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**Internal Review Procedures**

**December 1, 2016**

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**Community Gaming Grants Program**

**Community Gaming Grants Branch**

## INTRODUCTION

The Ministry of Community Sport and Cultural Development (CSCD) is responsible for Part 6 of the *Gaming Control Act*, including the Community Gaming Grants program. The program offers eligible organizations the opportunity to apply to receive Community Gaming Grants to support a broad range of programs and services. CSCD's Community Gaming Grants Branch (the Branch) develops program policies, processes all grant applications and determines which organizations will receive grants and in what amounts.

The Ministry of Finance, through its Gaming Policy and Enforcement Branch (GPEB), regulates gambling in British Columbia and is responsible for the overall integrity of gaming and horse racing in the province. GPEB supports the Community Gaming Grants program by providing services such as compliance audits and investigations and management of the Gaming Online Service.

Organizations seeking Community Gaming Grants must meet the eligibility requirements outlined in the program Guidelines document and submit an application to the Branch. The Branch reviews applications and may request additional information when required. Based on the information provided by the applicant, the Branch makes a decision to approve or deny a grant and at what funding level.

If a grant applicant or recipient disagrees with a decision, the organization may apply for an internal review (called Reconsideration) if that decision meets the eligibility criteria for review (provided below). A request for Reconsideration must be submitted in writing to the branch within 30 days of notification of the denial. Similarly, if an organization is sanctioned following an audit of the use of their grant funding, they may apply for Reconsideration of this action using the same process. In all such instances, the affected person or organization will receive a letter from the branch outlining the reasons for the decision, which must be addressed when requesting the review.

Reconsideration is the only internal review conducted by the Branch.

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

## INTERNAL REVIEW

### **The Community Gaming Grants Branch's mechanism for internal review**

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

Reconsideration is a comprehensive review of the original staff recommendation to ensure the program policies, guidelines, rules, and conditions were applied fairly and the recommendation made properly. Only one Reconsideration may be requested per application. The Branch will either uphold or vary its original decision.

**Decisions that can be sent for Reconsideration**

Decision	Reconsideration Process
Denial of a grant application	Yes
A written warning levied against a grant recipient	Yes
An administrative fine or penalty levied against a grant recipient (sanction)	Yes

**RECONSIDERATION INFORMATION****When and how to request Reconsideration**

The request for Reconsideration must be made in writing to the Community Gaming Grants Branch. The request must be received by the Branch within 30 days of notification of the decision. The request for Reconsideration must clearly address each point in the denial letter or sanction letter.

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

**Cost to request Reconsideration**

There is no charge to request Reconsideration.

**Information required in the request for Reconsideration**

The written request must specifically state why the Reconsideration is warranted by addressing each point in the denial or sanction letter and must clearly state:

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

[Note: New information or additional documents that substantively change the original application are not admissible in the Reconsideration request. 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.]

**The Reconsideration process**

Reconsideration of a Branch recommendation concerning a Community Gaming Grant is undertaken by the Executive Director, Community Gaming Grants, or other delegate of the Community Gaming Grants Manager and/or General Manager.

The Branch 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 90 days, or as operationally feasible, of receiving a written request for Reconsideration.

**Judicial Review**

A Judicial Review is a complex legal process that takes place in the Supreme Court of British Columbia where a Supreme Court judge reviews a decision that has been made by an administrative decision maker or tribunal. When you file a petition and affidavit at the court registry, you will have to pay the applicable registry filing fees.

A Judicial Review is not a re-trial or a rehearing of your case. The judge does not focus on whether he or she would have made a different decision from the one made by the administrative decision maker. In a Judicial Review, the judge generally focuses on determining whether the decision maker had the authority to make a particular decision and whether they exercised that authority.

There is no automatic right to Judicial Review. The court will review your application and determine whether to allow a Judicial Review.

It is highly recommended that an organization that is considering a Judicial Review seek legal advice, as a lawyer can help to decide whether the organization has a good case for Judicial Review and the guide the party through the processes involved.

For more information, please see: <http://www.courts.gov.bc.ca/>

**Questions about the Internal Review process may be directed to:****Mail:**

Community Gaming Grants Branch  
Community and Legislative Services Division  
PO Box 9892 Stn Prov Govt  
Victoria, BC V8W 9T6

**Location:**

Community Gaming Grants Branch  
Community and Legislative Services Division  
3rd Floor, 800 Johnson Street  
Victoria, BC V8W 1N3

**Web:**

<http://www2.gov.bc.ca/gov/content/sports-culture/gambling-fundraising/gaming-grants/community-gaming-grants>

**E-mail:**

[CommunityGamingGrants@gov.bc.ca](mailto:CommunityGamingGrants@gov.bc.ca)

**Phone:** 250-356-1081 (Victoria)  
Or call toll-free 1-800-663-7867 and ask to be transferred to 356-1081.