



## **THE BETTING, GAMING, LOTTERIES & AMUSEMENTS (Northern Ireland) ORDER 1985**

Notes of Guidance - Lotteries

### **LOTTERIES REQUIRING REGISTRATION BY LOCAL AUTHORITY**

#### **1 Societies' Lotteries**

A “Society's Lottery” means a lottery promoted on behalf of a society which is established and conducted wholly or mainly for one or more of the following purposes -

- (a) charitable purposes;
- (b) participation in, or support of, athletic sports or games of cultural activities;
- (c) purposes which are not described in sub-paragraph (a) or (b) but are neither purposes of private gain nor purposes of any commercial marketing

#### **Rules for Societies' Lotteries**

- 1 In this Article " lottery" means a society's lottery
- 2 The promoter of the lottery shall be a member of the society to act as the promoter
- 3 Every ticket and every notice or advertisement of the lottery lawfully exhibited, distributed or published shall specify the name of the society, the name and address of the promoter and the date of the lottery.
- 4 No society shall hold more than 1 lottery under Article 135 in any period of 7 days.
- 5 No ticket or chance in a lottery shall be sold at a price exceeding £1.00
- 6 The price of every ticket or chance shall be the same and the price of any ticket shall be stated on the ticket.
- 7 No person shall be admitted to participate in a lottery in respect of a ticket or chance after payment to the society of the whole price of the ticket or chance; and no money received for or on account of a ticket or chance shall in any circumstances be returned.
- 8 The price shown on every ticket shall be the whole paid for it.

- 9 The total proceeds from the sale of tickets or chances shall constitute the whole proceeds of the lottery.
- 10 Subject to the conditions governing the lottery, participation in the lottery shall depend solely on the purchases of a ticket or chance in it.
- 11 No prize in a lottery shall exceed 10 per cent of the proceeds of the lottery.
- 12 The total value of the tickets or chances sold in a lottery shall not exceed £80,000 for any single lottery or £1,000,000 for all the lotteries promoted by any society in any year.
- 13 The amount of the proceeds of a lottery appropriated for the provision of prizes shall not exceed 50 per cent of the proceeds of the lottery.
- 14 The amount of the proceeds of a lottery appropriated on account of expenses (exclusive of prizes) shall not exceed whichever is the less of –
- (a) The expenses actually incurred; or
  - (b) Whichever of the amounts specified in paragraph (15) applies.
- 1 The amounts referred to in paragraph (14) are –
- (a) Where the whole proceeds of the lottery do not exceed £10,000, 20 percent of those proceeds; or
  - (b) Where the whole proceeds of the lottery exceed £10,000, 15 per cent of those proceeds.
- 1 A society shall not employ any person as an external lottery consultant or manager unless that person holds a lottery certificate.
- 2 The promoter of a lottery shall, not later than the end of third month after the date of the lottery, send a return in such form and containing such information as regulations may prescribe to such persons as may be so prescribed.
- 3 Every registered society shall keep copies of any return sent under paragraph (17) together with copies of supporting bills, receipts and accounts for a period of at least 18 months and during that period shall supply, on request, a copy of that return and these other documents to the Borough Council or any member of the PSNI.
- 4 Any officer of a Borough Council authorised in writing in that behalf may, on the production, if require, of his credentials, at any reasonable time, enter any office of a registered society and –
- (a) Inspect the records of the society; and
  - (b) Inspect the promotion of any lottery
- 20 Every person who obstructs an officer of the Borough Council in the exercise of the powers conferred by paragraph (19) shall be guilty of an offence.

- 21 The department may, by order subject to affirmative resolution substitute for any amount or percentage specified in this Article such other amount or percentage as may be specified.

## **REGULATIONS FOR SOCIETIES' LOTTERIES**

### **Citation, Commencement and Interpretation**

**1**

- (1) These regulations may be cited as the Lotteries Regulations (Northern Ireland) 1987 and shall come into operation on 1<sup>st</sup> June 1987.
- (2) In these regulations -
  - "the order" means the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.
  - "lottery" means a society's lottery.

### **Lottery Returns**

**2**

- (1) The promoter of a lottery shall send a return in the form set out in the schedule to the Borough Council, which registered the society under Article 136 of the Order.
- (2) The promoter shall attach to the return a copy of a ticket sold in the lottery.

### **Person To Whom And By Whom Tickets Shall Not Be Sold**

**3**

No ticket or chance in a lottery shall be sold to or by a person who has not attained the age of sixteen years.

