



Updated March 12, 2025 following Community Feedback (Updates in Yellow)

Proposed Amendments made by the Kahnawake Gaming Commission to the Regulations concerning Electronic Gaming Devices

Section 7, definition of “Applicant” be amended as follows :

“~~Applicant~~applicant” means any person who has applied for an Operator’s Licence or a Key Person Permit, including a renewal application;

Section 7 be amended to include the following new definitions:

“**Agents**” includes Approved Agents within the meaning of the Regulations concerning Interactive Gaming and such other persons approved by the Commission to carry out any functions set forth in these Regulations for and on behalf of the Commission;

“**Associated Establishment**” means any hotel, retail, restaurant, food service or other establishment that is physically connected to or included within the EGD Facility, whether within the same building or as an adjacent building having direct access to the EGD Facility;

“**Regulatory Security Group**” means the committee of authorities responsible for overseeing fire, safety, health, and security within the Territory;

“**Operator’s AgreementUndertaking**” means an agreement between undertaking signed by an EGD Operator and the Commission, wherein the EGD Operator agrees to comply with the Regulations and standards in place from time to time pertaining to the operation and management of their EGD Facility;

Section 7, definition of “EGD Facility” be amended as follows:

“**EGD Facility**” means a location within the Territory that is open to the public and within which an EGD Operator is authorized by the Commission to operate EGDs in an approved gaming area. For greater certainty, an EGD Facility includes all areas within, adjacent or attached with direct access to the building in which the EGD Facility is located, including but not limited to restaurants, bars, lounges Associated Establishments and staff areas;

Section 7, definition of “Operator’s Licence” be amended as follows:

“Operator’s Licence” means a license issued by the Commission in accordance with these Regulations, authorizing the holder to operate anone (1) EGD Facility

and EGDs located ~~on the~~within such EGD Facility;

Section 17(b) be amended as follows:

- (b) dispense at least one (1) hour of training to ~~his~~their personnel concerning the rights and obligations attached to the use of an Operator's Licence;

Section 21 be amended and replaced in its entirety to read as follows:

21. The Commission will only issue and maintain an Operator's Licence when:

- (a) the EGD Facility is located in a building that:
- (i) is wholly situated within the Mohawk Territory of Kahnawake, excluding areas specified by the Commission in its directives;
 - (ii) is wholly owned by, or leased to, one or more Kahnawa'keró:non or a business entity that is wholly owned by one or more Kahnawa'keró:non;
 - (iii) has been inspected and approved in accordance with all applicable fire, safety, health, and security laws, standards and protocols applicable within the Territory;
 - (iv) is covered by an all risk, third party liability insurance policy in the amount of not less than Two Million (CAD\$2,000,000.00) Canadian Dollars, the terms of which are satisfactory to the Commission; and
 - (v) is designed for commercial purposes and is not a private residence;
- (b) the parking area, in the Commission's sole discretion:
- (i) is wholly situated within the Mohawk Territory of Kahnawake, excluding areas specified by the Commission in its directives;
 - (ii) is wholly owned by, or leased to, the same person, persons or business entity that will or holds the Operator's Licence;
 - (iii) is adequately sized and positioned to service the operations of the EGD Facility, taking into consideration the anticipated or actual number of patron visits;
 - (iv) is safe for its intended use, is adequately lit at night and is fully monitored by security personnel and/or cameras;
- (c) the EGD Operator complies with all applicable fire, safety, health and security laws, standards and protocols applicable within the Territory; and
- (d) all Associated Establishments comply with all applicable fire, safety, health and security laws, standards and protocols applicable within the Territory, refrain from activities that facilitate or could facilitate money laundering or

other criminal behaviours, and are accountable to the EGD Operator via a legal agreement that allows the EGD Operator to ensure such compliance and account to the Commission regarding the same.

Section 23 be amended as follows:

23. Under no circumstances will any lands or buildings within the Territory be mortgaged or otherwise used as security for the purpose of playing in an EGD Facility. Any transaction in contravention of this provision is void. Any EGD Operator that permits a transaction in contravention of this provision is subject to fines as provided in these Regulations and to the suspension or revocation of ~~his or her~~their Operator's Licence.

