



# Lotteries and Amusements Act 1976

## 1976 CHAPTER 32

### PART III

#### COMPETITIONS AND AMUSEMENTS

##### *Amusements with prizes*

#### **15 Provision of amusements with prizes at exempt entertainments**

- (1) This section applies to the provision at any exempt entertainment 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 1 or 2 above 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) below 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 subsection (3) above 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.
- (5) Where any payment falls to be made—

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*Status: This is the original version (as it was originally enacted).*

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- (a) by way of a hiring, maintenance or other charge in respect of a machine to which Part III of the Gaming Act 1968 applies, or
- (b) in respect of any equipment for holding a lottery or gaming at any entertainment,

then if, but only if, the amount of that charge falls to be determined wholly or partly by reference to the extent to which that or some other such machine or equipment is used for the purposes of lotteries or gaming, that payment shall be held to be an application of the proceeds of the entertainment for the purposes of private gain.

- (6) The reference to expenses in subsection (4) (a) above shall accordingly not include a reference to any charge mentioned in subsection (5) above and falling to be determined as there mentioned.