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STATUTORY INSTRUMENTS

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**1993 No. 3223**

**BETTING, GAMING AND LOTTERIES**

**The Lotteries Regulations 1993**

*Made - - - - 18th December 1993*

*Laid before Parliament 10th January 1994*

*Coming into force in accordance with regulation 1(2)*

In pursuance of section 12 of the Lotteries and Amusements Act 1976<sup>(1)</sup>, and having consulted the Gaming Board for Great Britain and such associations of local authorities as appear to me to be concerned, I hereby make the following Regulations:

**1.—**(1) These Regulations may be cited as the Lotteries Regulations 1993.

(2) These Regulations shall come into force on 3rd May 1994 except that they shall not have effect in relation to any lottery in respect of which any tickets or chances have been sold before that day.

(3) The Regulations specified in Schedule 1 to these Regulations are hereby revoked.

**2.—**(1) A scheme approved by a society or local authority for the promotion of a lottery or any modification of such a scheme shall comply with the provisions of Schedule 2 to these Regulations.

(2) This regulation does not prevent the inclusion in a scheme of provisions not required by that Schedule.

**3.** No ticket or chance in a society's lottery or local lottery shall be sold by or to a person who has not attained the age of sixteen years.

**4.—**(1) Subject to paragraph (2) below, no ticket or chance in a society's lottery or local lottery shall be sold to a person in any street.

(2) Paragraph (1) above shall not have effect in relation to the sale of a ticket or chance by a person present in a kiosk or shop premises having no space for the accommodation of customers.

(3) In this regulation, 'street' includes any bridge, road, lane, footway, subway, court, alley or passage, whether a thoroughfare or not, which is for the time being open to the public without payment.

**5.** No ticket or chance in a society's lottery or local lottery shall be sold by means of a machine.

**6.** No ticket or chance in a society's lottery or local lottery shall be sold by a person when visiting any other person at his home in the discharge of any official, professional or commercial function not connected with lotteries.

**7.** Every ticket distributed or sold in a society's lottery shall either specify the name of the registration authority with which the society is registered under Schedule 1 to the Lotteries and Amusements Act 1976 or, as the case may be, specify that the society is registered under Schedule 1A to that Act<sup>(2)</sup> with the Gaming Board for Great Britain.

**8.** Every ticket distributed or sold in a local lottery shall specify the name of the local authority promoting the lottery, the date of the lottery and that the authority have registered a scheme with the Gaming Board for Great Britain under Schedule 2 to the Lotteries and Amusements Act 1976.

**9.** Where two or more lotteries are promoted by a society or local authority on the same date, the tickets to be sold in each such lottery shall indicate in which lottery they are sold by means of a serial number.

**10.** Where the information appearing on a ticket in a society's lottery or local lottery includes any reference in writing to a person who, for reward, is acting or assisting, or has acted or assisted, in the promotion of the lottery—

- (a) the size of the lettering used in such reference shall not exceed the size of the smallest lettering used in the same ticket to specify the name of the society on whose behalf the lottery is promoted or, as the case may be, the name of the local authority promoting the lottery, and
- (b) that reference shall be afforded no greater prominence than is afforded to that name in the same ticket.

**11.—(1)** No request or requirement shall be made to any person supplying lottery tickets to which this regulation applies for use in a society's lottery or local lottery to the effect that those tickets shall be supplied in such a manner, or so marked, as to enable a ticket to be identified, before it is sold in the lottery, as a winning ticket.

(2) This regulation applies to lottery tickets manufactured or designed so as to conceal such information appearing in or on each ticket by way of words, figures, signs, symbols or other features as would, if revealed, indicate that the ticket is a winning ticket or is not.

(3) In this regulation, 'winning ticket' means a ticket which, when sold in a lottery, entitles the holder of the ticket to claim a prize in the lottery.

**12.—(1)** Subject to paragraph (2) below, no prize in a society's lottery or local lottery shall be offered on such terms that the winning of the prize depends upon the purchase of more than one ticket or chance in the lottery.

(2) The winning of a prize in a society's lottery or local lottery may depend upon the purchase of more than one chance provided that the price of the number of chances required to win a prize does not exceed the amount for the time being specified for the purposes of section 11(2) of the Lotteries and Amusements Act 1976.