Section 24 be amended as follows:

24. An EGD Operator must ensure that no activities take place within, near or in relation to the EGD Facility ~~or (including any Associated Establishments) or any~~ approved parking area that are in breach of these Regulations or of any other law applicable within the Territory.

Section 32(b) be amended as follows:

- (b) Personal Information Forms attached as Schedule "C" to these Regulations for each applicant, owner (if different than the applicant), director, shareholder and ultimate beneficial owner with ten (10%) per cent or more ownership of or controlling interest in the applicant, or any partner of the applicant;

Section 32(d) be amended as follows:

- (d) a copy of ~~any~~ contractual ~~agreement~~agreements demonstrating the applicant has the support of the Mohawk Council of Kahnawake as required by the Mohawk Council of Kahnawake, or if not available at the time of application, a letter of support from the Mohawk Council of Kahnawake;

The following new Sections 32(e) and (f) be added:

- (e) a copy of the legal agreement referred to in section 21(d) for any proposed Associated Establishment;
- (f) a copy of the applicant's proposed Policy;

Former Section 32(e) be renumbered as Section 32(g) and be amended as follows:

- (g) a detailed description, with sketches and blueprints, of the land, building to be used for the proposed EGD Facility, its floor ~~plan~~plans, parking areas and any related information;

Former Section 32(f) be renumbered as Section 32(h).

Section 34 be amended and replaced in its entirety to read as follows:

34. The Commission will consider an application for an Operator's Licence in the following three (3) Stages.

Stage 1 – Application and Submission

To successfully complete Stage 1, the Commission must receive the following information and documentation:

- fully completed application forms— including copies of all documents required under section 32 (draft forms of agreements or policies may be accepted in the Commission's sole discretion), excepting only Key Person Permit applications required by section 32(c) of these Regulations; and
- payment of all fees required by these Regulations.

To successfully complete Stage 1, the following matters must be completed to the satisfaction of the Commission:

- a preliminary review of the building, floor plans and parking areas, as described in the application; and
- such other matters as the Commission may direct.

Upon successful completion of Stage 1, the Commission will provide the applicant with written confirmation that the application, including all required information and documentation, is complete and is eligible to proceed to the substantive review under Stage 2, subject to any additional information or documentation requested by the Commission. The applicant may not open the EGD Facility to the public.

Stage 2 – Application Processing (Due Diligence Review)

The Commission will review the full application plus any additional information and documentation provided by the applicant and will provide such direction that the Commission may deem appropriate, including but not limited to the type of EGDs that are proposed to be installed in the EGD Facility.

To successfully complete Stage 2, the following documents must be submitted to the satisfaction of the Commission:

- proof of adequate insurance coverage for the EGD Facility and for persons within the EGD Facility, as required by these Regulations; and
- such additional information and documentation that the Commission may request.

To successfully complete Stage 2, the following steps must be completed to the satisfaction of the Commission:

- due diligence investigations on the applicant, any owner (if different than the applicant), and on any proposed investors, lenders, or other persons or entities identified by the Commission must be conducted and completed to the satisfaction of the Commission;
- a final detailed description (with illustrations) of the land, building(s), floor plans, utility connections and systems, entry and exit areas, and parking areas must be submitted to the Commission for approval;
- a traffic flow plan must be submitted to the Commission;
- a review by the applicable Regulatory Security Group authorities, who will make recommendations to the Commission, must be completed. If requested, the applicant will provide access to the land and any constructed portion of the EGD Facility or any existing structures of the EGD Facility at all reasonable times for on-site inspections and review by the applicable Regulatory Security Group authorities;
- in-person meeting between the applicant and applicable Regulatory Security Group authorities to discuss public safety and security issues or concerns relating to the proposed location and EGD Facility, and any recommended actions;
- detailed descriptions of the EGDs, central control systems and related equipment that are proposed to be installed and operated within the EGD Facility must be submitted to the Commission for approval;
- in-person meeting between the applicant and the Commission or its designated personnel, if requested;
- all information and documentation provided by the applicant must be verified as complete, accurate and suitable for the purpose; and
- the applicant has complied or confirms in writing that it will comply with any directions the Commission has provided during Stage 1 and Stage 2.

