



The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 – Article 136

APPLICATION FOR THE REGISTRATION / RENEWAL OF A SOCIETY

I, of
(Name of Applicant) (Address of Applicant)
do hereby apply to Mid Ulster District Council being the Local Authority under the above Order, for the
Registration of a Society.

PARTICULARS

Name of Society
Address / Telephone No. / Email Address of the Society / Head Office

Purpose for which the Society is established

I hereby declare, to the best of my knowledge and belief:

- (a) that no person connected with any lottery promoted or proposed to be promoted on behalf of the
above Society has been convicted of-
(i) an offence under Article 132 or 139 (1) or (2) of the 1985 Act; or
(ii) an offence under Section 25 of Betting and Lotteries Act (Northern Ireland) 1957; or
(iii) any offence involving fraud or dishonesty; or
(b) that any lottery promoted by or on behalf of the Society within the last five years has been properly
conducted.

.....
Signature of Applicant Position in the Society

Date

Please forward the completed application form, together with the appropriate fee and a copy of the
proposed Lottery Scheme to Mid Ulster District Council at one of the addresses below.

A copy of the application form and the proposed Lottery Scheme must also be forwarded to the District
Commander of the PSNI.

Application for: (Tick as Appropriate)

Registration £35.00 [] Renewal (1st January each year) £17.50 []

The Data Protection Act 2018 and General Data Protection Regulation.
The personal information you have given will be used for the purpose of consulting on and determining your application. We will keep your
personal data safe and secure. We will sometimes need to share the information you provided with other organisations, such as Inland
Revenue, etc. however, we will only do this where it is permitted by law.
Mid Ulster District Council's privacy notice can be viewed online at www.midulstercouncil.org or a copy is available on request.

Cookstown Office, Burn Road, Cookstown, BT80 8DT
Dungannon Office, Circular Road, Dungannon, BT71 6DT
Magherafelt Office, Ballyronan Road, Magherafelt, BT45 6EN

Telephone 03000 132 132
environmentalhealth@midulstercouncil.org
www.midulstercouncil.org

Notes

1. 'Society' includes any club, institution, organisation or association of persons, by whatever name called, and any separate branch or section of such a club, institution, organisation or association.

'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 are neither purposes of private gain nor purposes of any commercial undertaking.
2. A copy of the lottery scheme must be attached to the application.
 3. A copy of the application and lottery scheme must be served on the District Commander of the PSNI.
 4. Every registered Society must be re-registered on 1 January each year for a fee of £17.50.
 5. A copy of the 'Rules for Societies' Lotteries' together with the requirements of Lotteries Regulations (NI) 1987 is attached herewith for information.
 6. The following details must be printed on the lottery ticket:
 - Name of Society
 - Name and address of the promoter (Must be a member of the society)
 - Date of the Lottery
 - Price of the Ticket (Maximum £1)
 - District Council which registered the society
 - External Lottery Consultant
 - Must be no larger than the lettering indicating the Society's name.

LOTTERY SCHEME**The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 – Article 136**

Society Details	Please complete in full
Name of Society (<i>in full</i>)	
Address of the Office of the Society (<i>in full</i>)	
Telephone Number (<i>Business Hours</i>)	
Promoter Details	
Name of Promoter	
Address of Promoter	
Telephone Number (<i>Business Hours</i>)	
Position held by Promoter in Society	
External Lottery Consultant Details (if applicable) <i>E.g. If an External Lottery Consultant is employed instead of a promoter from within the Society. Note: An external lottery consultant/manager must hold a valid lottery certificate.</i>	
Name of External Consultant	
Address of External Consultant	
Telephone Number (<i>Business Hours</i>)	
Number of tickets to be offered for sale	
Price per ticket	£
Estimated expenses for printing etc.	£
Value of prizes to be provided from proceeds of the Lottery	£
Value of prizes to be donated (<i>if any</i>)	£
Proposed value of the most expensive prize	£
Purpose for which the proceeds are to be applied	
Date(s) of proposed lottery or lotteries	

I hereby request that the above details be registered as the Lottery Scheme for the above named Society and that any changes, whether by way of substitution or otherwise, shall be notified to the council before any tickets or chances are sold in any lottery conducted under a new or revised lottery scheme.

