



Internal Review Procedures

Updated May 2016

Licensed Gaming

Gaming Policy and Enforcement Branch

Amendments

May 2016 Revisions

STAGES OF INTERNAL REVIEW	<ul style="list-style-type: none">Administrative Review Hearing have been removed from the internal review process
STAGES OF INTERNAL REVIEW	<ul style="list-style-type: none">Procedures respecting Registration and Grants have been removed and are now in a separate document. Procedures respecting Horse Racing have been consolidated into the <i>Rules of Thoroughbred & Standardbred Horse Racing in British Columbia</i>

INTRODUCTION

The General Manager of the Gaming Policy and Enforcement Branch (GPEB) is empowered, under the *Gaming Control Act*, to make certain decisions in respect to gaming in British Columbia including the issuing of gaming licences to eligible organizations for the purpose of raising funds to benefit the broader community or a third party. In some cases, the General Manager has delegated decision-making authority to specific staff in GPEB.

Charitable and religious organizations and approved fairs and exhibitions wishing to hold gaming events for the purposes of raising funds must apply for a gaming licence under Part 5 of the *Gaming Control Act*. GPEB administers the applications and may request additional information when required. Based on the information provided in the application, the applicant is issued or denied a gaming licence. In all such instances, the applicant will receive a letter outlining the reasons for the decision. This is the original decision.

If the affected party is unsatisfied with the original decision, they may request Reconsideration of the decision. Section 38(2)(3) of the *Gaming Control Act* permits the applicant 30 days to request an internal review (called a Reconsideration) of the decision. Similarly, if a licensee violates the conditions of their licence and are sanctioned or have their licence revoked, they may request Reconsideration of the decision where permitted in this document.

Reconsideration is the only internal review conducted by GPEB.

All decisions of GPEB are subject to Judicial Review, should the affected party wish to have the decision reviewed by the Courts.

INTERNAL REVIEW

What are GPEB's Internal Review processes?

The only internal review conducted by GPEB is Reconsideration. Outside of GPEB's internal review process, an application can be made to the B.C. Supreme Court for a Judicial Review of the decision.

What is Reconsideration?

Reconsideration is a comprehensive review of the original staff decision to ensure the program policies, guidelines, rules, and conditions were applied fairly and the decision made properly.

Only one (1) Reconsideration may be requested per application. The original decision will either be upheld or varied.

What decisions can be sent for Reconsideration?

Decision	Reconsideration Process
Denial, non-renewal, cancellation, suspension or imposition of conditions of a Class A, Class B, Class C or Class D gaming event licence	Yes
A written warning levied against a gaming event licensee	Yes
An administrative fine or penalty levied against a gaming event licensee	Yes

RECONSIDERATION INFORMATION

When and how to request Reconsideration?

The request for Reconsideration must be made in writing to the Executive Director, Licensing, Registration, and Certification Division. Your request must be received by GPEB within 30 days from the date you were notified of the original decision. The request must clearly state the reasons for requesting the decision be varied or overturned and must address each point in the denial letter.

In the request, the applicant may provide only clarifying information that addresses a possible misinterpretation(s) by GPEB of the information submitted with the original application.

Is there a cost to request Reconsideration?

There is no charge to request Reconsideration.

What information should the request for Reconsideration contain?

Your written request must specifically state why the Reconsideration is warranted and must clearly state:

- The name, address and telephone number of the party requesting Reconsideration;
- A mailing address, if different from above;
- The decision for which the Reconsideration is being sought (and the date, if known); and
- The date the decision was received.

Can new or additional information be submitted for the Reconsideration process?

New or additional information, including new witnesses, will not be accepted, except at the discretion of the Executive Director, Licensing, Registration, and Certification Division, or other delegate of the General Manager.

For example, a document that introduces brand new information to an application, essentially creating a new or different application, would generally not be permitted for Reconsideration.

Who reconsiders the decision?

Reconsideration of a decision concerning a gaming event licence is undertaken by the Executive Director, Licensing, Registration, and Certification Division, or other delegate of the General Manager.

What does GPEB do with this request?

GPEB will conduct a thorough review to ensure the program terms, policies, conditions and rules were applied fairly and properly, and will either vary or uphold the original decision.

The written decision will be sent to the affected organization or individual within 60 days of receiving a written request for Reconsideration.

If the original decision is upheld following Reconsideration are there further ways to have the decision reviewed?

A decision following Reconsideration cannot be further reviewed by GPEB. Should the affected party wish to have the decision reviewed by the Courts, they can make an application to the B.C. Supreme Court for a Judicial Review.

Questions about the Internal Review process may be directed to;

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