

Status: Point in time view as at 01/09/2007.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Part 3. (See end of Document for details)

SCHEDULES

SCHEDULE 11 **E+W+S**

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 3 **E+W+S**

CUSTOMER LOTTERY

The exemption

- 20 (1) A lottery is exempt if—
- (a) it is promoted by a person (“the promoter”) who occupies premises in Great Britain in the course of a business (“the business premises”),
 - (b) no ticket in the lottery is sold or supplied to a person except at a time when he is on the business premises as a customer of the promoter, and
 - (c) the other conditions of a customer lottery specified in this Part are satisfied.
- (2) A lottery to which sub-paragraph (1) applies is referred to in this Part as a customer lottery.
- (3) For the purposes of sub-paragraph (1)(a)—
- (a) it is immaterial whether persons other than the person who occupies the business premises also perform activities which amount to promotion of the lottery in accordance with section 252, but
 - (b) a reference in this Part to the promoter does not include a reference to any of those other persons.

Commencement Information

- I1** Sch. 11 para. 20 in force at 1.10.2005 for specified purposes by S.I. 2005/2455, art. 2(1), **Sch.** (with art. 3)
- I2** Sch. 11 para. 20 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.)

No profits

- 21 A customer lottery must be organised in such a way as to ensure that no profits are made.

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Commencement Information

- I3** Sch. 11 para. 21 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

- 22 No advertisement for a customer lottery may be—
- (a) displayed or distributed except on the business premises, or
 - (b) sent to any other premises.

Commencement Information

- I4** Sch. 11 para. 22 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

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

Commencement Information

- I5** Sch. 11 para. 23 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.)

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

Commencement Information

- I6** Sch. 11 para. 24 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.)

- 25 Each ticket in a customer lottery—
- (a) must state the name and an address of the promoter of the lottery,
 - (b) must specify the class of persons to whom the promoter is willing to sell or supply tickets, and
 - (c) must explain the condition in paragraph 24(2).

Commencement Information

- I7** Sch. 11 para. 25 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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Price

- 26 The price payable for each ticket in a customer lottery—
- (a) must be the same,
 - (b) must be shown on the ticket, and
 - (c) must be paid to the promoter 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.

Commencement Information

- I8** Sch. 11 para. 26 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.)

Maximum prize

- 27 It must not be possible for the purchaser of a ticket in a customer lottery to win by virtue of that ticket more than £50 (whether in money, money's worth, or partly the one and partly the other).

Commencement Information

- I9** Sch. 11 para. 27 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

- 28 The arrangements for a customer lottery must not include a rollover.

Commencement Information

- I10** Sch. 11 para. 28 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.)

Frequency

- 29 A draw in a customer lottery must not take place during a period of seven days beginning with a previous draw in—
- (a) that customer lottery, or
 - (b) another customer lottery promoted on the business premises.

Commencement Information

- I11** Sch. 11 para. 29 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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