

Alcohol and Gaming Commission of Ontario

Modernization of Charitable Gaming Direction and Priorities

December 2005

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Modernization of Charitable Gaming Direction and Priorities

Introduction

The Registrar released in May 2005 a discussion paper entitled *A Consultation Document on the Modernization of Charitable Gaming*. The primary intention of the discussion paper was to obtain comments and advice from participants in the charitable gaming sector on strategic changes to charitable gaming. Issues with respect to the *Criminal Code* were not part of the discussion paper.

The discussion paper was intended to complement consultation that has been ongoing as part of the Bingo and Break Open Ticket Strategic Working Groups. The discussion paper achieved what it was intended to do – provide an opportunity for a broad range of input into the modernization of charitable gaming initiative.

The number of submissions in response to the discussion paper exceeded expectations. Over 50 submissions were received, ranging from a few pages to substantial length. The submissions were also varied in the types of comments that were made – some addressing specific issues and others taking a broader approach. All submissions were important and valuable in preparation of the direction and priorities to be addressed by the Registrar.

Guiding Principles

The consultation document indicated that following the consultation process, the Registrar would determine key priorities for change. Changes would be measured against the following essential guiding principles:

- Charitable gaming exists to raise funds for charitable activities to be carried out in Ontario by eligible charities at a local community level
- Charitable organizations are largely volunteer based with charitable gaming recognized as a form of fundraising for organizations rather than the focus of their business
- Enhanced flexibility must be balanced by appropriate levels of accountability and trackability
- Gaming products and participants in the sector (charities, suppliers and others) must operate with honesty and integrity and in the public interest
- Success of charitable gaming is dependent upon fair and productive partnerships between all participants in the sector
- Adaptability is necessary in a continually and rapidly changing environment

Results of Consultation

The submissions and input received to date ranged across a wide number of topics. In a number of cases, the submissions or proposed directions were complementary; in other cases, diametrically opposed. There was, though, an overall consensus on a number of points:

- significant, if not radical, change is necessary to provide an opportunity for a stronger and more viable sector to develop,
- the main purpose for charitable gaming is and should remain a regulated fundraising activity for charitable and religious organizations,
- charitable gaming products must have integrity and charitable gaming must be conducted and managed with honesty, integrity, in accordance with the law, and in the public interest, in order to maintain public confidence,
- those that participate in charitable gaming ought to be properly regulated and meet certain standards,
- any increase in flexibility within charitable gaming must be balanced by improved accountability with respect to the product and proceeds.

While there is no consensus on the specifics of a more appropriate revenue model for various gaming products, there was agreement overall that the current revenue model(s) will not assist in creating sustainability in the short or longer term. There was not only a sense that change is needed, there is also an “appetite” for change throughout the charitable gaming sector. Many focused on the need for significant changes to be in place by Spring 2006.

Another consistent comment is that modernization of charitable gaming ought to take into account information technology. There was consensus that information technology should be utilized to enhance accountability and consistency while streamlining interactions. Certain administrative functions, such as applying for licences and filing of reports were suggested as a good starting point for consideration. It was recognized that there would need to be more comprehensive information technology in place before enhanced flexibility could be achieved in other areas, such as multiple tickets under one BOT licence. There were also requests that the *Criminal Code* be interpreted more broadly to permit use of the internet for gaming activities, i.e., as a point of sale for raffles.

Direction and Priorities - Highlights

The submissions arising from the discussion paper, the issues raised and comments from the Strategic Working Groups, and other forms of consultation have been considered. Based on the review, it is apparent that change needs to be significant but that it also needs to be phased. The phasing of reform should take into account the sense of urgency within the sector but also the ability of the participants and institutions (including the AGCO) to plan for and implement effective change.

The AGCO is transitioning to a planned “cycle for change”. This cycle will be based on changes being announced or implemented on January 1 and July 1 of each year. This provides all participants an opportunity to consult, plan and implement changes in a measured manner. Establishing this cycle will not prevent changes from being implemented at other times if it is identified that a particular action is required to address an immediate and significant issue that has developed.

