

Status: Point in time view as at 01/10/2005. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Part 4. (See end of Document for details)

SCHEDULES

SCHEDULE 11

EXEMPT LOTTERIES

PART 4

SMALL SOCIETY LOTTERIES

The exemption

- 30 (1) A lottery is exempt if—
- (a) it is promoted wholly on behalf of a non-commercial society (“the promoting society”),
 - (b) it is a small lottery (within the meaning of paragraph 31), and
 - (c) the other conditions of a small society lottery specified in this Part are satisfied.
- (2) A lottery promoted wholly on behalf of a non-commercial society is referred to in this Part as a small society lottery.

Commencement Information

II Sch. 11 para. 30 in force at 1.10.2005 for specified purposes by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)

- 31 (1) For the purposes of this Part a society lottery is a small lottery unless it is a large lottery by virtue of any of sub-paragraphs (2) to (5).
- (2) A society lottery is a large lottery if the arrangements for it are such that its proceeds may exceed £20,000.
- (3) A society lottery is a large lottery if it is promoted wholly or partly at a time in a calendar year at which the aggregate of the promoting society's proceeds from society lotteries promoted wholly or partly during that year exceeds £250,000.
- (4) A society lottery is a large lottery if the arrangements for it are such that (disregarding any other society lottery the sale of tickets for which is not concluded) it may during its promotion become a large lottery by virtue of sub-paragraph (3).
- (5) If a society promotes a lottery that is a large society lottery by virtue of sub-paragraph (2), (3) or (4) (“the first lottery”), any other society lottery promoted by that society is a large lottery if it is wholly or partly promoted—
- (a) after the beginning of the promotion of the first lottery and in a calendar year during which the first lottery is wholly or partly promoted, or
 - (b) in any of the three calendar years successively following the last calendar year during which the first lottery was wholly or partly promoted.

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Commencement Information

I2 Sch. 11 para. 31 in force at 1.10.2005 for specified purposes by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)

VALID FROM 01/09/2007

Purpose of lottery

32 A small society lottery may be promoted for any of the purposes for which the promoting society is conducted.

VALID FROM 01/09/2007

Minimum distribution for fund-raising purpose

33 The arrangements for a small society lottery must ensure that at least 20% of the proceeds of the lottery are applied to a purpose for which the society is conducted.

VALID FROM 01/09/2007

Maximum prize

34 It must not be possible for the purchaser of a ticket in a small society lottery to win by virtue of that ticket (whether in money, money's worth, or partly the one and partly the other) more than £25,000.

VALID FROM 01/09/2007

Rollover

35 (1) The arrangements for a small society lottery may include a rollover only if each other lottery which may be affected by the rollover is a small society lottery promoted by or on behalf of the same society.

(2) This paragraph is subject to paragraph 34.

VALID FROM 01/09/2007

Tickets

36 (1) Where a person purchases a lottery ticket in a small society lottery he must receive a document which—

(a) identifies the promoting society,

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- (b) states the price of the ticket,
 - (c) states the name and an address of—
 - (i) a member of the society who is designated, by persons acting on behalf of the society, as having responsibility within the society for the promotion of the lottery, or
 - (ii) if there is one, the external lottery manager, and
 - (d) either—
 - (i) states the date of the draw (or each draw) in the lottery, or
 - (ii) enables the date of the draw (or each draw) in the lottery to be determined.
- (2) For the purpose of sub-paragraph (1) a reference to a person receiving a document includes, in particular, a reference to a message being sent or displayed to him electronically in a manner which enables him to—
- (a) retain the message electronically, or
 - (b) print it.

VALID FROM 01/09/2007

Price

- 37 (1) The price payable for each ticket in a small society lottery—
- (a) must be the same, and
 - (b) 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.
- (2) Membership of the class among whom prizes in a small society lottery are allocated may not be dependent on making any payment (apart from payment of the price of a ticket).

VALID FROM 01/09/2007

Registration

- 38 The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a local authority in accordance with Part 5 of this Schedule.

VALID FROM 01/09/2007

Filing of records

- 39 (1) The promoting society of a small society lottery must send to the local authority with which the society is registered under Part 5 of this Schedule a statement of the matters specified in sub-paragraph (2).

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- (2) Those matters are—
- (a) the arrangements for the lottery (including the dates on which tickets were available for sale or supply, the dates of any draw and the arrangements for prizes (including any rollover),
 - (b) the proceeds of the lottery,
 - (c) the amounts deducted by the promoters of the lottery in respect of the provision of prizes (including the provision of prizes in accordance with any rollover),
 - (d) the amounts deducted by the promoters of the lottery in respect of other costs incurred in organising the lottery,
 - (e) any amount applied to a purpose for which the promoting society is conducted, and
 - (f) whether any expenses in connection with the lottery were defrayed otherwise than by deduction from proceeds, and, if they were—
 - (i) the amount of the expenses, and
 - (ii) the sources from which they were defrayed.
- (3) The statement must be sent to the local authority during the period of three months beginning with the day on which the draw (or the last draw) in the lottery takes place.
- (4) The statement must be—
- (a) signed by two members of the society who are appointed for the purpose in writing by the society or, if it has one, its governing body, and
 - (b) accompanied by a copy of the appointment under paragraph (a).
- (5) A member signing a statement in accordance with sub-paragraph (4) must be an adult.
- 40 (1) If after receiving a statement under paragraph 39 a local authority think that the lottery to which the statement relates was a large lottery, they shall notify the Commission in writing.
- (2) A notice under sub-paragraph (1) shall be accompanied by a copy of—
- (a) the statement relating to the lottery, and
 - (b) the statement relating to any other lottery as a result of which the lottery mentioned in paragraph (a) is a large lottery.

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