



BY-LAW NO. 224 - 2000

**A BY-LAW RESPECTING
ILLEGAL GAMING
(LE-032)**

1. PREAMBLE

1.1 WHEREAS subsection 31(1) of the *Police Services Act* provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:

- b. generally determine after consultation with the Chief of Police, objectives and priorities with respect to police service in the municipality;
- c. establish priorities for the effective management of the police service, and
- e. direct the Chief of Police and monitor his or her performance;

1.2 AND whereas subsection 31(6) of the *Police Services Act* provides that the Board may, by by-law, make rules for the effective management of the police service;

1.3 AND whereas O. Reg. 3/99 prescribes standards for adequacy and effectiveness of police services;

1.4 AND whereas subsection 12(1)(k) of O. Reg. 3/99 requires the Chief of Police to establish procedures and processes in respect of investigation into illegal gaming;

1.5 AND whereas section 29 of O. Reg. 3/99 requires a police services board to have a policy on investigation into illegal gaming;

1.6 AND whereas Part LE-032 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the police service relative to investigations into illegal gaming.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2 ***DEFINITIONS***

- 2.1 "Act" means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
- 2.2 "Board" means the Regional Municipality of Niagara Police Services Board;
- 2.3 "Chief" means the Chief of the Niagara Regional Police Service;
- 2.4 "Manual" means the Policing Standards Manual published by the Ministry of the Solicitor General;'
- 2.5 "Member" means a member of the Niagara Regional Police Service;
- 2.6 "OIGEU" means the Ontario Illegal Gaming Enforcement Unit;
- 2.7 "Service" means the Niagara Regional Police Service.

3 ***POLICING STANDARDS MANUAL (2000) GUIDELINES***

- 3.1 The Board recognizes that matters of illegal gaming are serious in nature, and it is therefore the policy of this Board that investigations into such matters be conducted professionally and thoroughly, and in accordance with procedures established by the Chief as directed in this By-law.

4 ***DIRECTION TO THE CHIEF***

4.1 ***PROCEDURES***

- 4.1.1 The Chief shall develop specific procedures to be followed during investigations into illegal gaming. These procedures shall be in accordance with Appendix A.
- 4.1.2 The Chief shall develop a procedure to ensure that information regarding illegal gaming is shared with the OIGEU and other police services and government agencies.

4.2 ***TRAINING***

- 4.2.1 The Chief shall ensure that Members receive the appropriate training in gaming and licencing requirements.

Legislative/Regulatory Requirements

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into illegal gaming.

In addition, section 12(1)(k) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into illegal gaming.

Sample Board Policy

Board Policy # _____

It is the policy of the _____ Police Services Board with respect to illegal gaming that the Chief of Police will develop and maintain procedures that require that:

- a) investigations be undertaken and managed in accordance with the police service's criminal investigation management plan; and
- b) information on illegal gaming shall be shared with the *Ontario Illegal Gaming Enforcement Unit (OIGEU)*.

Police Service Guidelines

- Procedures**
1. Every police service's procedures on illegal gaming should:
 - a) require that investigations be undertaken and managed in accordance with the police service's criminal investigation management plan, including notifying the *Ontario Illegal Gaming Enforcement Unit (OIGEU)* upon discovery of illegal gaming activities for the appropriate assistance or investigative procedure to follow; and
 - b) require that information on illegal gaming shall be shared with OIGEU on:
 - i) the type of gaming offence;
 - ii) date and location of offence;
 - iii) key principals or organization running the illegal activity;
 - iv) name and phone number of the investigating officer(s);
 - v) approximate value of the illegal gaming equipment and/or money seized, where applicable; and
 - vi) number of illegal gaming devices seized, where applicable.

