

# GAMING LEGAL NEWS



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## TORONTO CASINO UPDATE

by Michael D. Lipton, Q.C. and Kevin J. Weber

A couple of weeks ago, we reported that changes might be made to Ontario Regulation 347/00 under the *Ontario Lottery and Gaming Corporation Act, 1999* that would affect the need for public approval of the proposed Toronto casino. The regulations presently require that a municipal referendum be held to approve a proposed casino development, and they further require that the referendum be held during the regularly scheduled municipal election. At the time of our last article, it was unclear whether the regulations would be amended to simply accelerate the referendum or to do away with the referendum requirement entirely.

Recent events strongly indicate that the government will remove the referendum requirement, perhaps replacing it with a requirement to obtain some expression of public support that does not necessarily require a referendum vote. The provincial government will not likely do away with the requirement to obtain municipal approval. A municipal resolution will still be required along with some demonstration of public consultation, but not necessarily a referendum.

On April 26, 2012, a Progressive Conservative opposition Member of Provincial Parliament, Monte McNaughton, put forward a private member's bill that would require the holding of a municipal referendum before a casino development could be built. It is possible that the impetus for this bill arose after Mr. McNaughton learned of the likelihood that the regulations would be changed to eliminate the referendum requirement. Also of note is that Mr. McNaughton does not represent a Toronto-area riding; his riding is Lambton-Kent-Middlesex, a rural area of Southwest Ontario where horse racing interests have a great deal of local authority. Indeed, shortly after the private member's bill was put forward, the Ontario Horse Racing Industry Association sent out a press release announcing its support for the bill.

As a result, the political fight over the Toronto casino may move to counting the votes of the members of Toronto City Council required to pass a favourable resolution and a debate in Council over what constitutes a meaningful demonstration of public consultation.

## **NEW GAMING AUTHORITY IN COLOMBIA**

by Carlos A. Fonseca Sarmiento (Varela & Fonseca Abogados)

In Colombia, gaming is a monopoly of the State, and private companies can operate slot parlors by means of concession agreements subscribed with the company that, in representation of the State, is authorized to control the operation of the slot machines.

By Decree 4144 of November 3, 2011, the President of the Nation created a new entity in charge of controlling the casinos and slot parlors in Colombia: COLJUEGOS. This entity replaces ETESA, which was liquidated because of its mismanagement. COLJUEGOS is a public company that assumes the exploitation, administration, and expedition of gaming rules such as slot machines, casino games, and bingos. It is related to the Ministry of Finance and Public Credit.

COLJUEGOS is directed by a Directive Board and a President, who is named directly by the President of the Nation. The Directive Board of COLJUEGOS is integrated by five members: Two representatives of the Ministry of Finance and Public Credit, the Ministry of Health and Social Protection or its representative, and two independent members designated by the Ministry of Finance and Public Credit. On March 6, 2012, the new president of COLJUEGOS, economist Rodrigo Velez Jara, assumed its charge. From April 17, 2012, COLJUEGOS is continuing with the activities that ETESA was developing. More than 100,000 slot machines are operated in Colombia.

## **UNIVERSITY OF NEVADA, LAS VEGAS WILLIAM S. BOYD SCHOOL OF LAW TO HOST INTERNET GAMING REGULATION SYMPOSIUM**

The UNLV Boyd School of Law is presenting an international symposium addressing best practices for the regulation of Internet gaming. The symposium features world-renowned speakers and authors who are highly knowledgeable in their respective fields. Each speaker will tackle a category of regulation critical to a well-regulated Internet gaming environment. Dickinson Wright PLLC member Peter J. Kulick will address audits, accounting, reporting, and recordkeeping. Speakers will survey regulated Internet gaming laws from established and emerging jurisdictions worldwide, engage in a critical discussion of these laws, and make recommendations for best regulatory practices.

The Symposium will be held on May 18, 2012, beginning at 8 a.m. at the Boyd School of Law on the UNLV campus. A limited number of spots are open to the general public. To register and for more information, visit <http://law.unlv.edu/GamingRegulation2012>.