Signed Position in Society..... Date.....

Note: This scheme **MUST** be accompanied by written confirmation from the governing body that the promoter named above is authorised by the society to act in that capacity – see overleaf.

PROMOTER'S AUTHORISATION

We the undersigned, being the management committee members, hereby authorise:

Full Name (<i>Block Capitals</i>)	
Address (<i>Full postal address with post code</i>)	

to act as promoter of society lotteries on behalf of:

Organisation (<i>full title of club / society etc.</i>)	
---	--

In accordance with the provisions of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

Chairperson	
Full name (Block Capitals)	
Address	
Telephone Number	
Signature	
Date	
Secretary	
Full name (Block Capitals)	
Address	
Telephone Number	
Signature	
Date	
Treasurer	
Full name (Block Capitals)	
Address	
Telephone Number	
Signature	
Date	

The Data Protection Act 2018 and General Data Protection Regulation.

The personal information you have given will be used for the purpose of consulting on and determining your application. We will keep your personal data safe and secure. We will sometimes need to share the information you provided with other organisations, such as Inland Revenue, etc. however, we will only do this where it is permitted by law.

Mid Ulster District Council's privacy notice can be viewed online at www.midulstercouncil.org or a copy is available on request.



SOCIETY LOTTERY – RETURN BY PROMOTER

The Betting Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

(To be sent by the promoter of the Lottery to Mid Ulster District Council not later than the end of the third month after the date of the Lottery.)

PART I

To: **Mid Ulster District Council**

I
(Full forenames and surname of promoter of Lottery)

of
(Full residential address)

being the promoter of a Lottery promoted on behalf of

.....
(Name of registered Society)

registered by Mid Ulster District Council under Article 136 of The Betting Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 hereby make the following return in respect of that Lottery.

1. The date of the Lottery was

2. The total proceeds from the sale of tickets or chances were £

3. The amount of the total proceeds appropriated on account of expenses (exclusive of prizes) was £....., including an amount of £ *(insert nil if appropriate)* met by the registered society on whose behalf the lottery was promoted, and an amount of £..... met by the following beneficiary / beneficiaries of the lottery;

.....
.....
(Full forenames & surname of beneficiary, or, where beneficiary is a society, the name of the society)

of.....
.....
.....
(Full residential address, or, where beneficiary is a society, that of its office or head office)
(Give separate details if more than one beneficiary)

4. The amount of the total proceeds appropriated for the provision of prizes was £.....

5. The purpose(s) to which the proceeds of the Lottery was/were applied was/were:
(If more than one purpose give separate details)
.....
.....

6. The amount of the proceeds which was applied for the purpose(s) named above was:
(If more than one purpose give separate details)
.....

7.
(Full forenames and surname of Holder of Lottery Certificate, or where holder is a body corporate Title of Body)

of
(Full address, or where Holder of certificate is a body corporate that of its registered or principle office)

acted as an External Lottery Consultant or Manager in the promotion of the Lottery.

8. A copy of a ticket sold in the said Lottery is attached.

I hereby certify that I am a member of the said Society and have been duly authorised in writing by the governing body of that Society to act as promoter of this Lottery.

Signed Date

Occupation

PART II

CERTIFICATION OF LOTTERY RETURN

*I, the undersigned, being a qualified accountant within the meaning of Article 2(1) of The Betting, Gaming, Lotteries and Amusements (NI) Order 1985 hereby certify that **I have examined the accounts relating to the above Lottery and to the best of my information and belief the information contained in this Return is correct.***

Signature of qualified Accountant Date.....