At the successful completion of Stage 2, as determined by the Commission in its sole discretion, the Commission will issue to the applicant a Conditional Operator's Licence, which will, among other things, identify the maximum number of EGDs that may be installed in the EGD Facility during Stage 3 of the application, and any modifications required to the proposed EGD Facility or any part thereof.

The applicant may not open the EGD Facility to the public. If an applicant begins construction or alterations to a structure intended for use as an EGD Facility prior to the completion of Stages 2 and Stage 3, they do so voluntarily and at their own risk.

Stage 3 – Commission Final Decision

During Stage 3:

- applicable Regulatory Security Group authorities will conduct such inspections of the EGD Facility and associated land as they deem necessary to comply with applicable laws, standards, and protocols;
- the Commission will receive and review a final report from the applicable Regulatory Security Group authorities, and any recommendations made to the applicant on the basis of such report must be implemented;
- the Commission must have received and reviewed the following to its satisfaction:
 - proof that all necessary aspects of the EGD Facility, floor plans, any proposed Associated Establishments, and parking areas have all been approved by all applicable Regulatory Security Group authorities;
 - Key Person Permit application forms, as required by section 32(c) of these Regulations, for each Key Person the applicant intends to employ;
 - final, executed versions of any agreements required under section 32 that were submitted in draft form;
 - final version of the Policy, if a draft was provided in earlier Stages;
 - information, the form and content of which must be satisfactory to the Commission, about any management company, consultant or any other person that will, in the sole discretion of the Commission, have a significant role in the financing, operation or management of the EGD Facility or of the EGDs located in the EGD Facility;
 - a list of proposed employees of the EGD Facility, and any Associated Establishment; and
 - information, the form and content of which must be satisfactory to the Commission, about any Associated Establishment and its owners, investors, lenders and operators.

- the applicant will install the appropriate number of EGDs, the central control systems and related equipment within the EGD Facility;
- the Commission, or agents acting on behalf of the Commission, will conduct such inspections, testing and other verifications of the EGDs, the central control systems and related equipment as the Commission may direct;
- the Commission will issue to the applicant such other directions as the Commission, in its sole direction, deems appropriate; and
- the applicant will attend an in-person meeting with the Commission or its designated personnel.

To successfully complete Stage 3, all of the above steps must have been completed and:

- due diligence investigations on Key Persons, managers, Suppliers, and any management companies, consultants, or other persons or entities identified by the Commission must be conducted and completed to the satisfaction of the Commission;
- all recommendations of the Commission and any Regulatory Security Group authorities must have been implemented to the satisfaction of such Regulatory Security Group authorities and the Commission, which will be verified via documentation and, if requested, on-site visits;
- the Commission must be satisfied that the EGD Operator, the EGD Facility (including Associated Establishments, floor plans and parking areas), the EGDs, the central control systems and related equipment installed within the EGD Facility are in full compliance with the requirements of these Regulations; and
- the Commission must be satisfied there are no other outstanding matters that must be addressed.

The applicant may not open the EGD Facility to the public during Stage 3 or before completion of Stage 3.

Following the successful completion of Stage 3, the Commission will notify the applicant of its decision in writing. If the application is approved, the applicant must sign an Operator's Agreement, following which the Commission will issue to the applicant an Operator's Licence, which among other things, will identify the maximum number of EGDs that may be operated in the EGD Facility.

Upon the issuance of an Operator's Licence, the EGD Facility may be opened to the public.

Section 35 be amended as follows:

35. An Operator's Licence will be valid for not more than five (5) years from the date of issuance, unless extended, suspended or revoked by the Commission in accordance with the requirements of these Regulations.

Section 40(c) be amended as follows:

- (c) consider an amendment to increase the betting amount specified in section ~~8(a)~~Error! Reference source not found.1 of these Regulations;

Section 49 be amended as follows:

49. An Operator's Licence will not be granted for a period of time exceeding five (5) years but may be renewed an unlimited number of times, provided the EGD Operator satisfies the requirements to renew an Operator's Licence as set out in these Regulations. The continuing suitability of an EGD Operator and any Key Person may be reviewed by the Commission at any time, including under section 44.

Section 50(b) be amended as follows:

- (b) the legal description of the lands on which the EGD Facility is located and a precise description of the approved gaming area and approved parking area and any Associated Establishments, appended to the Operator's Licence;