



# Lotteries and Amusements Act 1976

## 1976 CHAPTER 32

### PART I

#### LEGAL AND ILLEGAL LOTTERIES

##### *Exceptions*

### **3 Small lotteries incidental to exempt entertainments**

- (1) In this Act " exempt entertainment " means a bazaar, sale of work, fete, dinner, dance, sporting or athletic event or other entertainment of a similar character, whether limited to one day or extending over two or more days.
- (2) Where a lottery is promoted as an incident of an exempt entertainment, that lottery is not unlawful, but the conditions set out in subsection (3) below shall be observed in connection with its promotion and conduct and, if any of those conditions is contravened, every person concerned in the promotion or conduct of the lottery shall be guilty of an offence unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent it.
- (3) The conditions referred to in subsection (2) above are that—
  - (a) the whole proceeds of the entertainment (including the proceeds of the lottery) after deducting—
    - (i) the expenses of the entertainment, excluding expenses incurred in connection with the lottery ; and
    - (ii) the expenses incurred in printing tickets in the lottery; and
    - (iii) such sum, if any, not exceeding £50 or such other sum as may be specified in an order made by the Secretary of State, as the promoters of the lottery think fit to appropriate on account of any expenses incurred by them in purchasing prizes in the lottery,shall be devoted to purposes other than private gain;
  - (b) none of the prizes in the lottery shall be money prizes;

- (c) tickets or chances in the lottery shall not be sold or issued, nor shall the result of the lottery be declared, except on the premises on which the entertainment takes place and during the progress of the entertainment ; and
- (d) the facilities for participating in lotteries under this section, or those facilities together with any other facilities for participating in lotteries or gaming, shall not be the only, or the only substantial, inducement to persons to attend the entertainment.

#### 4 Private lotteries

- (1) In this Act " private lottery" means a lottery in Great Britain which is promoted for, and in which the sale of tickets or chances by the promoters is confined to, either—
  - (a) members of one society established and conducted for purposes not connected with gaming, betting or lotteries ; or
  - (b) persons all of whom work on the same premises ; or
  - (c) persons all of whom reside on the same premises,
 and which is promoted by persons each of whom is a person to whom under the foregoing provisions of this subsection tickets or chances may be sold by the promoters and, in the case of a lottery promoted for the members of a society, is a person authorised in writing by the governing body of the society to promote the lottery.
- (2) For the purposes of this section, each local or affiliated branch or section of a society shall be regarded as a separate and distinct society.
- (3) A private lottery is not unlawful, but the following conditions shall be observed in connection with its promotion and conduct, that is to say—
  - (a) the whole proceeds, after deducting only expenses incurred for printing and stationery, shall be devoted to the provision of prizes for purchasers of tickets or chances, or, in the case of a lottery promoted for the members of a society, shall be devoted either—
    - (i) to the provision of prizes as aforesaid; or
    - (ii) to purposes which are purposes of the society ; or
    - (iii) as to part to the provision of prizes as aforesaid and as to the remainder to such purposes as aforesaid;
  - (b) there shall not be exhibited, published or distributed any written notice or advertisement of the lottery other than—
    - (i) a notice of it exhibited on the premises of the society for whose members it is promoted or, as the case may be, on the premises on which the persons for whom it is promoted work or reside; and
    - (ii) such announcement or advertisement of it as is contained in the tickets, if any ;
  - (c) the price of every ticket or chance shall be the same, and the price of any ticket shall be stated on the ticket;
  - (d) every ticket shall bear upon the face of it the name and address of each of the promoters and a statement of the persons to whom the sale of tickets or chances by the promoters is restricted, and a statement that no prize won in the lottery shall be paid or delivered by the promoters to any person other than the person to whom the winning ticket or chance was sold by them, and no prize shall be paid or delivered except in accordance with that statement;

- (e) no ticket or chance shall be issued or allotted by the promoters except by way of sale and upon receipt of its full price, and no money or valuable thing so received by a promoter shall in any circumstances be returned; and
  - (f) no tickets in the lottery shall be sent through the post.
- (4) Subject to subsection (5) below, if any of the conditions set out in subsection (3) above is contravened, each of the promoters of the lottery, and, where the person by whom the condition is broken is not one of the promoters, that person also, shall be guilty of an offence.
- (5) It shall be a defence for a person charged with an offence under subsection (4) above only by reason of his being a promoter of the lottery to prove that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent it.

## **5 Societies' lotteries**

- (1) In this Act " society's lottery " means a lottery promoted on behalf of a society which is established and conducted wholly or mainly for one or more of the following purposes, that is to say—
- (a) charitable purposes;
  - (b) participation in or support of athletic sports or games or cultural activities;
  - (c) purposes which are not described in paragraph (a) or (b) above but are neither purposes of private gain nor purposes of any commercial undertaking.
- (2) Any purpose for which a society is established and conducted and which is calculated to benefit the society as a whole shall not be held to be a purpose of private gain by reason only that action in its fulfilment would result in benefit to any person as an individual.
- (3) Subject to the provisions of this Act, a society's lottery is not unlawful if—
- (a) it is promoted in Great Britain ; and
  - (b) the society is for the time being registered under Schedule 1 to this Act; and
  - (c) it is promoted in accordance with a scheme approved by the society; and
  - (d) either—
    - (i) the total value of tickets or chances to be sold is £5,000 or less ; or
    - (ii) the scheme is registered with the Board before any tickets or chances are sold.
- (4) The whole proceeds of a society's lottery, after deducting sums lawfully appropriated on account of expenses or for the provision of prizes, shall be applied to purposes of the society such as are described in subsection (1) above.
- (5) Schedule 1 to this Act shall have effect.

## **6 Local lotteries**

- (1) In this Act " local lottery " means a lottery promoted by a local authority.
- (2) Subject to the provisions of this Act, a local lottery is not unlawful if—
- (a) it is promoted in Great Britain ; and
  - (b) it is promoted in accordance with a scheme approved by the local authority ;  
and

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*Status: This is the original version (as it was originally enacted).*

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- (c) the scheme is registered with the Board before any tickets or chances are sold.
- (3) The functions of local authorities for the discharge of which arrangements may be made under section 101 of the Local Government Act 1972 or section 56 of the Local Government (Scotland) Act 1973 (arrangements for the discharge of a local authority's functions by a committee, a sub-committee or an officer of the authority, or by another local authority) do not include the approval of schemes for local lotteries.