Name (Block Capitals)

Address

The Data Protection Act 2018 and General Data Protection Regulation.
The personal information you have given will be used for the purpose of consulting on and determining your application. We will keep your personal data safe and secure. We will sometimes need to share the information you provided with other organisations, such as Inland Revenue, etc. however, we will only do this where it is permitted by law.
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REGULATIONS OF SOCIETIES

1. These Regulations are as prescribed by the Lotteries Regulations (Northern Ireland) 1994. In these Regulations –

“the Order” means the Betting, Gaming, Lotteries and Amusements (NI) Order 1985;

“lottery” means a society’s lottery.
2. **Lottery Returns**

The promoter of a lottery shall send a return, in the form set out in the schedule, to the district council which registered the society.

The promoter shall attach to the return a copy of a ticket sold in the lottery.
3. **Persons to whom and by whom tickets shall not be sold**

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

Subject to paragraph (2), no ticket or chance in the lottery shall be sold to a person in any street.

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.

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.
5. **Machines**

No ticket or chance in a lottery shall be sold by means of a machine.
6. **Door to Door Selling**

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.
7. **Information on Tickets**

Every ticket distributed or sold in a lottery shall specify the name of the district council which registered the society under Article 136 of the Order.

8. Where two or more lotteries are promoted by a society 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.
9. Where the information appearing on a ticket distributed or sold in 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 to specify the name of the society on whose behalf the lottery is promoted; and
 - (b) That reference shall be afforded no greater prominence that is afforded to that name in the same ticket.
10. **Winning tickets not to be identifiable before being sold**

No request or requirement shall be made to any person supplying tickets to which this regulation applied 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.

No tickets supplied in such a manner, or so marked, as mentioned in paragraph (1) shall be sold in a lottery.

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

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 a lottery.

11. **Prohibition on offering a prize which depends on the purchase of more than one ticket**

Subject to paragraph (2), 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.

The winning of a prize in a 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 specified for the purposes of Article 137(5) of the Order.

12. **Prohibition on invitation to purchase any group of tickets in certain lotteries**

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.

EXEMPTIONS

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 of the 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 the result of the lottery declared, on the premises on which the entertainment takes place and during the progress of the entertainment.
- c) The facility of 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 district commander of the PSNI.
- f) Any contravention of the regulations pertaining to such lotteries is an offence and every person concerned in the promotion or conduct of that lottery shall be guilty of an offence.

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 purchasers 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 for 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 is contained in the tickets, if any;
 - iii. The price of every ticket or chance shall be the same, and the price of any ticket shall be stated on the ticket;
- d) Every ticket should bear upon the face of it the name and address of each of the promoters and a statement of the persons to whom the sale of tickets or chances by the promoters is restricted, and a statement that no prize won in the lottery shall be paid or delivered by the promoters to any person other than the person to whom the winning ticket or chance was sold by them, and no prize shall be paid or delivered except in accordance with that statement;
- e) No ticket or chance will be issued or allotted by the promoters except by way of sale and upon receipt of its full price, and no money or valuable thing so received by a promoter shall in any circumstances be returned;
- f) The price shown on every ticket shall be the whole price paid for it;
- g) The total proceeds from the sale of tickets or chances shall constitute the whole proceeds of the lottery;
- h) Subject to the conditions governing the lottery, participation in the lottery shall depend solely on the purchase of a ticket or chance in it;
- i) Purchase of a ticket or chance in a lottery promoted by a society shall not confer membership of the society;
- j) No tickets in the lottery shall be sent through the post;
- k) 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. 0 % of those proceeds; and
 - iii. Similar conditions as in exempt entertainments will relate to contraventions

RULES FOR SOCIETY LOTTERIES (ARTICLE 137)

