
STATUTORY INSTRUMENTS

2007 No. 2307

NATIONAL LOTTERY

The National Lottery (Amendment) Regulations 2007

Made - - - - *3rd August 2007*
Laid before Parliament *6th August 2007*
Coming into force - - *1st September 2007*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 12 of the National Lottery etc. Act 1993⁽¹⁾.

Citation and commencement

1. These Regulations may be cited as the National Lottery (Amendment) Regulations 2007 and shall come into force on 1st September 2007.

Amendment of the National Lottery Regulations 1994

2. For regulation 5 of the National Lottery Regulations 1994⁽²⁾ substitute—

“5.—(1) Subject to paragraph (2), no National Lottery ticket shall be sold to a person, nor shall a person be invited to purchase a National Lottery ticket—

- (a) in or on any premises in respect of which a premises licence under Part 8 of the 2005 Act for the time being has effect;
- (b) in any premises in respect of which a family entertainment centre gaming machine permit for the time being has effect;
- (c) in any licensed office within the meaning of the 1985 Order;
- (d) on any licensed track within the meaning of the 1985 Order on any day on which, under articles 36, 47 and 48 of that Order, betting may lawfully be carried out on the track;
- (e) in any premises in Northern Ireland used wholly or mainly for providing amusements in the form of amusements with prizes, amusements by means of slot machines, or both; or
- (f) in any bingo club premises within the meaning of the 1985 Order.

(1) 1993 c. 39.
(2) S.I. 1994/189.

(2) The prohibitions imposed by paragraph (1)(a) only apply to a track in respect of which a betting premises licence has effect—

- (a) in the case of a horse-race course, on any day on which horse-racing takes place, or is expected to take place, on the premises, or
- (b) in the case of any other track, on any day on which the premises may be used for gambling in reliance on the licence.

(3) In this regulation—

- (a) “the 2005 Act” means the Gambling Act 2005⁽³⁾;
- (b) “the 1985 Order” means the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985⁽⁴⁾;
- (c) “family entertainment centre gaming machine permit” means a family entertainment centre gaming machine permit issued under section 247 of the 2005 Act;
- (d) “horse-race course” and (except in paragraph (1)(d)) “track” have the meanings given to those expressions by section 353(1) of the 2005 Act; and
- (e) any reference to premises in respect of which a premises licence issued under Part 8 of the 2005 Act for the time being has effect, includes a reference to premises in respect of which a relevant gambling authorisation for the time being has effect.

(4) In paragraph (3)(e), “relevant gambling authorisation” in relation to premises means—

- (a) a betting office licence under the Betting, Gaming and Lotteries Act 1963⁽⁵⁾;
- (b) a track betting licence under that Act;
- (c) a certificate of approval under section 13 of that Act;
- (d) a licence under the Gaming Act 1968⁽⁶⁾; or
- (e) a permit under section 34 of the Gaming Act 1968,

which by virtue of paragraph 62 of Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006⁽⁷⁾ has effect to authorise the use of the premises for gambling as if it were a kind of premises licence issued under Part 8 of the 2005 Act.”.

3rd August 2007

Gerry Sutcliffe
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

(3) 2005 c. 19.

(4) S.I. 1985/1204 (N.I. 11).

(5) 1963 c. 2.

(6) 1968 c. 65.

(7) S.I. 2006/3272, amended by S.I. 2006/3361, 2007/1157, 2007/1527 and 2007/2169.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 5 of the National Lottery Regulations 1994 (“the 1994 Regulations”), which prohibits sales of or invitations to purchase National Lottery tickets on certain premises. The amendments are consequential on the new regulatory framework in the Gambling Act 2005 (“the 2005 Act”), which replaces the current regulatory regime in England, Wales and Scotland. The amendments replace references to premises which provide gambling, or in respect of which a gambling authorisation under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968 has effect, with the equivalent descriptions and authorisations provided for by the 2005 Act. This includes making provision for premises in respect of which an authorisation under the 1963 or 1968 Act continues to have effect under transitional provisions made under the 2005 Act.

Regulation 5 of the 1994 Regulations also extends the prohibition of sales of or invitations to purchase National Lottery tickets on certain premises to Northern Ireland. Although regulation 5 has been substituted in its entirety, the provisions relating to Northern Ireland remain unchanged.