



# National Lottery etc. Act 1993

## 1993 CHAPTER 39

### PART IV

#### POOL BETTING

#### **56 Removal of prohibition on the use of premises for the delivery of football pools coupons and stakes.**

- (1) Section 1 of the <sup>M1</sup>Betting, Gaming and Lotteries Act 1963 (restriction on use of premises for betting transactions) shall be amended as follows.
- (2) In subsection (1) for “subsection (5)” there shall be substituted “ subsections (4A) and (5) ”.
- (3) After subsection (4) there shall be inserted—
  - “(4A) Subject to subsections (4B) and (4C) of this section, subsection (1)(a) of this section shall not apply to the use of premises as a place where persons may deliver—
    - (a) completed coupons or other entry forms for qualifying competitions promoted by a registered pool promoter in the course of his pool betting business; and
    - (b) the stake money in respect of such coupons or other entry forms; for forwarding to the registered pool promoter.
  - (4B) Subsection (4A) of this section shall not affect the operation of subsection (1) (a) of this section in relation to any premises of a class or description for the time being prescribed for the purposes of this subsection.
  - (4C) In subsection (4A) of this section, the reference to coupons or other entry forms for qualifying competitions does not include any coupon or other entry form that can effect entry to a competition that is not a qualifying competition.
  - (4D) In subsections (4A) and (4C) of this section, “qualifying competition” means a competition—

*Status: Point in time view as at 02/12/1999.*

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- (a) that is a competition for prizes for making forecasts as to association football games to be played on a Saturday, a Sunday or a day that is a bank holiday in England and Wales or in Scotland under the <sup>M2</sup>Banking and Financial Dealings Act 1971, and
- (b) that requires each entry in the competition to consist of a forecast as to at least four such games.”

#### Marginal Citations

**M1** 1963 c. 2.

**M2** 1971 c. 80.

### 57 Reduction of age limit in relation to football pool betting.

- (1) In section 21 of the <sup>M3</sup>Betting, Gaming and Lotteries Act 1963 (betting with young persons) after subsection (2) (definition of “young person”) there shall be added—

“(3) In any case concerning—

- (a) a bet which is an entry in a qualifying competition (as defined in section 1(4D) of this Act), or
- (b) a betting transaction relating to such a bet,

this section shall have effect with the substitution in subsection (2) of “sixteen” for “eighteen”.

- (4) Subsection (3) of this section does not apply in relation to the employment of a young person in a licensed betting office.”

- (2) In section 22 of that Act (betting circulars not to be sent to young persons)—

- (a) in subsection (3), for “to be of full age” there shall be substituted “ to have attained that age ”, and
- (b) after subsection (3) there shall be added—

“(4) In any case concerning—

- (a) a bet which is an entry in a qualifying competition (as defined in section 1(4D) of this Act),
- (b) a betting transaction relating to such a bet, or
- (c) information as to any game of association football upon which such betting is carried on,

this section shall have effect with the substitution in subsections (1) and (3) of “sixteen” for “eighteen”.”

#### Marginal Citations

**M3** 1963 c. 2.

### 58 Roll-over of prize money.

- (1) Schedule 2 to the Betting, Gaming and Lotteries Act 1963 (registered pool promoters) shall be amended as follows.

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(2) In paragraph 13 (requirements with which the pool betting business of a registered pool promoter must comply) for sub-paragraph (e) there shall be substituted—

“(e) the total amount payable by way of winnings shall, in the case of each competition, be calculated in accordance with paragraph 13A of this Schedule;”.

(3) After paragraph 13 there shall be inserted—

“13A

(1) In any competition the total amount payable by way of winnings shall be the aggregate of—

- (a) the total amount of the stakes in respect of entries in the competition, less the relevant percentage of that total amount; and
- (b) any amount that has been duly carried over to the competition from a previous competition in accordance with any provision made under paragraph 14A of this Schedule;

less any amount that falls to be carried over from the competition in accordance with any such provision.

(2) In sub-paragraph (1) of this paragraph “relevant percentage” means such percentage as may be determined by the promoter, being—

- (a) the same percentage in respect of all his competitions which depend on the same events or on events taking place on the same day; and
- (b) a percentage which is determined and notified to the accountant before that day.”

