

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Part 2. (See end of Document for details)

SCHEDULES

SCHEDULE 11

EXEMPT LOTTERIES

Modifications etc. (not altering text)

- C1** Sch. 11 applied (with modifications) (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), [Sch. 4 para. 77](#)

PART 2

PRIVATE LOTTERIES

The exemption

- 9 (1) A lottery is exempt if—
- (a) it is a private society lottery, a work lottery or a residents' lottery within the meaning of paragraphs 10 to 12, and
 - (b) the other conditions specified in this Part are satisfied.
- (2) In this Part a reference to a private lottery is a reference to a private society lottery, a work lottery or a residents' lottery.

Commencement Information

- II** Sch. 11 para. 9 in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), [Sch. 3B](#) (with arts. 7-11, 7-12, [Sch. 4](#)) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, [Sch.](#))

Private society lottery

- 10 (1) A lottery is a private society lottery if—
- (a) it is promoted only by authorised members of a society, and
 - (b) each person to whom a ticket is sold is either a member of the society or on premises wholly or mainly used for the administration of the society or the conduct of its affairs (“society premises”).
- (2) In this Part “society” means any group or society established and conducted for purposes not connected with gambling.
- (3) In sub-paragraph (1)(a) “authorised” means authorised in writing by the society or, if it has one, its governing body.
- (4) In relation to a society which has branches or sections, the reference to a society in sub-paragraph (1)(a) is a reference to a single branch or section.

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- I2** Sch. 11 para. 10 in force at 1.10.2005 for specified purposes by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)
- I3** Sch. 11 para. 10 in force at 1.9.2007 in so far as not already in force by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

Work lottery

- 11 (1) A lottery is a work lottery if—
- (a) the promoters work on a single set of premises (“the work premises”), and
 - (b) each person to whom a ticket is sold or supplied also works on the work premises.
- (2) For the purposes of this paragraph a person works on premises if he—
- (a) is employed under a contract of employment to work at or from the premises,
 - (b) undertakes to work at or from the premises (whether or not for remuneration), or
 - (c) conducts a business at or from the premises.

Commencement Information

- I4** Sch. 11 para. 11 in force at 1.10.2005 for specified purposes by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)
- I5** Sch. 11 para. 11 in force at 1.9.2007 in so far as not already in force by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

Residents' lottery

- 12 (1) A lottery is a residents' lottery if—
- (a) the promoters live in a single set of premises (“the residential premises”), and
 - (b) each person to whom a ticket is sold or supplied also lives in the residential premises.
- (2) For the purposes of this paragraph a person lives in premises if he habitually resides in any part of the premises (whether or not there are other premises in which he also habitually resides).

Commencement Information

- I6** Sch. 11 para. 12 in force at 1.10.2005 for specified purposes by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)
- I7** Sch. 11 para. 12 in force at 1.9.2007 in so far as not already in force by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

Purpose of lottery

- 13 (1) A private society lottery may be promoted for any of the purposes for which the society is conducted [^{F1}or for any other purpose other than that of private gain] .
- (2) A work lottery or residents' lottery must be—
- [^{F2}(a)] organised in such a way as to ensure that no profits are made[^{F3}, or

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(b) promoted wholly for a purpose other than that of private gain.]

Textual Amendments

- F1** Words in Sch. 11 para. 13(1) inserted (6.4.2016) by [The Legislative Reform \(Exempt Lotteries\) Order 2016 \(S.I. 2016/124\)](#), arts. 1(1), **3(a)**
- F2** Words in Sch. 11 para. 13(2) renumbered as Sch. 11 para. 13(2)(a) (6.4.2016) by [The Legislative Reform \(Exempt Lotteries\) Order 2016 \(S.I. 2016/124\)](#), arts. 1(1), **3(b)**
- F3** Sch. 11 para. 13(2)(b) and word inserted (6.4.2016) by [The Legislative Reform \(Exempt Lotteries\) Order 2016 \(S.I. 2016/124\)](#), arts. 1(1), **3(c)**

Commencement Information

- I8** Sch. 11 para. 13 in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, Sch. 4) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, Sch.)

Advertising

- 14 (1) No advertisement for a private society lottery may be—
- (a) displayed or distributed except on the society premises, or
 - (b) sent to any other premises.
- (2) No advertisement for a work lottery may be—
- (a) displayed or distributed except on the work premises, or
 - (b) sent to any other premises.
- (3) No advertisement for a residents' lottery may be—
- (a) displayed or distributed except on the residential premises, or
 - (b) sent to any other premises.

Commencement Information

- I9** Sch. 11 para. 14 in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, Sch. 4) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, Sch.)

Lottery tickets

- 15 Each ticket in a private lottery must be a document (without prejudice to section 253).

Commencement Information

- I10** Sch. 11 para. 15 in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, Sch. 4) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, Sch.)

- 16 (1) A ticket in a private lottery may be sold or supplied only by or on behalf of the promoters.
- (2) The rights conferred by the sale or supply of a ticket in a private lottery shall not be transferable (and any purported transfer shall be treated by the promoters of the lottery as being ineffective).

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- I11** Sch. 11 para. 16 in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, Sch. 4) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, Sch.)

^{F4}17

Textual Amendments

- F4** Sch. 11 para. 17 omitted (6.4.2016) by virtue of [The Legislative Reform \(Exempt Lotteries\) Order 2016](#) (S.I. 2016/124), arts. 1(1), **3(d)**

Price

- 18 The price payable for each ticket in a private lottery—
- (a) must be the same,
 - (b) ^{F5}...and
 - (c) must be paid to the promoters of the lottery before any person is given the ticket or any right in respect of membership of the class among whom prizes are to be allocated.

Textual Amendments

- F5** Sch. 11 para. 18(b) omitted (6.4.2016) by virtue of [The Legislative Reform \(Exempt Lotteries\) Order 2016](#) (S.I. 2016/124), arts. 1(1), **3(d)**

Commencement Information

- I12** Sch. 11 para. 18 in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, Sch. 4) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, Sch.)

No rollover

- 19 The arrangements for a private lottery must not include a rollover.

Commencement Information

- I13** Sch. 11 para. 19 in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, Sch. 4) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, Sch.)

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