



National Lottery Act 1998

1998 CHAPTER 22

PART I

PROVISIONS RELATING TO THE NATIONAL LOTTERY

Licensees

4 Appeals against revocation of licences

- (1) Part II of Schedule 3 to the 1993 Act (which relates to procedure and appeals in connection with the revocation, under section 10, of licences under section 5 or 6) shall be amended as follows.
- (2) In paragraph 6(1) (which specifies what a notice of proposed revocation must state) the word “and” at the end of paragraph (c) shall be omitted and after that paragraph there shall be inserted—
 - “(cc) that the right of appeal conferred by paragraph 11 is dependent on the licensee having made such written or oral representations, and”.
- (3) In paragraph 7(2)(a) (duration of suspension of licence) for “or the Secretary of State allows an appeal against the revocation” there shall be substituted “or an appeal against the revocation is allowed”.
- (4) In paragraph 9(2) (time at which revocation takes effect) for paragraph (b) (determination of appeal to Secretary of State) there shall be substituted—
 - “(b) if the licensee appeals within that period against the revocation and the court makes an order under paragraph 11(2), until such time as is specified in the order,

whichever is the later.”

- (5) Paragraph 10 (appeals to the Secretary of State) shall cease to have effect.
- (6) After paragraph 10 there shall be inserted—

Status: This is the original version (as it was originally enacted).

“Appeals

- 11 (1) Where the Director General decides under paragraph 9 to revoke a licence, the licensee may appeal against the decision on the grounds—
- (a) that the Director General made an error as to the facts,
 - (b) that there was a material procedural error, or
 - (c) that the Director General made some other error of law.
- (2) Where a licensee appeals under this paragraph, the powers of the court pending the withdrawal or final disposal of the appeal shall include power, on the application of the licensee or the Director General, to make an order, if the court considers it just and equitable to do so in all the circumstances of the case, preventing the revocation taking effect until such time as may be specified in the order.
- (3) An appeal under this paragraph lies to the High Court or, in Scotland, to the Court of Session.
- (4) Any appeal under this paragraph to the Court of Session shall be heard in the Outer House.”