

Status: Point in time view as at 30/06/1999.

Changes to legislation: National Lottery etc. Act 1993, Cross Heading: The New Opportunities Fund is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



National Lottery etc. Act 1993

1993 CHAPTER 39

PART II

DISTRIBUTION OF THE NET PROCEEDS OF THE NATIONAL LOTTERY

^{F1} The New Opportunities Fund

Textual Amendments

F1 Crossheading and ss. 43A-43D inserted (2.7.1998) by 1998 c. 22, ss. 7(2), 27(4)

^{F2}43A The New Opportunities Fund.

- (1) There shall be a body corporate known as the New Opportunities Fund.
- (2) Schedule 6A makes provision in relation to the New Opportunities Fund.

Textual Amendments

F2 Ss. 43A-43D inserted (2.7.1998) by 1998 c. 22, ss. 7(2), 27(4)

^{F3}43B Functions of the New Opportunities Fund.

- (1) The New Opportunities Fund—
 - (a) may make grants out of any money they receive to fund or assist in the funding of projects [^{F4}(including grants for establishing or contributing to endowments in connection with projects)], or
 - (b) may make or enter into arrangements,which are designed to give effect to such initiatives concerned or connected with health, education or the environment as may from time to time be specified in an order made by the Secretary of State.

Status: Point in time view as at 30/06/1999.

Changes to legislation: National Lottery etc. Act 1993, Cross Heading: The New Opportunities Fund is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) In making a grant under this section, the New Opportunities Fund may impose such conditions as they think fit, including conditions requiring the amount of a grant to be repaid forthwith on breach of any condition.
- (3) The New Opportunities Fund may do anything that they consider desirable for enabling them to determine—
 - (a) the projects in respect of which grants under this section are to be made; or
 - (b) the arrangements which are to be made or entered into under this section.
- (4) The New Opportunities Fund may for the purpose of enabling them to exercise their functions acquire and dispose of land.

[The function of the Secretary of State under subsection (1) to specify initiatives may,
^{F5}(5) in relation to initiatives applying in Scotland only, be exercised separately.]

Textual Amendments

- F3** Ss. 43A-43D inserted (2.7.1998) by 1998 c. 22, **ss. 7(2), 27(4)**
- F4** Words in s. 43B(1)(a) inserted (retrospectively) by [National Lottery \(Funding of Endowments\) Act 2003 \(c. 23\), s. 1\(7\)\(9\)](#)
- F5** S. 43B(5) added (30.6.1999) by [S.I. 1999/1756, arts. 1\(1\), 2, Sch. para. 15\(9\)](#) (with art. 8); [S.I. 1998/3178, art. 3](#)

Modifications etc. (not altering text)

- C1** S. 43B(1) (as read with s. 43CC(2)(b)): transfer of certain functions (1.7.1999) by [S.I. 1999/1750, arts. 1\(1\), 2, Sch. 1](#) (with art. 7); [S.I. 1998/3178, art. 3](#)
- S. 43B(1): transfer of certain functions (1.7.1999) by [S.I. 1999/672, art. 2, Sch. 1](#)

^{F6}43C Provisions supplemental to section 43B.

- (1) In exercising their functions under section 43B the New Opportunities Fund shall comply with any directions given to them by the Secretary of State.
- (2) The Secretary of State shall consult the New Opportunities Fund before giving any directions to them under this section.
- (3) An initiative may be so framed that it applies—
 - (a) throughout the whole of the United Kingdom; or
 - (b) in one or more areas of the United Kingdom.
- (4) Before making an order under section 43B in respect of a particular initiative the Secretary of State shall consult such persons as appear to him to be appropriate.
- (5) Before revoking an order under section 43B the Secretary of State shall consult the New Opportunities Fund.
- (6) Any reference in this section to an initiative is a reference to an initiative specified in an order made under section 43B.
- (7) The report for any financial year of the New Opportunities Fund under section 34 shall set out any directions given to the Fund under this section that had effect during that year.

Status: Point in time view as at 30/06/1999.