Phase 1 (January 1 to June 30, 2006)

The initial phase of modernization is intended to establish a sound foundation to build upon for future change and growth within charitable gaming. An outline of what this phase will include is noted here, with some changes taking the form of proposed pilot projects. Greater detail and examples are provided later in the document.

1. Revenue Model for Bingo Centres

A process for the implementation of a new revenue model will be established for “bingo centres” in appropriate municipalities on a pilot basis. The Registrar will work with the Association of Municipal Managers, Clerks and Treasurers of Ontario to establish a detailed process for the pilots. The municipalities will lead the development of new revenue models together with participants within their municipalities and based on criteria set out by the Registrar. The municipally-developed revenue model is not to be arbitrary but based on sound analysis. The Registrar will also investigate establishing a new provincial revenue model.

2. Revenue Model for Break Open Tickets

The Registrar will work with the Break Open Ticket Strategic Working Group and the Break Open Ticket Development Fund Management Committee to determine a new revenue model for break open tickets.

3. Accountability and Flexibility

The Registrar will strive to balance the opportunities for increased flexibility with clear accountability. This will include the development of a centralized ordering and tracking system for the movement of Break Open Tickets. This system will provide the foundation for greater flexibility in the issuance of Break Open Ticket licences, such as a single licence for multiple ticket types from various manufacturers, and the filing of reports being enhanced through the supply of better information. A review of the opportunity to issue a single licence for provincial bingo games held in conjunction with municipally licensed games will be undertaken as well. The single licence initiative would provide the opportunity to conduct a series of games under one licence, reducing the number of reports to be filed. For mega raffles requiring lengthy lead times for the production of promotional materials the Registrar will develop criteria for considering an application for a subsequent event prior to the conclusion of the current event where there has been a demonstrated history of compliance.

4. Terms and Conditions

The Registrar will revise the terms and conditions to support the introduction of new games such as Break Open Ticket seal cards and bingo event tickets, as well as a new provincially licensed bingo game. This will provide licensees with the opportunity of introducing new products to the market. This will precede a review of all terms and conditions with an established objective of streamlining and focusing the terms and conditions on elements related to honesty, integrity and accountability with the detailed pieces being streamlined and reflected in “rules of play”.

5. Compliance Strategy

The Registrar will establish an overall compliance strategy. The compliance strategy will include improved communications and education along with enforcement. All are identified as tools to assist participants in the industry in gaining compliance.

6. Use of Information Technology and the Internet

The Registrar recognizes the industry’s desire to optimize the use of information technology. The AGCO is currently developing a new Lotteries System to support the applications process for licences issued by the Registrar. Additional opportunities to streamline applications and reporting through the use of information technology will continue to be reviewed. The Registrar is also investigating what additional opportunities are available to licensees to optimize the use of information technology when conducting

raffle events, while remaining consistent with the requirements under the *Criminal Code*.

7. Advertising and Promotions

The Registrar is committed to a review of the current advertising and promotions guidelines and terms and conditions to enhance marketing opportunities. An initial step will be to allow for greater flexibility in promoting large bingo events on a pilot basis.

8. Ongoing Consultation

The Registrar will continue to consult with key stakeholders in the industry through the established Strategic Working Group format.

Phase II (July 1 to December 31, 2006)

This phase will include the monitoring and evaluation of the effectiveness of the changes implemented during Phase I and where appropriate result in revisions. Initiatives identified for Phase II are noted here with greater detail and examples provided later in the document.

1. Review of the Raffle Sector

The Registrar will consult with the raffle sector to identify specific opportunities to build on the use of information technology as identified through the review undertaken in Phase I.

2. Break Open Ticket Licences

The Registrar will review the opportunity to implement a single licence system for Break Open Tickets allowing for multiple ticket types from various manufacturers to be sold under one licence and reduce administration in reporting based on the implementation of the centralized ordering and tracking system.

3. Bingo Development Fund

The Registrar will consult with the industry regarding the opportunity to establish a Bingo Development Fund similar to the successful Break Open Ticket Development Fund in order to identify effective and strategic opportunities for change based on objective professional third party research.

