

Status: Point in time view as at 03/05/1994. This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Lotteries and Amusements Act 1976 (repealed), SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 5.

[^{F1}REGISTRATION OF SOCIETIES BY LOCAL AUTHORITIES]

Textual Amendments

- F1** Heading to Sch. 1 substituted (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7 Pt. I para. 9**; S.I. 1994/1055, **art. 2**

Modifications etc. (not altering text)

- C1** **Sch. 1:** functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, **reg. 2(1), Sch. 1** Table B(10)

PART I

REGISTRATION

1 ^{F2}(1)

(2) [^{F3}In this Act]“registration authority”, in relation to any society, means—

- (a) in England, a London borough council, a district council, the Common Council of the City of London, or the Council of the Isles of Scilly;
- (b) in Wales, a district council;
- (c) in Scotland, an islands or district council,

being the authority within whose area the office or head office of the society is situated.

Textual Amendments

- F2** **Sch. 1 para. 1(1)** repealed (3.5.1994) by 1993 c. 39, ss. 48(5), 64, **Sch. 7, Pt. I, para. 2(a), Sch.10**; S.I. 1994/1055, **art. 2**

- F3** Words in **Sch. 1 para. 1(2)** substituted (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7, Pt. I, para. 2(b)**; S.I. 1994/1055, **art. 2**

2 [^{F4}An application to the registration authority for the registration of a society] shall specify the purposes for which the society is established and conducted.

Textual Amendments

- F4** Words in **Sch. 1 para. 1(2)** substituted (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7 Pt. I para. 3**; S.I. 1994/1055, **art. 2**

Status: Point in time view as at 03/05/1994. This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Lotteries and Amusements Act 1976 (repealed), SCHEDULE 1. (See end of Document for details)

- 3 Subject to the provisions of this Schedule, upon application being duly made on behalf of a society and upon payment of a fee of [^{F5}£35], the registration authority shall register the society in a register to be kept for the purposes of section 5 above and notify the society in writing that they have done so.

Textual Amendments

F5 Fee in Sch. 1 para. 3 substituted (E.W.) (2.12.1991) by [S.I. 1991/2178, art. 2](#) and (S.) (2.12.1991) by [S.I. 1991/2498, art.2](#)

- [^{F6}3A (1) The registration authority shall refuse or revoke the registration of the society under this Part of this Schedule if the Board have refused or revoked the registration of the society under Schedule 1A below within the last five years.
- (2) Sub-paragraph (1) above does not apply where the ground for the Board's refusal or revocation was that specified in paragraph 3(2)(e) of Schedule 1A below.
- (3) Where the registration authority refuse or revoke the registration of a society under sub-paragraph (1) above, they shall notify the society in writing that they have done so.]

Textual Amendments

F6 [Sch. 1 para. 3A](#) inserted (3.5.1994) by 1993 c. 39, s. 48(5), [Sch. 7 Pt. I, para.4](#); [S.I. 1994/1055, art. 2](#)

- 4 (1) The registration authority may, after giving the society an opportunity of being heard, refuse or revoke the registration of the society under this Part of this Schedule if it appears to the authority—
- [^{F7}(a) that any person who is or will be a person connected with a lottery promoted or proposed to be promoted on behalf of the society has been convicted of an offence to which this paragraph applies; or]
- (b) that the society does not satisfy or has ceased to satisfy the conditions specified in section 5(1) above [^{F8}; or
- (c) that any information given by the society to the authority in or in connection with the society's application for registration was false in a material particular.]
- (2) This paragraph applies to any of the following offences, namely—
- (a) an offence under section 2 or 13 above;
- (b) an offence under paragraph 14 below [^{F9}paragraph 14 of Schedule 1A below, paragraph 8 or 9 of Schedule 2 below, paragraph 12 of Schedule 2A below] or paragraph 12 of Schedule 7 to the ^{M1}Betting, Gaming and Lotteries Act 1963;
- (c) an offence under section 42 or 45 of that Act; and
- (d) an offence involving fraud or dishonesty.
- [^{F10}(3) For the purposes of sub-paragraph (1)(a) above, a person connected with a lottery is a person who is or has been—
- (a) involved in the promotion of the lottery; or
- (b) employed for reward in connection with the promotion of any other lottery on behalf of the same society.]

Status: Point in time view as at 03/05/1994. This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Lotteries and Amusements Act 1976 (repealed), SCHEDULE 1. (See end of Document for details)

Textual Amendments

- F7** Sch. 1 para. 4(1)(a) substituted (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7 Pt. I para. 5(1)(a)**
- F8** Sch. 1 para. 4(1)(c) and word immediately preceding it substituted (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7 Pt. I para. 5(1)(b)**; S.I. 1994/1055, **art. 2**
- F9** Words in Sch. 1 para. 4(2) inserted (3.5.1994) by 1993 c. 39, ss. 48(5), **Sch. 7 Pt. I para. 5(1)(c)**
- F10** Sch. 1 para. 4(3) added (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7 Pt. I para. 5(1)(d)**; S.I. 1994/1055, **art. 2**

Marginal Citations

- M1** 1963 c. 2.

- [^{F11}4A The registration authority may, after giving the society an opportunity of being heard, revoke the registration of the society under this Part of this Schedule if it appears to the authority that the society has failed to comply with a requirement imposed on it under paragraph 16 below.]

Textual Amendments

- F11** Sch. 1 para. 4A inserted (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7 Pt. I para. 5(2)**; S.I. 1994/1055, **art. 2**

- 5 Where the registration of any society has been refused or revoked under [^{F12}paragraph 4 or 4A] above by a registration authority in England or Wales, that authority shall forthwith notify the society of the refusal or revocation and the society may appeal to the Crown Court, and any such appeal shall be commenced by giving notice to the appropriate officer of the Crown Court and to the registration authority within 21 days of the day on which notice of the refusal or revocation is given to the society.

