



Gambling Act 2005

2005 CHAPTER 19

PART 5

OPERATING LICENCES

Rules for particular kinds of licence

98 Lottery operating licences

- (1) A lottery operating licence may be issued only to—
 - (a) a non-commercial society,
 - (b) a local authority, or
 - (c) a person proposing to act as external lottery manager on behalf of a non-commercial society or a local authority.
- (2) A lottery operating licence may authorise—
 - (a) promotion generally or only specified promoting activities;
 - (b) the promotion of lotteries generally or only the promotion of lotteries of a specified kind or in specified circumstances;
 - (c) action as an external lottery manager (in which case it is known as a “lottery manager's operating licence”).
- (3) In issuing a lottery operating licence to a society or authority the Commission—
 - (a) may attach a condition under section 75 or 77 requiring that the society or authority ensure that all the arrangements for the lottery are made by the holder of a lottery manager's operating licence, and
 - (b) may, if they attach a condition under paragraph (a), issue the lottery licence to the society or authority without consideration of the matters specified in section 70(1)(b).
- (4) A lottery operating licence shall, by virtue of this subsection, permit the delivery of lottery tickets by post.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 98. (See end of Document for details)

- (5) The effect of the term implied by subsection (4) may not be disapplied or restricted by a condition attached under section 75, 77 or 78.
- (6) In issuing a lottery operating licence the Commission may attach a condition under section 75 or 77 preventing, restricting or controlling the use of a rollover.
- (7) In this section “local authority” means—
- (a) in relation to England—
 - (i) a district council,
 - (ii) a county council,
 - (iii) a parish council,
 - (iv) a London borough council,
 - (v) the Common Council of the City of London, and
 - (vi) the Council of the Isles of Scilly,
 - (b) in relation to Wales—
 - (i) a county council,
 - (ii) a county borough council, and
 - (iii) a community council, and
 - (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39).

Modifications etc. (not altering text)

- C1** Pt. 5 modified (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), **Sch. 4 para. 72**
- C2** Pt. 5 modified (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), **Sch. 4 para. 50**
- C3** Ss. 89-99 excluded (1.1.2007) by [Gambling \(Personal Licences\) \(Modification of Part 5 of the Gambling Act 2005\) Regulations 2006 \(S.I. 2006/3267\)](#), regs. 1(1), 2(1), **Sch. Table 1**

Commencement Information

- I1** S. 98 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

Changes to legislation:

There are currently no known outstanding effects for the Gambling Act 2005, Section 98.