Changes to legislation: National Lottery etc. Act 1993, Cross Heading: The New Opportunities Fund is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F6 Ss. 43A-43D inserted (2.7.1998) by 1998 c. 22, ss. 7(2), 27(4)

Modifications etc. (not altering text)

- C2** S. 43C(1) (as read with s. 43CC(2)(b)): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**
 S. 43C(1) (as read with s. 43CC(2)(a)): functions amended (1.7.1999) by S.I. 1999/1750, arts. 1(1), 4, **Sch. 3** (with art. 7); S.I. 1998/3178, **art. 3**
 S. 43C(1): certain functions made exercisable by the National Assembly for Wales concurrently with the Secretary of State (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**
- C3** S. 43C(2): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**
 S. 43C(2): certain functions made exercisable by the National Assembly for Wales concurrently with the Secretary of State (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**
- C4** S. 43C(4): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**
 S. 43C(4): transfer of certain functions (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**
- C5** S. 43(5): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**
 S. 43C(5): transfer of certain functions (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

^I_{F7} 43CC Directions to New Opportunities Fund in or as regards Scotland

- (1) The function of the Secretary of State to give directions under section 43C(1) may be exercised separately.
- (2) Directions given to the New Opportunities Fund under section 43C(1) may be made—
- to apply to the whole of the United Kingdom and provide for all matters other than those to be provided specifically for Scotland in accordance with subsection (3); or
 - to apply only to Scotland and provide for the matters specified in subsection (3).
- (3) Directions given in accordance with subsection (2)(b) may, as regards any initiative relating to a purpose which does not concern reserved matters, provide for priorities and other matters to be taken into account in determining the projects which may be funded or the arrangements which may be made or entered into to give effect to any initiative applying in Scotland and in determining, conditions of grant for the purpose of specific cases, but may not provide for—
- the total allocation of resources to Scotland or between Scotland and other parts of the United Kingdom; or
 - except in relation to any initiative specified in an order made under section 43B which applies only in Scotland, the general conditions subject to which grant is made money is distributed in accordance with directions applying to the whole of the United Kingdom.]

Textual Amendments

F7 S. 43CC inserted (30.6.1999) by S.I. 1999/1756, arts. 1(1), 2, **Sch. para. 15(10)** (with art. 8); S.I. 1998/3178, **art. 3**

Status: Point in time view as at 30/06/1999.

Changes to legislation: National Lottery etc. Act 1993, Cross Heading: The New Opportunities Fund is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

^{F8}43D Accounts.

- (1) The New Opportunities Fund shall—
 - (a) keep proper accounts and proper records in relation to the accounts, and
 - (b) prepare a statement of accounts in respect of each financial year.
- (2) The statement shall comply with any directions that may be given by the Secretary of State as to the information to be contained in such a statement, the manner in which such information is to be presented or the methods and principles according to which such a statement is to be prepared.
- (3) Copies of the statement shall be sent to the Secretary of State and the Comptroller and Auditor General within such period after the end of the financial year to which the statement relates as the Secretary of State may direct.
- (4) The Comptroller and Auditor General shall examine, certify and report on the statement and shall lay copies of the statement and of his report before Parliament.
- (5) The Secretary of State shall not give a direction under this section without the Treasury's approval.

[The Secretary of State's function under subsection (3) to receive copies of the ^{F9}(6) statement shall be treated as exercisable in or as regards Scotland and may be exercised separately.]]

Textual Amendments

F8 Ss. 43A-43D inserted (2.7.1998) by 1998 c. 22, **ss. 7(2), 27(4)**

F9 S. 43D(6) added (30.6.1999) by S.I. 1999/1756, arts. 1(1), 2, **Sch. para. 15(11)** (with art. 8); S.I. 1998/3178, **art. 3**

Modifications etc. (not altering text)

C6 S. 43D(3): certain functions made exercisable by the Scottish Ministers concurrently with the Minister concerned (1.7.1999) by S.I. 1999/1750, arts. 1(1), 3, **Sch. 2** (with art. 7); S.I. 1998/3178, **art. 3**

Status:

Point in time view as at 30/06/1999.

Changes to legislation:

National Lottery etc. Act 1993, Cross Heading: The New Opportunities Fund is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.