4. Revenue Models

The Registrar will continue to monitor and evaluate the revenue models to support a healthy and viable industry.

5. Compliance Strategy

To continually enhance communications and education the Registrar will update the Lottery Licensing Policy Manual.

6. Advertising and Promotions

The Registrar will continue to review the advertising and promotions guidelines and terms and conditions to identify appropriate opportunities to enhance the responsible marketing of the industry.

7. Broader Changes Beyond the Authority of the Registrar

The Registrar will carry out further consultation with respect to the Order-in-Council and the *Gaming Control Act* and Regulations to identify opportunities for improvement and where appropriate bring these to the attention of government.

8. Ongoing Consultation

The Registrar will continue to consult with the industry by transitioning to a Charitable Gaming Strategic Working Group with sub-committees focusing on various segments of the industry.

9. Responsible Gaming

The Registrar will consult with the industry regarding responsible gaming programs.

Additional Details for Direction and Priorities

Phase 1 (January 1 to June 30, 2006)

1. Revenue Model for Bingo Centres

The Registrar will work with the Association of Municipal Managers, Clerks and Treasurers of Ontario to establish a detailed process for developing a new revenue model for “bingo centres” in appropriate municipalities. Initial consideration is being given to this revenue model having features such as:

- Municipal council leading the development of a revenue model for its market together with participants within the municipality and in accordance with policy direction from the Registrar. The pilot is not to be arbitrary but based on sound analysis. The Registrar’s policy direction may include the following factors:
 - the charitable or religious organizations must conduct and manage the lottery scheme to raise funds for their charitable or religious purposes,
 - the municipal council will be responsible and accountable for the revenue model and its related features,
 - the municipal council will use an open consultative process to develop the proposed revenue model,
 - the revenue model will be established with the intent of being in place for a period of one year and will be subject to ongoing monitoring and review with reports to the municipal council and to the Registrar (with revisions being made if significant concerns are identified in-year),
 - the bingo hall operator shall make available to the municipal council, on a confidential basis, or authorize the Registrar to disclose, full, accurate and current financial information with respect to the operations of the bingo hall, including those related to concessions and other non-gaming activities,
 - the revenue model is to be “all-in” – which may include all revenues and expenses related to gaming activities alone or may include all revenues and expenses for all lines of business and activities, including such items as concession stands,
 - the revenue model may include incentives provided that (i) the model considered all lines of business activities related to the bingo hall in determining revenue allocation for gaming activities, (ii) specific and reasonable benchmarks are determined, (iii) those benchmarks are monitored, and (iv) those benchmarks are audited,
 - any desired changes to terms and conditions to licences must be identified in the overall policy development process,

- the municipal council includes appropriate compliance and enforcement measures that are consistent with and complementary to the compliance strategy of the Registrar,
 - the municipal council, as part of its monitoring, sets audit requirements and a monitoring program. The revenue model shall be reviewed a minimum of twice yearly, at least once within 6 months of being put in place and prior to the 12 month end of the pilot;
- The Registrar will consider changes to the prize-board within the current limitations set out in the Order-in-Council. For municipalities involved in the new revenue model pilots, the Registrar will coordinate the “in conjunction” lottery schemes to meet the overall revenue model objectives. Any coordination will take into account the resulting overall prize-board. The municipalities may, as part of this process, identify new “in conjunction” lottery schemes and develop draft Rules of Play for the Registrar’s consideration. The Registrar will continue to issue licences for the “in conjunction” lottery schemes.
 - For other municipalities, the Registrar will consult with the Association of Municipal Managers, Clerks and Treasurers during this phase on an appropriate overall prize-board with respect to bingo and other lottery schemes.
 - The Registrar will also investigate establishing a new province wide revenue model.

2. Revenue Model for Break Open Tickets

The Registrar will determine a new revenue model for break open tickets. The Registrar will request the Break Open Ticket Development Fund Management Committee to consider retaining an expert in retailing acceptable to the Registrar to provide consulting advice on the types of remuneration that would be appropriate for BOTs. The expert would take into consideration the various participants involved in the process and under what conditions the tickets are sold. This approach is consistent with the overall approach to break open tickets where decisions being made are based on sound, objective research.

