



# Lotteries and Amusements Act 1976 (repealed)

## 1976 CHAPTER 32

### PART I

#### LEGAL AND ILLEGAL LOTTERIES

##### *General illegality of lotteries*

## 2 General lottery offences.

- (1) Subject to the provisions of this section, every person who in connection with any lottery promoted or proposed to be promoted either in Great Britain or elsewhere—
- (a) prints any tickets for use in the lottery; or
  - (b) sells or distributes, or offers or advertises for sale or distribution, or has in his possession for the purpose of sale or distribution, any tickets or chances in the lottery; or
  - (c) prints, publishes or distributes, or has in his possession for the purpose of publication or distribution—
    - (i) any advertisement of the lottery; or
    - (ii) any list, whether complete or not, of prize winners or winning tickets in the lottery; or
    - (iii) any such matter descriptive of the drawing or intended drawing of the lottery, or otherwise relating to the lottery, as is calculated to act as an inducement to persons to participate in that lottery or in other lotteries; or
  - (d) brings, or invites any person to send, into Great Britain for the purpose of sale or distribution any ticket in, or advertisement of, the lottery; or
  - (e) sends or attempts to send out of Great Britain any money or valuable thing received in respect of the sale or distribution, or any document recording the sale or distribution, or the identity of the holder, of any ticket or chance in the lottery; or

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Lotteries and Amusements Act 1976 (repealed), Section 2. (See end of Document for details)*

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- (f) uses any premises, or causes or knowingly permits any premises to be used, for purposes connected with the promotion or conduct of the lottery; or
- (g) causes, procures or attempts to procure any person to do any of the above-mentioned acts,

shall be guilty of an offence.

(2) In any proceedings instituted under subsection (1) above, it shall be a defence to prove either—

- (a) that the lottery to which the proceedings relate was a lottery declared not to be unlawful by section 3, 4 or 25(6) below, and that at the date of the alleged offence the person charged believed, and had reasonable ground for believing, that none of the conditions required by the relevant enactment to be observed in connection with the promotion and conduct of the lottery had been broken; or
- (b) that the lottery to which the proceedings relate was a society's lottery or a local lottery, and that at the date of the alleged offence the person charged believed, and had reasonable ground for believing, that it was being conducted in accordance with the requirements of this Act; or
- (c) that the lottery to which the proceedings relate was not promoted wholly or partly outside Great Britain and constituted gaming as well as a lottery.

[<sup>F1</sup>(2A) In any proceedings instituted under subsection (1) above in respect of the printing, sale or possession of any tickets, advertisements or other documents or in respect of anything done with a view to or in connection with the printing, sale or export from Great Britain of any tickets, advertisements or other documents, it shall be a defence to prove that at the date of the alleged offence the person charged believed, and had reasonable ground for believing—

- (a) that the lottery to which the proceedings relate was not being, and would not be, promoted or conducted wholly or partly in Great Britain; and
- (b) that the tickets, advertisements or other documents were not being, and would not be, used in Great Britain in or in connection with that or any other lottery.]

(3) In England and Wales, proceedings under subsection (1)(c)(iii) above in respect of any matter published in a newspaper shall not be instituted except by, or by direction of, the Director of Public Prosecutions.

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**Textual Amendments**

**F1** S. 2(2A) inserted by Lotteries (Amendment) Act 1984 (c. 9, SIF 12:1), s. 1

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Lotteries and Amusements Act 1976 (repealed), Section 2.