**13.—(1)** No person shall be invited to purchase any group of tickets or chances in a set of lotteries in which the determination of the winners in the lotteries is designed to secure that a person holding a group of winning tickets or chances is a winner of a prize in each lottery in the set of lotteries to which that group of tickets or chances relates.

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(2) Schedule 1A was inserted by the National Lottery etc. Act 1993 (c. 39), Schedule 7.

(2) In paragraph (1) above, a reference to a set of lotteries is a reference to two or more lotteries in a set consisting of society's lotteries or local lotteries or both. Home Office Michael Howard 18th December 1993 One of Her Majesty's Principal Secretaries of State

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

Regulation 1

## REGULATIONS REVOKED

| <i>Year and Number</i> | <i>Title</i>  |
|------------------------|---|
| S.I.1977/238           | The Lotteries (Scotland) Regulations 1977           |
| S.I. 1977/256          | The Lotteries Regulations 1977                      |
| S.I. 1981/109          | The Lotteries (Amendment) Regulations 1981          |
| S.I. 1981/303          | The Lotteries (Scotland) Amendment Regulations 1981 |
| S.I. 1988/2161         | The Lotteries (Amendment) Regulations 1988          |
| S.I. 1988/2193         | The Lotteries (Scotland) Amendment Regulations 1988 |

## SCHEDULE 2

Regulation 2

## LOTTERY SCHEMES

1. The scheme shall specify the name and address of the society or local authority by which the scheme was approved.

2.—(1) Sub-paragraph (2) below applies where—

- (a) a scheme is approved by a society; and
- (b) the society is registered under Schedule 1 to the Lotteries and Amusements Act 1976.

(2) The scheme shall specify the following matters relating to the registration of the society for the purposes of section 5(3) of that Act (power of certain societies to promote lotteries), that is to say:—

- (a) the name and address of the registration authority;
- (b) the date of registration; and
- (c) the reference number (if any) of the registration.

3. Where a scheme is modified by a society or local authority, the scheme shall specify the date on which the modifications shall come into effect.

4. A scheme approved by a society or local authority shall specify the maximum number of lotteries which are intended to be promoted under it in any period of 12 months and the scheme shall require that the number so specified shall not be exceeded.

5.—(1) The scheme shall specify a proportion (not exceeding one half) as being the proportion of the whole proceeds of any lottery under the scheme which may be appropriated for the provision of prizes in that lottery; and shall require that the proportion so specified shall not be exceeded except in the special circumstances mentioned in sub-paragraph (2) below.

(2) The special circumstances referred to above are that—

- (a) the proceeds of the lottery fall short of the sum reasonably estimated; and
- (b) the appropriation is made in order to fulfil an unconditional undertaking as to prizes given in connection with the sale of the relevant tickets or chances; and

- (c) the total amount appropriated in respect of prizes does not exceed the amount which could have been appropriated out of the proceeds of the lottery if the proceeds had amounted to the sum reasonably estimated.
6. In the case of a scheme approved by a local authority, the scheme shall make provision as to whether all or any class of—
- (a) members of the authority; and
  - (b) officers of the authority,
- are to be precluded from buying tickets or chances in any lottery under the scheme, or not.

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## EXPLANATORY NOTE

*(This note is not part of the Regulation)*

These Regulations, which replace the Lotteries (Scotland) Regulations 1977 and the Lotteries Regulations 1977, relate to lotteries promoted on behalf of societies registered under Schedule 1 or 1A to the Lotteries and Amusements Act 1976 and lotteries promoted by local authorities under Schedule 2 to that Act. The Regulations apply to England and Wales and Scotland. They contain requirements as to the provisions which must be included in any scheme for the promotion of societies' lotteries and local lotteries. They also make provision in relation to the sale and distribution of tickets or chances in lotteries and the matters to be specified on tickets.

The main changes contained in these Regulations are—

1. provision is made for societies and local authorities to modify lottery schemes without being required to re-register with the Gaming Board;
2. lottery schemes are no longer to be limited to three years' duration but may continue for as long as the society or local authority scheme remains registered;
3. provision is made which has the effect that the sale of tickets or chances in a society's lottery or local lottery in amusement arcades, licensed bingo clubs and casinos is no longer prohibited;
4. the prohibition on the sale of tickets or chances in a lottery by means of a vending machine is extended so that tickets or chances cannot be sold by means of any machine;
5. there are various changes in the matters required to be specified in lottery schemes, tickets, notices and advertisements.