### **No Ticket Shall Be Sold In Any Street**

**4**

- (1) Subject to Paragraph (2), no ticket or chance in a lottery shall be sold to a person in any street.
- (2) Paragraph (1) 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, square, court, alley or passage, whether a thoroughfare or not, which is open to the public without payment.

### **Premises In Which No Ticket Shall Be Sold**

**5**

No ticket or chance in a lottery shall be sold to a person -

- (a) In any licence office;
- (b) In any premises used wholly or mainly for providing amusements in the form of amusements with prizes or of amusements with prize by means gaming machines, or of both; or
- (c) In a Bingo club premises.

### **Vending Machines**

**6**

No ticket or chance in a lottery shall be sold by means of a vending machine.

### **Door to Door Selling**

**7**

No ticket or chance in a 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.

### **Information On Tickets And Advertisements**

**8**

Every ticket in a lottery shall specify the name of the Borough Council, which registered the society under Article 136 of the order.

**9**

Where the information appearing on a ticket in, or a notice or advertisement of, a lottery includes any reference in writing to a person who, in relation to that lottery has been, is or will be, employed as an external lottery consultant or manager –

- (a) The size of the lettering used in such reference shall not exceed the size of the smallest lettering used in the same ticket, notice or advertisement to specify the name of the society on whose behalf the lottery is promoted.
- (b) That reference shall be afforded no greater prominence than is afforded to that name in the same ticket, notice or advertisement.

### **Winning Tickets Not To Be Identifiable Before Being Sold**

**10**

- (1) No request or requirement shall be made to any person supplying tickets to which this regulation applies for use in a 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) No tickets supplied as mentioned in paragraph (1) shall be sold in a lottery.
- (3) 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 not.
- (4) 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.

### **Prohibition On Offering A Prize Which Depends On The Purchase Of More Than One Ticket**

**11**

No prize in a lottery shall be offered on such terms that the winning of the prize depends on the purchase of more than one ticket or chance in the lottery.

## EXEMPTIONS

### **1 Small Lotteries at Exempt Entertainments**

Where a lottery is held at a bazaar, sale of work, fete, dinner, dance, sporting or athletic event etc it is not unlawful and does not require local authority registration.

The following conditions must be met: -

- (a) The whole proceeds of the entertainment (including the proceeds of the lottery), after deducting expenses must be devoted to purposes other than private gain.
- (b) Tickets must only be sold, and result of the lottery declared, on the premises on which the entertainment takes place and during the progress of the entertainment.
- (c) The facility for participating in the lottery must not be the only, or the only substantial, inducement to persons to attend the entertainment.
- (d) Proper records and accounts must be kept by the person who organises the entertainment.
- (e) At least seven days notice of the entertainment at which a lottery is to be promoted must be served on the local police Sub-Divisional Commander.

### **2 Private Lotteries**

"Private Lottery" means a lottery in Northern Ireland which is promoted for, and in which the sale of tickets or chances by the promoters is confined to -

- (a) Members of one society established and conducted for purposes not connected with gaming, betting or lotteries; or
- (b) Persons all of whom work on the same premises; or
- (c) Persons all of whom reside on the same premises

and which is promoted by persons each of whom is a person to whom under sub-paragraphs (a) to (c) tickets or chances may be sold by the promoters and, in the case of a lottery promoted for the members of a society, is a person authorised in writing by the governing body of the society to promote the lottery.

A private lottery is not unlawful, but the following conditions shall be observed in connection with its promotion and conduct -

- (a) The whole proceeds, after deducting only expenses incurred for printing and stationery, shall be devoted to the provision of prizes for purchases of tickets or

chances, or, in the case of a lottery promoted for the members of the society, shall be devoted:

- (i) To the provision of such prizes; or
  - (ii) To purposes which are purposes of the society; or
  - (iii) As to part to the provision of such prizes and as to the remainder to such purposes.
- (b) The total value of tickets or chances to be sold shall not exceed £1,000;
- (c) There shall not be exhibited, published or distributed any written notice or advertisement of the lottery other than -
- (i) A notice of it exhibited on the premises of the society those members it is promoted or as the case may be, on the premises on which the persons for whom it is promoted work or reside; and
  - (ii) Such announcement or advertisement of it as is contained in the tickets, if any;
- (d) The price of every ticket or chance shall be the same, and the price of any ticket shall be stated on the ticket;
- (e) Every ticket shall bear upon the face of it the name and address of each of the promoters and a statement of the person to whom the sale of tickets or chances by the promoters;
- (f) No ticket or chance shall be issued or allotted by the promoters except by way of sale and upon receipt of its full price, and not money or valuable thing so received by a promoter shall in any circumstances be returned;
- (g) The price shown on every ticket shall be the whole price paid for it;
- (h) The total proceeds from the sale of tickets or chances shall constitute the whole proceeds of the lottery;
- (i) Subject to the conditions governing the lottery, participation in the lottery shall depend solely of the purchase of a ticket or chance in it;
- (j) Purchase of a ticket or chance in a lottery promoted by a society shall not confer membership of the society;
- (k) No tickets in the lottery shall be sent through the post; and
- (l) The amount of the proceeds appropriated on account of expenses (exclusive of prizes) shall not exceed whichever is the less of –
- (i) the expenses actually incurred; or
  - (ii) 10 percent of those proceeds

## NOTES

- 1 “Society” includes any club, institution, organisation or association of person, by whatever name called, and any separate branch or section of such a club, institution, organisation or association.
- 2 “Society's Lottery” means a lottery promoted on behalf of a society which is established and conducted wholly or mainly for one or more of the following purposes -
  - (a) Charitable purposes;
  - (b) Participation in or support of athletic sports or games or cultural activities;
  - (c) Purposes which are not described in sub-paragraph (a) or (b) but neither purposes of private gain nor purposes of any commercial undertaking.
- 3 The promoter of the lottery shall be a member of the society authorised in writing by the governing body of the society to act as the promoter (Article 137:2)
- 4 A society shall not employ any person as an external lottery consultant or manager unless that person holds a lottery certificate (Article 137:6), issued by a court of summary jurisdiction.
- 5 A return in the form appended hereto must be sent by the promoter of the lottery to the Borough Council not later than the end of the third month after the date of lottery.

**Example Ballot Ticket**

<p><b>Ticket No 847</b></p> <p><b>Anytown Football &amp; Social Club Draw</b></p> <p><b>30 March 1992</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>_____</p>	<p>Promoter: Mr J Soap, C/o 18 High Street, Antrim</p> <p style="text-align: center;"><b>ANYTOWN FOOTBALL &amp; SOCIAL CLUB</b></p> <p style="text-align: center;"><b>GRAND DRAW</b></p> <p style="text-align: center;">Proceeds in Aid of Club Funds To Take Place In The Clubrooms On</p> <p style="text-align: center;"><b><u>Saturday 30<sup>th</sup> March 1992</u></b></p> <table style="width: 100%; margin-top: 20px;"><tr><td style="text-align: left;">1<sup>st</sup> £500</td><td style="text-align: right;">5<sup>th</sup> £100</td></tr><tr><td style="text-align: left;">2<sup>nd</sup> £350</td><td style="text-align: right;">6<sup>th</sup> £75</td></tr><tr><td style="text-align: left;">3<sup>rd</sup> £250</td><td style="text-align: right;">7<sup>th</sup> £50</td></tr><tr><td style="text-align: left;">4<sup>th</sup> £150</td><td style="text-align: right;">8<sup>th</sup> £25</td></tr></table>	1 <sup>st</sup> £500	5 <sup>th</sup> £100	2 <sup>nd</sup> £350	6 <sup>th</sup> £75	3 <sup>rd</sup> £250	7 <sup>th</sup> £50	4 <sup>th</sup> £150	8 <sup>th</sup> £25
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## EXPLANATORY NOTES ON SOCIETY LOTTERY PROMOTORS RETURN

- Item 1            Insert date Lottery took place
- Item 2            Insert here the total amount of monies received in respect of tickets actually sold.
- Item 3            Insert here the details of amount of expenses is involved, please give details of each.
- Item 4            Insert here the amount of money actually spent on purchasing prizes
- Item 5            Insert here where the proceed went (e.g. Club Funds, donation to etc)
- Item 6            The amount to be inserted here should be calculated as follows:  
The amount at (2) less the total of the amounts of (3) and (4) = (6)

**Note: All monies must be accounted for and where proceeds are disbursed to more than one use (as detailed at 5), then give the amounts for each.**

- Item 7            Not applicable
- Item 8            **Ensure** that a sample lottery ticket is attached.

Have the Part II signed and dated by a qualified accountant and return **BOTH** forms plus the copy lottery ticket to:-

Assistant Director Administration  
Antrim Borough Council  
Civic Centre  
50 Stiles Way  
Antrim  
BT41 2UB