3. Accountability and Flexibility

Accountability is essential for both gaming products and proceeds. The proposed central ordering and tracking system for break open tickets is a key component to a more comprehensive accountability structure for BOTs and for enhanced flexibility. The Registrar intends to develop a centralized ordering and tracking system based on the findings of the report commissioned by the Registrar in 2005. The timing will be based on resources available and industry participants’ capacity to participate.

This system will be based on licence information being the foundation that allows for the appropriate movement of tickets and will include an ordering system which will track BOTs at the deal level from manufacturer, to gaming equipment supplier (if any), to BOT seller (if any), to charity. The fully implemented system will permit filing of reports and applications for licences issued by the Registrar. The option to permit filing of reports and applications for licences will be available to municipalities as well. The system will also permit enhanced access to information for licensing and enforcement purposes.

Only through the implementation of a central ordering and tracking system will there be a foundation to consider greater flexibility for a charity in utilizing multiple ticket types, manufacturers, and game styles under one licence.

The Registrar will also review the opportunity to issue a single licence for bingo games licensed by the Registrar and held in conjunction with municipally-licensed games. This approach would provide the opportunity to conduct and manage a series of games under one licence reducing the number of reports to be filed.

For mega raffles requiring lengthy lead times for the production of promotional materials the Registrar will develop criteria for considering an application for a subsequent event prior to the conclusion of the current event where there has been a demonstrated history of compliance. For January 2006 the Registrar will establish the criteria for considering applications for a subsequent event in advance of the first event concluding. The Registrar will also consider conditional approval ensuring that the advertising and promotions for the second event and the sale of tickets would not occur before the reports from the first event are dealt with. This will mean that two events would not be conducted simultaneously and will still provide the licensee with the efficiencies of an earlier approval.

4. Terms and Conditions

The Registrar will revise the terms and conditions to support the introduction of new games effective January 1, 2006. These games include Break Open Ticket seal cards and bingo event tickets, as well as a new provincially licensed bingo game building on the success of the Loonie Progressive Game. These games will provide licensees with the opportunity to introduce new products to the market. The changes to the terms and conditions will precede the overall review explained below.

The terms and conditions for licences that are prescribed by the Registrar will be revised by April 2006. The objective of the review will be to streamline and focus the terms and conditions on elements related to honesty, integrity and accountability. The revisions will separate out those elements of the terms and conditions that will be common to all lottery schemes from those that could be placed in "rules of play". The elements that are common to all and focus on

honesty, integrity, and accountability would include, for example, requirements to expend proceeds only for approved purposes, to maintain books and records, to file reports and so forth.

5. Compliance Strategy

The Registrar will establish an overall strategy with a focus on compliance. Compliance can be enhanced through improved communications and education along with enforcement, all identified as tools available to gain compliance. The strategy will focus on providing information to licensees, registrants and others about their legal obligations, in particular in the lower risk areas. It will take an educational perspective and improve understanding, in order to assist participants in complying with the law. The release of the Lottery Licensing Policy Manual in 2005 was a key step in establishing the foundation for this communication and education. The strategy will also provide a foundation for consultation with municipal councils on protocols to ensure that there is a more comprehensive approach to enforcement with respect to both low risk and higher risk situations.

6. Use of Information Technology and the Internet

The Registrar will review optimizing the use of information technology from a number of perspectives. Opportunities to expand the use of information technology to enhance communications, streamline the application process and the issuance of licences, and improve on reporting will be reviewed taking into consideration the cost benefit analysis and the industry's ability to embrace and optimize this level of change.

An initial step is the development of a new AGCO Lotteries System to support the applications process for licences issued by the Registrar. Development work has been started and the system is expected to be functional in 2006. Additional opportunities to streamline applications and reporting through the use of information technology will continue to be reviewed.

The Registrar will also investigate whether there is flexibility within the Criminal Code to utilize information technology for raffle events.