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1995

1. In this Article “lottery” means a society lottery.
 2. 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.
 3. Every ticket distributed or sold shall specify the name of the society, the name and address of the promoter, and the date of the lottery.
 4. The Department may, by order subject to affirmative resolution, specify –
 - (a) The maximum number of lotteries that may be promoted on behalf of the same society in any year; and
 - (b) The minimum number of days that must elapse between the dates of any two lotteries promoted on behalf of the same society.
 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 distributed or sold shall be stated on the ticket.
 7. No person shall be admitted to participate in a lottery in respect of a ticket or chance except 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 price 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 on the lottery shall depend solely on the purchase of a ticket or chance in it.
 11. No prize in a lottery shall exceed in amount or value £25,000 or 10% of the proceeds of the lottery which ever, is the greater.
 12. The total value of the tickets or chances sold in a lottery shall not exceed £80000 for any single lottery or £1,000,000 for all 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% of the proceeds of the lottery.
 14. The amount of the proceeds of a lottery which may be deducted to meet expenses (exclusive of prizes) shall not exceed is whichever the less is of:
 - (a) the expenses actually incurred; or
 - (b) whichever of the amounts specified in paragraph (15) applies.
 15. The amounts referred to in paragraph (14)(b) are—
 - (a) where the whole proceeds of the lottery are £10,000 or less, 20% of those proceeds; or
 - (b) where the whole proceeds of the lottery exceed £10,000, 15% of those proceeds.
- 15A for the purposes of paragraph (14), the amount of any expenses that are met—
- (a) by the society on whose behalf the lottery is promoted, or

(b) by any beneficiary of the lottery,

shall be treated as having been taken for expenses from the proceeds of the lottery.

15B In paragraph (15A) “*beneficiary of the lottery*” means a person (other than the society on whose behalf the lottery is promoted) to whom or for whose benefit any of the proceeds of the lottery, other than amounts appropriated in respect of expenses or prizes, are lawfully paid or applied.

15C The amount of the proceeds of a lottery appropriated for the provision of prizes and the amount of those proceeds appropriated on account of expenses (exclusive of prizes) shall not exceed in aggregate such percentage of the whole proceeds of the lottery as the Department may specify, by order subject to affirmative resolution.

16. A society shall not employ any person as an external lottery consultant or manager unless that person holds a lottery certificate. *Where an external lottery consultant is involved, copies of that person’s Certification must accompany the application for registration/ renewal as well as the other information required on the form.*
17. The promoter of the lottery must, not later than the end of the third month after the date of the lottery, send a completed return, certified by a qualified accountant to the council. *A qualified accountant means a person who is eligible for appointment as a company auditor under Article 28 of the Companies (NI) Order 1990.* A copy of the ticket sold in the lottery must also be attached to this return.
18. Every registered society must keep copies of any return sent under paragraph (17), together with copies of supporting bills, receipts and accounts for at least 18 months. If asked to do so during this period, the society must supply copies to Council or the PSNI.
19. Any officer of the district council authorised in writing in that behalf may enter the office of a registered society at any reasonable time and
 - (a) inspect its records; and
 - (b) inspect the promotion of the lottery
20. Every person who obstructs an officer of a district Council in the exercise of the powers conferred by paragraph (19) shall be guilty of an offence.

Definitions

“Society” - includes any club, institution, organisation or association of persons, by whatever name called, and any separate branch or section of such a club, institution, organisation or association.

“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 a) or b) but are neither purposes of private gain nor purposes of any commercial undertaking.



