

2006 No. 542

BETTING, GAMING AND LOTTERIES

The Lotteries (Gambling Commission Fees) Order 2006

Made - - - - *1st March 2006*

Laid before Parliament *2nd March 2006*

Coming into force - - *1st April 2006*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 18(1)(e) and (eee) and (2) and 24(2) of, and paragraph 6(1)(a) of Schedule 1A and paragraph 7(1)(b) of Schedule 2 to, the Lotteries and Amusements Act 1976(a):

Citation and commencement

1. This Order may be cited as the Lotteries (Gambling Commission Fees) Order 2006 and shall come into force on 1st April 2006.

Interpretation

2. In this Order—

“the Act” means the Lotteries and Amusements Act 1976;

“the Commission” means the Gambling Commission(b);

“an exempt lottery” means a lottery in respect of which no fee is payable under article 6(6);
and

a reference to a Schedule is a reference to a Schedule to the Act.

Registration Fees

3. The fee payable to the Commission on an application for the registration of a society under paragraph 2 of Schedule 1A shall be £5,152.

4. The fee payable to the Commission on an application under paragraph 7(1)(a) of Schedule 2 for the registration of a scheme approved by a local authority shall be £5,152.

5.—(1) The fee payable to the Commission under—

(a) 1976 c.32; section 18 was amended by section 54(4) to (6) of the National Lottery etc Act 1993 (c.39); Schedule 1A was inserted by Schedule 7 to that Act and paragraph 7(1) of Schedule 2 was substituted by paragraph 8 of Schedule 8 to that Act. The Lotteries and Amusements Act 1976 is repealed by the Gambling Act 2005 (c.19), section 356(3)(i) and (4) and Schedule 17, on a date to be appointed by order made under section 358(1) of that Act.

(b) The Gambling Commission is established by section 20 of the Gambling Act 2005 (c.19). Section 21 of that Act provides for the transfer of functions, rights and liabilities of the Gaming Board of Great Britain to the Gambling Commission. Sections 20 and 21 were brought into force by S.I. 2005/2455 on 1st October 2005. Schedule 5, paragraph 4, to the Gambling Act 2005 provides for a reference to the Gaming Board in any enactment to be treated after the commencement of section 21 as a reference to the Gambling Commission.

- (a) paragraph 6(1)(a) of Schedule 1A (which provides for the payment of a fee by a society at intervals during its registration), or
- (b) paragraph 7(1)(b) of Schedule 2 (which provides for the payment of a fee by a local authority at intervals during the registration of the authority's scheme),

shall be £202 and shall be payable in accordance with paragraph (2).

(2) The fee mentioned in paragraph (1) shall be payable at intervals of three years beginning on the third anniversary of—

- (a) in the case of a society, the date on which it was registered under Schedule 1A; and
- (b) in the case of a local authority, the date on which the scheme approved by the authority was registered under Schedule 2.

Promoting a lottery

6.—(1) The fee payable to the Commission under—

- (a) paragraph 6(1)(b) of Schedule 1A (which provides for the payment of a fee for the promotion of a lottery by a society), or
- (b) paragraph 7(1)(c) of Schedule 2 (which provides for the payment of a fee for the promotion of a lottery under a local authority scheme),

shall be determined in accordance with the following provisions of this article.

(2) For each lottery promoted by a society or under a local authority scheme where—

- (a) the total value of tickets or chances sold in the lottery exceeds £2,000 but does not exceed £20,000, and
- (b) the lottery is not an exempt lottery,

the fee shall be £111.

(3) For each lottery so promoted where the total value of tickets or chances sold in the lottery exceeds £20,000 but does not exceed £50,000, the fee shall be £111.

(4) For each lottery so promoted where the total value of tickets or chances sold in the lottery exceeds £50,000 but does not exceed £200,000, the fee shall be £324.

(5) For each lottery so promoted where the total value of tickets or chances sold in the lottery exceeds £200,000, the fee shall be £487.

(6) There shall be no fee payable in respect of a lottery where—

- (a) a society promotes any lottery to which paragraph (2)(a) above applies, and
- (b) on the date on which a fee would be payable to the Commission in respect of that lottery the society has already paid fees in respect of seven such lotteries in the calendar year in which that date falls.

(7) There shall be no fee payable in respect of a lottery where that lottery is promoted by a society or under a local authority scheme and the total value of tickets or chances sold in the lottery is £2,000 or less.

Inspection

7. The fee payable to the Commission under—

- (a) paragraph 10 of Schedule 1A (which provides for the payment of a fee by a member of the public to inspect a return made in respect of a society's lottery); and
- (b) paragraph 6A of Schedule 2(a) (which provides for the payment of a fee by a member of the public to inspect a return made in respect of a local lottery),

shall be £10.

(a) Paragraph 6A of Schedule 2 was inserted by paragraph 7 of Schedule 8 to the National Lottery etc. Act 1993.

Lottery Managers

8. The fee payable under paragraph 1(3) of Schedule 2A^(a) (fee payable to the Commission on an application for certification as a lottery manager) shall be £15,907.

Revocation

9. The Lotteries (Gaming Board Fees) Order 2005^(b) is revoked.

1st March 2006

Richard Caborn
Minister of State
Department for Culture, Media and Sport

^(a) Schedule 2A was inserted by Schedule 9 to the National Lottery etc. Act 1993.
^(b) S.I. 2005/568.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision as to the fees payable to the Gambling Commission by societies under Schedule 1A to the Lotteries and Amusements Act 1976, by local authorities under Schedule 2 to that Act and by applicants for certification as a lottery manager under Schedule 2A to that Act. The level at which such fees were set previously by the Lotteries (Gaming Board Fees) Order 2005 (S.I. 2005/568) revoked by this Order, is indicated in brackets after each relevant figure below.

A society or local authority wishing to promote a lottery is required to pay a fee of £5,152 (previously £4,954) to register itself or a scheme with the Commission.

A fee of £202 (previously £194) is payable every 3 years in respect of continued registration with the Commission.

The following sliding scale of fees applies for each society's lottery promoted on behalf of a society while it is registered with the Commission and for each lottery promoted under a local authority scheme registered with the Commission.

Turnover (total value of tickets or chances sold)	Fees
Exceeds £2,000 but does not exceed £20,000	£111 (previously £107)
Exceeds £20,000 but does not exceed £50,000	£111 (previously £107)
Exceeds £50,000 but does not exceed £200,000	£324 (previously £312)
Exceeds £200,000	£487 (previously £468)

The current position is maintained whereby no fee is payable in respect of the eighth and any subsequent lottery promoted by a society lottery in any calendar year provided that the turnover of the lottery in question does not exceed £20,000. A fee exemption applies to lotteries with a turnover of £2,000 or less.

The fee payable by members of the public inspecting returns made in respect of societies and local authorities remains £10 and the fee payable under the Act on an application for certification as a lottery manager is £15,907 (previously £15,295).

A Regulatory Impact Assessment of the costs and benefits of this Order is available from the DCMS website (www.culture.gov.uk) and from the Gambling and National Lottery Licensing Division, Department for Culture, Media and Sport, 2-4 Cockspur Street, London SW1Y 5DH, telephone 020 7211 6535.

£3.00

© Crown copyright 2006

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

E0268 3/2006 160268T 19585