

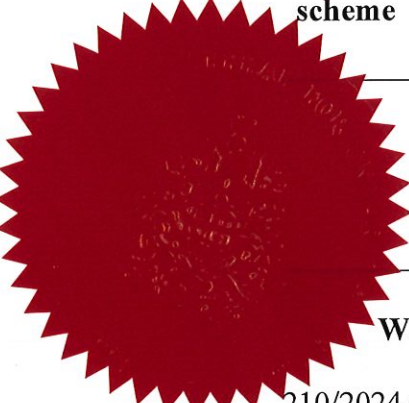
COURT OF APPEAL FOR ONTARIO

THE HONOURABLE JUSTICE
VAN RENSBURG

) FRIDAY, THE 1ST
) DAY OF
) MARCH, 2024

IN THE MATTER OF A REFERENCE to the Court of Appeal pursuant to section 8 of the *Courts of Justice Act*, RSO 1990, c. C.34, by Order-in-Council 210/2024 respecting permitting international play in an online provincial lottery scheme

ORDER



WHEREAS Her Honour the Lieutenant-Governor, by Order-in-Council 210/2024 dated the 2nd day of February, 2024 has referred to the Court of Appeal the following question:

Would legal online gaming and sports betting remain lawful under the *Criminal Code* if its users were permitted to participate in games and betting involving individuals outside of Canada as described in the attached Schedule [to the Order-in-Council]? If not, to what extent?

Les jeux et paris sportifs en ligne légaux demeureraient-ils légaux en vertu du *Code criminel* si ses utilisateurs étaient autorisés à participer à des jeux et paris auxquels prennent part des personnes de l'extérieur du Canada, comme il est décrit dans l'annexe [du Décret] ci-jointe? Sinon, dans quelle mesure?

AND WHEREAS notice of this Reference has been given to the federal, provincial, and territorial Attorneys General.

THIS MOTION, made by the Attorney General of Ontario for directions, including directions regarding the method of giving notice to the public of the above-mentioned reference, was heard on February 23 and March 1, 2024 by videoconference.

ON READING the Motion Record of the Attorney General of Ontario and hearing the submissions of Counsel for the Attorney General of Ontario,

1. **THIS COURT ORDERS** that the Attorney General of Ontario have carriage of the reference.

2. **THIS COURT ORDERS** that the Attorney General of Ontario file a Statement of Particulars by March 1, 2024.

3. **THIS COURT ORDERS** that any Attorney General wishing to participate in this reference may intervene as of right by serving a notice of their intention to participate, including up to one page setting out their proposed position, on the Attorney General of Ontario and file the notice with the Court by March 15, 2024. The address for service for the Attorney General of Ontario shall be:

Attorney General of Ontario
Civil Law Division
720 Bay Street, 4th Floor Toronto, ON M7A 2S9
Email: joshua.hunter@ontario.ca

4. **THIS COURT ORDERS** that any Attorney General wishing to lead evidence serve a motion for leave to lead evidence on the Attorney General of Ontario and file the motion with the Court by April 8, 2024.

5. **THIS COURT ORDERS** that notice of this reference be published by posting a copy of this Order on the website of the Government of Ontario (news.ontario.ca) from March 11, 2024 to April 5, 2024.

6. **THIS COURT ORDERS** that any party interested in seeking leave to intervene in this reference serve a motion for leave to intervene on the Attorney General of Ontario and file the motion with the Court by April 8, 2024.

7. **THIS COURT ORDERS** that the Attorney General of Ontario may respond to any motions for leave to intervene or leave to file evidence by April 26, 2024.

8. **THIS COURT ORDERS** that Motions for leave to intervene or leave to file evidence shall be heard May 1, 2024.


9. **THIS COURT ORDERS** that the hearing of the reference shall be scheduled for November 26 to 28, 2024.

10. **THIS COURT ORDERS** that further directions regarding the conduct of this proceeding, including a timetable for the delivery of materials, be deferred to future case conferences to be scheduled.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

MAR - 1 2024

PER / PAR: 



Registrar
Court of Appeal for Ontario

IN THE MATTER OF A REFERENCE to the Court of Appeal pursuant to section 8 of the *Courts of Justice Act*, RSO 1990, c. C.34, by Order-in-Council 210/2024 respecting permitting international play in an online provincial lottery scheme

**Court of Appeal File No.:
COA-24-CV-0185**

COURT OF APPEAL FOR ONTARIO

Proceedings commenced at Toronto

ORDER

**THE ATTORNEY GENERAL OF
ONTARIO**

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