Department for
Communities

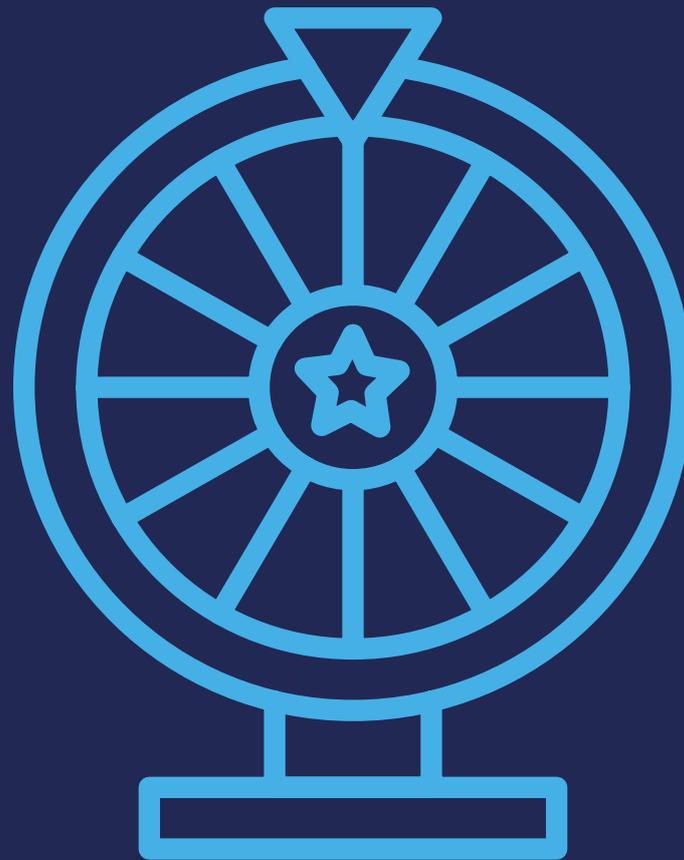
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Department for

Commonities

www.communities-ni.gov.uk



The law on lotteries in Northern Ireland

September 2021

Alternative formats

Versions of this leaflet in other languages and formats may be made available from:

Department for Communities
Social Policy Unit
8th Floor, Causeway Exchange
1-7 Bedford Street
Belfast BT2 7EG

Tel: 028 9082 3140

Email: [**social.policy@communities-ni.gov.uk**](mailto:social.policy@communities-ni.gov.uk)

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The Law on Lotteries in Northern Ireland

1. Purpose of leaflet

- 1.1 This leaflet provides information on some aspects of the law on lotteries in Northern Ireland. It is not an authoritative nor a complete statement of the law in this area and is only intended to provide a plain guide to the main requirements of the lottery law. Those planning to promote lotteries should refer to the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 as amended and related Regulations and Orders or seek professional advice to ensure that they comply with the law. The relevant legislation in force when this leaflet was prepared is listed at Annex A; readers should ensure they are aware of any subsequent legislative changes.
- 1.2 This leaflet does not cover the National Lottery.

2. What is a lottery?

- 2.1 There is no statutory definition of a lottery in Northern Ireland. The courts in Great Britain, through judgements in the House of Lords, have, however, established that:

“a lottery is the distribution of prizes by chance where the persons taking part in the operation, or a substantial number of them, make a payment or consideration in return for obtaining their chance of a prize. There are really 3 points one must look for in deciding whether a lottery has been established: first of all, the distribution of prizes; secondly, the fact that this was to be done by means of a chance; and thirdly, that there must be some actual contribution made by the participants in return for their obtaining a chance to take part in the lottery.” (Lord Widgery 1976)

3. Betting, Gaming, Lotteries and Amusements (Northern Ireland Order 1985 (the Order))

- 3.1 Under the Order all lotteries are unlawful unless they are:
 - a) small lotteries incidental to an exempt entertainment;
 - b) private lotteries;
 - c) societies' lotteries; or
 - d) part of the National Lottery

3.2 This leaflet is essentially concerned with societies' lotteries but it may be helpful to mention briefly the law covering small lotteries and private lotteries.

4. Small lotteries incidental to an exempt entertainment

4.1 An "exempt entertainment" is defined in Article 2(2) of the Order as a "bazaar, sale of work, fete, dinner, dance, sporting or athletic event or other entertainment of a similar character, whether limited to one day or extending over 2 or more days".