Textual Amendments

- F12** Words in Sch. 1 paras. 5, 6 and 7 substituted (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7 Pt. I para. 6**; S.I. 1994/1055, **art. 2**

- 6 Where the registration of any society has been refused or revoked under [^{F13}paragraph 4 or 4A] of this Schedule by a registration authority in Scotland, that authority shall forthwith notify the society of the refusal or revocation, and the society may appeal, within such time, and in accordance with such rules, as may be prescribed by the Court of Session by act of sederunt, to the sheriff having jurisdiction in the registration authority's area, and on any such appeal the decision of the sheriff shall be final and may include such order as to the expenses of the appeal as he thinks proper.

Textual Amendments

- F13** Words in Sch. 1 paras. 5, 6 and 7 substituted (3.5.1994) by 1993 c. 39, s. 48(5), **Sch. 7 Pt. I para. 6**; S.I. 1994/1055, **art. 2**

- 7 Where the registration authority revoke a registration under [^{F14}paragraph 4 or 4A] above, then, until the time within which notice of appeal under paragraph 5 or 6 above may be given has expired and, if such notice is duly given, until the determination or abandonment of the appeal, the registration shall be deemed to

Status: Point in time view as at 03/05/1994. This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Lotteries and Amusements Act 1976 (repealed), SCHEDULE 1. (See end of Document for details)

continue in force, and if the Crown Court or, as the case may be, the sheriff confirms the decision of the registration authority, the Court or the sheriff may, if it or he thinks fit, order that the registration shall continue in force for a further period not exceeding two months from the date of the order.

Textual Amendments

F14 Words in [Sch. 1 paras. 5, 6 and 7](#) substituted (3.5.1994) by [1993 c. 39, s. 48\(5\) Sch. 7 Pt. I para.6](#); [S.I. 1994/1055, art. 2](#)

- 8 A society which is for the time being registered under this Part of this Schedule may at any time apply to the registration authority for the cancellation of the registration; and in any such case the authority shall cancel the registration accordingly.
- 9 Every society which is registered under this Part of this Schedule shall pay to the registration authority on 1st January in each year while it is registered a fee of [^{F15}£17.50], and any such fee which remains unpaid after the date on which it becomes payable may be recovered by the authority as a debt.

Textual Amendments

F15 Fee in [Sch. 1 para. 9](#) substituted (E.W.) (2.12.1991) by [S.I. 1991/2178, art. 3](#) and (S.) (2.12.1991) by [S.I. 1991/2498, art.3](#)

- 10 Subject to the provisions of this Schedule, the registration of any society under [Schedule 7 to the ^{M2}Betting, Gaming and Lotteries Act 1963](#) shall have effect as registration under this Schedule.

Marginal Citations

M2 [1963 c. 2.](#)

PART II

RETURNS

PROSPECTIVE

^{F16}11

Textual Amendments

F16 Act repealed (1.9.2007) by [Gambling Act 2005 \(c. 19\), ss. 356\(3\), 358\(1\), Sch. 17](#) (with [ss. 352, 354](#)); [S.I. 2006/3272, art. 5](#) (with [arts. 7-12, Sch. 4](#))

- 12 Paragraph 11 above shall not apply to a society's lottery [^{F17}if on the date of the lottery the society was registered with the Board under [Schedule 1A](#) below.]

Status: Point in time view as at 03/05/1994. This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Lotteries and Amusements Act 1976 (repealed), SCHEDULE 1. (See end of Document for details)

Textual Amendments

F17 Words in [Sch. 1 para. 12](#) substituted (3.5.1994) by [1993 c. 39, s. 48\(5\)](#), [Sch. 7 Pt. I para.8](#); [S.I. 1994/1055, art. 2](#)

- 13 The registration authority shall preserve any return sent to them under paragraph 11 above for a period of at least 18 months, and during that period shall keep it deposited at their office and permit any member of the public to inspect it during office hours free of charge.
- 14 Any person who fails to send a return in accordance with the provisions of this Part of this Schedule, or who knowingly gives in any such return sent by him any information which is false in a material particular, or who certifies any such return knowing it to contain such information, shall be guilty of an offence.
- [^{F18}15 (1) Where it appears to the registration authority that section 5(3C) above applies to a lottery in respect of which a return has been sent to them under paragraph 11 above, they shall notify the Board in writing of that fact.
- (2) The notification shall have attached to it a copy of the return and of all other returns sent to the registration authority in respect of the earlier lotteries mentioned in section 5(3C)(b) above.]

Textual Amendments

F18 [Sch. 1 paras. 15, 16](#) added (3.5.1994) by [1993 c. 39, s. 48\(5\)](#), [Sch. 7 Pt. I para. 9](#); [S.I. 1994/1055, art. 2](#)

- [^{F19}16 The registration authority may require a society that is registered under this Part of this Schedule—
- (a) to allow the authority to inspect and take copies of any documents of the society, including any information kept by the society otherwise than in writing, relating to any lottery promoted on behalf of the society; and
- (b) where such information is kept by means of a computer, to give the authority such assistance as they may require to enable them to inspect and take copies of the information in a visible and legible form and to inspect and check the operation of any computer, and any associated apparatus or material, that is or has been in use in connection with the keeping of the information.]

Textual Amendments

F19 [Sch. 1 paras. 15, 16](#) added (3.5.1994) by [1993 c. 39, s. 48\(5\)](#), [Sch. 7 Pt. I para.9](#); [S.I. 1994/1055, art. 2](#)

Status:

Point in time view as at 03/05/1994. This version of this schedule contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Lotteries and Amusements Act 1976 (repealed), SCHEDULE 1.