

SCHEDULES

SCHEDULE 4

Section 20.

CONSOLIDATION AMENDMENTS

The Betting, Gaming and Lotteries Act 1963

1 For subsection (2)(d) of section 43 of the Betting, Gaming and Lotteries Act 1963 (exemption of small lotteries incidental to certain entertainments) there shall be substituted the following paragraph:—

“(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.”.

2 For section 48 of that Act (provision of amusements with prizes at certain non-commercial entertainments) there shall be substituted the following section:—

“48 Provision of amusements with prizes at certain non-commercial entertainments.

(1) This section applies to the provision, at any entertainment to which section 43 of this Act applies, of any amusement with prizes which constitutes a lottery or gaming or both but does not constitute—

- (a) gaming to which Part II of the Gaming Act 1968 applies, or
- (b) gaming by means of a machine to which Part III of that Act applies.

(2) Where any such amusement constitutes a lottery, nothing in section 41 or section 42 of this Act shall apply to it.

(3) In relation to any such amusement (whether it constitutes a lottery or not) the conditions set out in subsection (4) of this section shall be observed, and if either of those conditions is contravened every person concerned in the provision or conduct of that amusement 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.

(4) The conditions referred to in the last foregoing subsection are—

- (a) that the whole proceeds of the entertainment, after deducting the expenses of the entertainment, shall be devoted to purposes other than private gain ; and
- (b) that the facilities for winning prizes at amusements to which this section applies, 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.”

3 Sections 51 (search warrants) and 52(4) (forfeiture) of that Act shall have effect in relation to offences under this Act.

Status: This is the original version (as it was originally enacted).

The Local Government Act 1966

- 4 In Part II of Schedule 3 to the Local Government Act 1966 (fees for licences, registration etc. that may be varied by an order under section 35(2) of the Act) in paragraph 23 (which relates to the Betting, Gaming and Lotteries Act 1963) for the words " paragraph 4 " there shall be substituted the words " paragraph 16 ".

The Local Government (Scotland) Act 1966

- 5 In Part II of Schedule 4 to the Local Government (Scotland) Act 1966 (fees for licences, registration etc. that may be varied by an order under section 42 of that Act) in paragraph 26 (which relates to the Betting, Gaming and Lotteries Act 1963) for the words " paragraph 4 " there shall be substituted the words " paragraph 16 ".

The Gaming Act 1968

- 6 (1) For subsections (2) to (4) of section 33 of the Gaming Act 1968 (use of machines at non-commercial entertainments) there shall be substituted the following subsections:

—
“(2) Where a machine to which this Part of this Act applies is used for gaming as an incident of any such entertainment, the whole proceeds of the entertainment, after deducting the expenses of the entertainment, shall be devoted to purposes other than private gain.

(2A) Where a machine to which this Part of this Act applies is used for gaming as an incident of an entertainment to which this section applies, the opportunity to win prizes by means of the machine, or that opportunity 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.”

- (2) In subsection (5) of that section, for the words " to (4) " there shall be substituted the words " and (2A) ".