7. Advertising and Promotions

The Registrar is committed to a review of the current advertising and promotions guidelines and terms and conditions to enhance marketing opportunities available to licensees. An initial step will be to allow for greater flexibility in promoting large bingo events on a pilot basis. An opportunity for groups of licensees at bingo centres to offer promotional prizes to the players within their own bingo centre is currently under development. In this case the prize provides

the opportunity for the player to attend a larger bingo event. This pilot is expected to be launched in January 2006.

8. Ongoing Consultation

Consultation with the industry is a key component in the development and implementation of an effective strategy for modernizing charitable gaming. The Registrar will continue to consult with key stakeholders in the industry through the established Bingo Strategic Working Group and the Break Open Ticket Strategic Working Group.

The Registrar also has an appreciation for the time commitment required on the part of the stakeholders to actively participate in these Strategic Working Groups. In recognition of this time commitment the Registrar will transition the consultation process to recognize one group as the Charitable Gaming Strategic Working Group. The AGCO will take an active leadership role and develop a clear mandate as well as criteria for membership. It is anticipated that the Charitable Gaming Strategic Working Group will identify sub-committees to focus on administrative changes required for specific segments of the charitable gaming industry or for specific projects as they arise.

Phase II (July 1 to December 31, 2006)

This phase will review additional changes that ought to take place. During this time period, the Registrar will also monitor and evaluate the effectiveness of changes implemented in Phase I together with monitoring other developments in the industry and make any adjustments that may be necessary.

1. Review of the Raffle Sector

The Registrar will consult with the raffle sector (licensees, registrants and municipalities) with respect to submissions made by those that participate in that gaming product. The Registrar will evaluate the benefits and effectiveness of establishing a Raffle Sub-committee to the Charitable Gaming Strategic Working Group to consider and develop proposals to address the unique issues of that sector. Opportunities to build on the findings from the review of information technology in Phase I and how it may specifically enhance opportunities in the raffles sector will be considered.

2. Break Open Ticket Licences

This phase will include the initial implementation of the centralized ordering and tracking system. The timing will be based on resources available and industry participants' capacity to participate. If resources are available, the system will be expanded in a phased approach.

The Registrar will review the opportunity to implement a single licence system for Break Open Tickets allowing for multiple ticket types from various manufacturers on one licence and reduced administration in reporting.

3. Bingo Development Fund

The Registrar, through consultation with the Strategic Working Group will investigate the opportunity to establish a “Bingo Development Fund” similar to the successful Break Open Ticket Development Fund. The Break Open Ticket Development Fund has provided the industry with the means to identify effective and strategic opportunities for change through industry consensus. The decisions are based on objective professional third party research. A similar approach may provide the bingo sector with significant benefits.

4. Revenue Models

The Registrar will continue to monitor and evaluate the revenue models to support a healthy and viable industry. The experiences from the e-bingo initiative and the development of municipal revenue models from Phase I will provide a foundation for considering a revised revenue model for halls that are located in municipalities in which a new revenue model has not been adopted. The Registrar will continue to work with the Break Open Ticket Development Fund Management Committee on the implementation of an appropriate revenue model for break open tickets, taking into account any research that has been done.

5. Compliance Strategy

The Registrar will continue to enhance communications and education through the updating of the Lottery Licensing Policy Manual and a commitment to provide appropriate updates on a semi-annual basis.

6. Advertising and Promotions

The Registrar will continue to review the advertising and promotions guidelines and terms and conditions to identify appropriate opportunities to enhance the responsible marketing of the industry. The results of the promotional opportunity introduced in Phase I together with developments within charitable gaming and the advertising and marketing of the industry in general will be evaluated to determine if similar opportunities should be permitted and to identify new opportunities.

7. Broader Changes Beyond the Authority of the Registrar

The Registrar has the authority to make timely changes to the Terms and Conditions and policies. Changes to the Order-in-Council and the *Gaming Control Act* and Regulations require broader government involvement. The

Registrar will continue to review the current framework in order to identify opportunities for improvement and where appropriate will bring these opportunities to the attention of government.