(4) In paragraph 14—

- (a) after “paragraph 13(d) or (e)” there shall be inserted “ or 13A ”, and
- (b) for “paragraph 13(e)” there shall be substituted “ paragraph 13A ”.

(5) After paragraph 14 there shall be inserted—

“14A

(1) Subject to any directions under paragraph 14B of this Schedule, the rules applicable to any competition may provide that if none of the bets in the competition qualifies for, or for a share in, the first prize—

- (a) the amount of that prize shall be carried over to the next relevant competition, or
- (b) part of that amount shall be carried over to the next relevant competition and the balance shall be applied as mentioned in paragraph 14(1)(b) of this Schedule.

(2) In sub-paragraph (1) of this paragraph—

- (a) “the first prize” means the highest prize that can be won, having regard to the outcome of the events on which the competition depends (and not any higher prize that could have been won had the outcome of those events been different),
- (b) “the next relevant competition” means the next competition to be held by the same registered pool promoter under the same rules within the fourteen days following the day on which the result of the competition is determined, and

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- (c) the reference in paragraph (b) to part of the amount referred to in paragraph (a) is to such proportion of that amount as may be specified in the rules or as may be determined by the promoter in accordance with the rules.

14B

- (1) The Secretary of State may direct that any provision made under paragraph 14A of this Schedule—
  - (a) is not to have effect, or
  - (b) is to have effect subject to such limitations as are specified in the direction.
- (2) The limitations that may be specified under sub-paragraph (1)(b) of this paragraph include—
  - (a) limitations as to the number of competitions from which amounts may be carried over, and
  - (b) limitations as to the period within which any such competitions may be held.
- (3) Any directions under this paragraph shall be given in writing and may be varied or revoked by subsequent directions.”
- (6) In paragraph 15—
  - (a) after “paragraph 13(d) or (e)” there shall be inserted “ or 13A ”, and
  - (b) for “paragraph 13(e)” there shall be substituted “ paragraph 13A ”.
- (7) In paragraph 20(1) (information relating to a competition which the promoter is required to include in a statement to the accountant) after paragraph (b) there shall be inserted—
  - “(bb) the amount (if any) carried over to the competition from a previous competition in accordance with any provision made under paragraph 14A of this Schedule;
  - (bbb) the amount (if any) carried over from the competition in accordance with any such provision;”.
- (8) In paragraph 21 (statement as to commission and expenses which the promoter is required to send to every competitor in a competition)—
  - (a) in sub-paragraph (1)(a) for the words from “after deducting” to the end there shall be substituted “ after making in respect of each of those competitions the deductions mentioned in sub-paragraph (1A) of this paragraph; ”, and
  - (b) after sub-paragraph (1) there shall be inserted—
    - “(1A) In relation to any competition, the deductions referred to are—
      - (a) a deduction of the aggregate of the total amount payable by way of winnings in the competition and any amount carried over from the competition in accordance with any provision made under paragraph 14A of this Schedule, less any amount carried over to the competition in accordance with any such provision, and
      - (b) a deduction of the amount of pool betting duty payable in respect of the competition.”

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- (9) In paragraph 23(1) (content of annual statement to be sent by registered pool promoter to accountant and registering authority) in paragraph (b) for the words from “after deducting” to the end there shall be substituted “ after making in respect of each of those competitions the deductions mentioned in paragraph 21(1A) of this Schedule; ”.

## **59 Pool promoters’ dividends.**

- (1) Paragraph 14 of Schedule 2 to the <sup>M4</sup>Betting, Gaming and Lotteries Act 1963 (provision which may be made in rules applicable to competitions promoted by registered pool promoters) shall be amended as follows.
- (2) In sub-paragraph (c) (provision for rounding winnings up or down by a specified sum) for “sixpence”, in both places, there shall be substituted “ 20 pence ”.
- (3) For “sub-paragraph (c) of this paragraph” there shall be substituted “ paragraph (c) of this sub-paragraph ”.
- (4) The provisions of paragraph 14 as amended by section 58(4) and subsections (2) and (3) shall become sub-paragraph (1) of that paragraph and the following sub-paragraph shall be added at the end—

“(2) The Secretary of State may by order made by statutory instrument vary the sum for the time being specified in sub-paragraph (1)(c) of this paragraph; and an instrument containing such an order shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

### **Marginal Citations**

**M4** 1963 c. 2.

**Status:**

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