4.2 Article 133 of the Order gives full details of the conditions which must be observed in promoting a lottery as an incidental part of an exempt entertainment. Some examples of these conditions are:

- a) the whole proceeds, except for specified deductions, of the lottery and of the entertainment as a whole must be used for purposes other than private gain; the organisers may deduct from the proceeds of the entertainment the expenses of the entertainment but not all the expenses incurred in connection with the lottery; the only expense in connection with the lottery which may be deducted is the cost of printing the tickets;

- b) the sale of tickets or chances and the declaration of winners can only take place on the premises, and during the course, of the entertainment;

- c) participating in the lottery must not be the only or the only substantial inducement to attend the function.

4.3 There is no statutory limit on the price of tickets or chances or on the value of prizes (which may be donated) in this type of lottery. The organiser must, however, keep records and accounts relating to the whole entertainment. He must also inform the local police at least 7 days beforehand that the entertainment is to take place.

5. Private lotteries

5.1 A private lottery is a lottery in Northern Ireland in which the sale of tickets or chances is confined to either:

- a) members of one society, eg a club, established and conducted for purposes not connected with gaming, betting or lotteries and any other people on the society's premises; or

- b) people, all of whom either work or live on the same premises.

5.2 Society is defined in the 1985 Order as including any club, institution, organisation or association of persons, by whatever name called, and any

separate branch or section of such a club, institution, organisation or association. It is important to note that, in so far as private lotteries are concerned, each local or affiliated branch or section is regarded as a separate and distinct society. Accordingly a local branch or section which runs a private lottery may only sell tickets to members of that branch or section (and, of course, to any other people on the society's premises.)

5.3 The lottery must be promoted by people who are themselves members of the society or of the group of people who work or live together.

5.4 Article 134 of the Order gives full details of the conditions which must be observed in promoting a private lottery. Some examples of these conditions are:

- a) the whole proceeds ie the money raised from the sale of tickets or chances, after deducting only the expenses allowed for printing and stationery, must be devoted to:
- the provision of prizes; or
 - where the lottery is run for the members of a society, to the provision of prizes, to purposes of the society or to both;
- b) the amount of the proceeds deducted for expenses (printing and stationery) must not exceed whichever is the less of:

- the expenses actually incurred; or
 - 10% of the proceeds;
- c) the total value of tickets or chances sold must not exceed £1,000; there is no restriction on the price of an individual ticket or chance or on the value of prizes (which may be donated);
- d) the lottery may only be advertised on the lottery tickets, on the premises of the society or on the premises on which the people for whom it is promoted work or live;
- e) the price of every ticket or chance must be the same and must be stated on the ticket;
- f) each ticket must show:
- the name and address of each of the promoters;
 - a statement of the persons to whom the sale of tickets or chances is restricted; and
 - a statement that no prize won will be paid or delivered to anyone other than the person to whom the winning ticket or chance was sold;
- g) no ticket or chance may be issued except by way of sale and the full price must be paid for it when it is issued. Thus no tickets or chances may be sold at a discount eg 5 for the price of 4.
-

5.5 The private lottery provisions are intended to allow for traditional sweepstakes in work places etc and small-scale, fund-raising ballots by societies. Tickets or chances must not be sold to the public at large.

6. Societies' lotteries

Introduction

6.1 A society's lottery is one in which tickets or chances may be sold to the general public. Article 2(2) of the Order defines society and society's lottery as follows:

“society” includes any club, institution, organisation or association of persons, by whatever name called, and any separate branch or section of such a club, institution, organisation or association;

“society's lottery” means a lottery promoted on behalf of a society 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; or
- c) other purposes which are not purposes of private gain or of any commercial undertaking.

6.2 Each branch or section of a society may be treated as a society in its own right so that each may register (see paragraph 6.6) for the purpose of running its own lotteries.

6.3 The whole proceeds, ie the money raised from the sale of tickets or chances, of a society's lottery, after deduction of allowable expenses and prizes, must be applied to the purposes of the society.

