed groups must be made from one gaming account to another gaming account.

4.5.2 Volunteer credits earned from working an event may be transferred:

- a) to other members of the group;
- b) to individuals who are beneficiaries of the group's programs (e.g., an amateur athlete participating in a structured and developmental sport); or
- c) to another group licensed with AGLC (see Subsection 4.5.1 e)).

4.5.3 Volunteers working a licensed gaming event may receive credits to help offset the cost of participating in the approved charitable program conducted by the group include, but are not limited to:

- a) membership,
- b) registration, and
- c) travel expenses.

SUBJECT: VOLUNTEER CREDITS AND EVENT EXPENSES

Volunteer Event Expenses

POLICY

4.5.4 Gaming proceeds may be used to pay for or reimburse reasonable volunteer expenses incurred to work a gaming event.

- a) The following are not eligible volunteer expenses:
 - i) liquor; and
 - ii) meals or refreshments not related to volunteer support of the gaming event.
- b) Volunteers working a licensed gaming event must not directly or indirectly receive funds, goods, services, or any other item of value in return for their services (except volunteer credits (see Subsections 4.5.1 to 4.5.3)).

GUIDELINES

- 4.5.5 Volunteer expenses may include, but are not limited to:
- a) transportation costs to and from the gaming event;
 - b) parking where free parking is not provided;
 - c) babysitting;
 - d) adult respite care if the volunteer is normally responsible for the care of a medically dependent person within the volunteer's home;
 - e) overnight accommodations (if required); and
 - f) meals as appropriate to provide volunteer support to the gaming event.

SUBJECT: RECORDS AND FINANCIAL REPORTING

Records

POLICY

4.6.1 All expenses paid for using gaming proceeds must be supported by an invoice/receipt.

4.6.2 A group providing non-traditional financial instruments (e.g., gift cards, vouchers) as a part of its charitable program (e.g., aid of the distressed, emergency funds), must keep a log of all the instruments purchased using gaming proceeds. The log must include the:

- a) purpose of the funds;
- b) amount of funds issued;
- c) name of the recipient;
- d) signature of the recipient;
- e) contact information for the recipient;
- f) date of issue; and
- g) identification of the vendor.

Note: Pre-paid credit cards are not eligible.

4.6.3 All records must be retained for two years upon completion of AGLC financial reporting and provided to AGLC upon request.

Financial Reporting

POLICY

4.6.4 AGLC will forward gaming financial reports to the group. The group has 60 days from the mail-out date to complete and return the reports to AGLC.

4.6.5 Groups may use a third-party individual for the preparation of gaming financial reports, as follows:

- a) If the gaming financial report is completed by a third-party, the name and address of the individual must be shown in the "Report Completed By" section of the report.
- b) When a gaming financial report is completed by a Chartered Professional Accountant (CPA) in good-standing, only bank statements and negotiated (cleared) cheques must be provided

SUBJECT: RECORDS AND FINANCIAL REPORTING

with the report. Invoices/receipts are not required; however, they must be provided upon request.

- c) The directors or volunteer executive officers of the group may not be paid to prepare gaming financial reports.

Note: The group is not required to complete the Request to Use Gaming Proceeds to Pay Wages/Salaries (Form 5442) to pay accounting fees under this policy.

4.6.6 Financial reports must be signed by two volunteer executive members of the group.

4.6.7 The books and records of the group are subject to AGLC review and/or audit. Areas normally subject to a review/ audit include, but are not limited to:

- a) books of original entry (including computerized records);
- b) bank statements and cheque images;
- c) invoices;
- d) event control and summary sheets;
- e) contracts, agreements, or similar documents;
- f) payroll records;
- g) income tax and goods and services tax returns;
- h) minutes of annual general meeting (AGM) and executive meetings;
- i) by-laws;
- j) external accountant/auditor files; and
- k) annual financial statements.



SECTION: USE OF GAMING REVENUE/PROCEEDS

NUMBER: 4.6

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SUBJECT: RECORDS AND FINANCIAL REPORTING

GUIDELINES

4.6.8 A recommended best practice, to support the use of proceeds, is that groups should maintain records of the charitable programs and services it delivers, including, but not limited to:

- a) a detailed description of how the program addresses its charitable objects and purposes;
- b) when, where, and how the program is delivered; and
- c) how the program is advertised.

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