8. Ongoing Consultation

The Registrar will continue to consult with the industry by establishing a Charitable Gaming Strategic Working Group with sub-committees focusing on operational changes unique to certain segments of the industry, when appropriate. Industry input is valuable when identifying opportunities for change, developing priorities, and setting directions. The AGCO will continue to take an active leadership role to ensure the Strategic Working Group meets the objectives of its mandate.

9. Responsible Gaming

The Registrar will consult with the industry regarding responsible gaming programs.

Conclusion

The level of interest and the quality of the input received from stakeholders is greatly appreciated by the AGCO. Through this consultation process the ongoing interest on the part of the industry has reinforced the value charitable gaming provides to worthwhile organizations across Ontario. This direction and priorities document should be seen as the initial step in the ongoing Modernization of Charitable Gaming.

If you have any questions or comments please contact:

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Quick Reference Chart

Modernization of Charitable Gaming
Phase I
January to June 2006

	Priority	Action	Date
1	Revenue Model for Bingo Centres		
		Municipal Model for Pilots	Jan 06
		Consult re appropriate overall prize board	Jan-Jun 06
		Investigate province wide option	Jan-May 06
2	Revenue Model for Break Open Tickets		
		Consulting advice obtained through Break Open Ticket Development Fund	Jan-Jun 06
3	Accountability and Flexibility		
		Move from two contracted BOT manufacturers to list of approved manufacturers	May 05
		Develop a centralized ordering and tracking system for BOTs	Mar -Jun 06
		Introduce criteria for advance consideration of certain mega raffle applications	Jan 06
4	Terms and Conditions		
		Revise to support introduction of BOT seal cards and bingo event tickets	Jan 06
		Revise to support introduction of Loonie Progressive Plus Game	Jan 06
		Revise to accommodate municipal model for revenue pilots	Jan 06
		Revise to support introduction of greater flexibility in promoting large bingo events as a pilot	Jan 06
		Streamline and focus terms and conditions with separate "rules of play"	Apr 06
5	Compliance Strategy		
		Release of the Lottery Licensing Policy Manual	May 05
		Update Lottery Licensing Policy Manual	Jan 06
		Establish strategy with focus on compliance	Jan 06
		Consult on protocols with municipal councils to ensure comprehensive approach to enforcement	Jan-Jun 06
6	Use of Information Technology and the Internet		
		Develop new AGCO Lotteries System	Underway - Dec 06
		Investigate opportunities available to licensees to optimize use of information technology for raffle events	Apr 06
7	Advertising and Promotions		
		Introduce greater flexibility in promoting large bingo events as a pilot	Jan 06
8	Ongoing Consultation		
		Transition to single Charitable Gaming Strategic Working Group	Apr 06

Quick Reference Chart

Modernization of Charitable Gaming
Phase II
July to December 2006

	Priority	Action	Date
1	Review of the Raffle Sector		
		Consult re opportunities	July-Oct 06
		Build on findings in Phase I related to use of information technology	Nov 06
2	Break Open Ticket Licences		
		Initiate Implementation of centralized ordering and tracking system	July-Dec 06
		Review opportunity for single licence system	July-Dec 06
3	Bingo Development Fund		
		Investigate establishing a bingo development fund	July- Dec 06
4	Revenue Models		
		Build on experiences from e-bingo pilots and municipal revenue model of Phase I	July-Dec 06
		Implement appropriate revenue model for BOTs	July-Dec 06
5	Compliance Strategy		
		Review Lottery Licensing Policy Manual semi-annually	Ongoing
6	Advertising and Promotions		
		Identify opportunities to enhance responsible marketing	Sept-Dec 06
7	Broader Changes beyond the authority of the Registrar		
		Registrar to review current framework (Order-in-Council and <i>Gaming Control Act</i> and Regulations) to identify opportunities for improvement	July-Dec 06
8	Ongoing Consultation		
		Continued consultation with the Charitable Gaming Strategic Working Group and additional experts as required	July-Dec 06
9	Responsible Gaming		
		Consult with the industry regarding responsible gaming programs	July-Dec 06