6.4 A society's lottery must be promoted in Northern Ireland, the society must be registered with the district council in whose area its office or head office is situated and the lottery must be promoted in accordance with the lottery scheme approved by the society. Tickets or chances may be sold throughout Northern Ireland subject to the restrictions in paragraphs 6.23 to 6.26.

6.5 It should be noted that Great Britain has its own legislation on lotteries contained in the Gambling Act 2005. Tickets in a Northern Ireland society's lottery may not be lawfully sold in Great Britain by a person in Great Britain. Similarly, tickets in a Great Britain society's lottery may not be lawfully sold in Northern Ireland by a person in Northern Ireland. The law in Great Britain and Northern Ireland does not prevent the sale of a GB society's lottery tickets by post or telephone directly to a

person in Northern Ireland or the sale of a Northern Ireland society's lottery tickets by post or telephone directly to a person in Great Britain. Similarly the sale of tickets in foreign lotteries in Northern Ireland, although lawful in their country of origin, is prohibited.

Registration

6.6 To register with the district council, a society must:

- a) apply to the council for registration, specifying the purposes for which the society is established and conducted;
- b) provide any other details which the council may require; (the council may already have an application form drawn up for this purpose;)
- c) specify the address of its office or head office;
- d) attach a copy of its lottery scheme showing how it proposes to run its lotteries; (the council may have a model scheme available;)(e) copy the application to the local police district commander.

6.7 Before deciding whether or not to grant an application, the council will hear any representations which the police may make. The application must be refused if the conditions in the definition of a society's lottery (see paragraph 6.1) are not satisfied or if the lottery scheme does not conform to the law.

6.8 The application **may** be refused if:

- a) anyone connected with a lottery promoted or proposed to be promoted on behalf of the society has been convicted of an offence involving lotteries, fraud or dishonesty; or
- b) the address of the office or head office of the society is the same as that of the office or head office of another registered society established for the same or a connected purpose; or
- c) any lottery promoted by or on behalf of the society within the last 5 years has not been properly conducted.

6.9 If the district council refuses the application, the society may appeal to the county court.

6.10 If the district council registers the society, a fee of £35 is payable. On 1 January of each following year, a fee of £17.50 is payable to maintain the registration.

6.11 A registered society must notify the district council:

- a) of any change in the address of the society's office or head office within 21 days of the change taking effect; and
- b) of any change in its lottery scheme before any tickets are sold under the amended scheme. (A lottery scheme

being contrary to law is one of the grounds upon which a district council may revoke a society's registration.)

Promoter

6.12 The lottery must be promoted by a member of the society who has been authorised in writing by its governing body to act as the promoter.

Tickets and date of lottery

6.13 Each ticket must specify the name of the society, the name and address of the promoter and the date of the lottery.

6.14 The date of a lottery is defined in Article 2(2) of the Order as the date on which the winners in that lottery are ascertained. If the winners are selected by a draw, the date of the lottery will be the date of the draw.

6.15 The law is not specific about the date of what is usually referred to as an "instant" lottery ie where there is no draw and the winners are ascertained solely by reference to what is printed on the tickets eg scratch cards where numbers or symbols are concealed with a substance which has to be removed to show if the ticket is a winner. In the absence of a definitive interpretation by the courts, it is considered that the date of an "instant" lottery should be taken as the last day on which the tickets are to be on sale.

6.16 If a society promotes 2 or more lotteries with the same date, the tickets sold in each lottery must bear a serial number to show to which lottery they relate.

6.17 Where the information appearing on a ticket includes any reference to an external lottery consultant or manager (see paragraph 6.39) employed in the promotion of the lottery, the size of the lettering used in that reference must be no bigger than the smallest lettering used for the name of the society promoting the lottery and the reference must be no more prominent than the society's name.

6.18 Each ticket must also specify the name of the district council which registered the society (see also paragraphs 6.21 and 6.28 for content of tickets).

Frequency of lotteries

6.19 There are currently no restrictions on the number and frequency of lotteries which may be promoted by a society.

Price of tickets

6.20 A person cannot participate in a lottery unless the whole price of the ticket or chance has been paid to the society. In addition, once money has been received for, or on account of, a ticket or chance, it cannot be refunded.

6.21 The price of every ticket or chance must be the same and must be shown on the ticket. It is, therefore, not permitted to offer say, 5 tickets or chances for the price of 4.

6.22 The maximum price of a ticket or chance is £1. Sale of tickets

6.23 No ticket or chance may be bought or sold by anyone under the age of 16.

6.24 Tickets or chances must not be sold in any street. Street is defined as including any bridge, road, lane, footway, subway, square, court, alley or passage, whether a thoroughfare or not, which is open to the public without payment. This restriction does not apply to the sale of tickets or chances by a person in a kiosk or shop premises with no space for the accommodation of customers. The shop premises envisaged would be the type with a side window or a counter opening directly on to the street through which, or over which, goods such as ice-cream, newspapers etc are sold to people in the street.

6.25 Except for the sale of tickets or chances in a lottery by means of the internet, no tickets or chances in a lottery shall be sold by means of a machine.

6.26 Tickets or chances may not be sold by anyone when visiting another person at his home in the discharge of any

official, professional or commercial function not connected with lotteries. Door to door selling is otherwise permitted.

6.27 The total value of tickets or chances sold in any one lottery must not exceed £80,000. The total value of tickets or chances sold in all the lotteries promoted by one society in any year must not exceed £1,000,000.

Identification of winning tickets

6.28 A company supplying “instant” tickets (see paragraph 6.15) must not be asked to supply them in such a way that winning tickets can be identified as such before they are sold.

Prizes

6.29 No more than 50% of the proceeds (the amount raised from the sale of tickets or chances) of a lottery may be used to provide prizes. Prizes may, however, be donated at a reduced cost or free of charge. Prizes donated free of charge would not be regarded as having been appropriated from the lottery proceeds.

6.30 No prize may exceed, in amount or value, £25,000 or 10% of the lottery proceeds, whichever is the greater and regardless of whether or not the prize is donated. In effect, the current ceiling is £25,000 (subject to the 50% limit on the use of proceeds for prizes - see

paragraph 6.29) as the maximum possible proceeds of a lottery are £80,000 - see paragraph 6.27.

6.31 Value is not defined in the Order. It is suggested, however, that the value of a prize should be based on the recommended retail price plus any relevant taxes or other associated charges, but less any discount generally available to any member of the public at the time the tickets or chances are offered for sale.

6.32 No prize can 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. This prohibition does not apply where winning depends on the purchase of more than one chance if the total price of those chances is no more than £1 (£1 being the current maximum price of a ticket or chance in a lottery - see paragraph 6.22).

Expenses

6.33 The amount of the lottery proceeds which may be deducted to meet expenses(exclusive of prizes) is whichever is the less of:

- a) the expenses actually incurred; or
- b) i) where the proceeds are £10,000 or less, 20% of the proceeds; or
ii) where the proceeds exceed }
£10,000, 15% of the proceeds.

6.34 For the purposes of determining expenses limits, the law requires that the amount of any expenses met by:

- a) the society on whose behalf the lottery is promoted, or
- b) any beneficiary of the lottery, must be treated as having been taken for expenses from the proceeds of the lottery.

Records

6.35 Promoters should ensure before proceeding with a lottery that adequate record keeping and accounting procedures are in place. It is recommended that, at the very least, the following basic records should be maintained for each lottery:

- a) details of tickets ordered and received from the printer;
- b) details of all tickets issued to each point of sale; details of tickets sold, returned unsold and not returned (together with brief reason for the failure to return unsold tickets);
- c) details of all income received from the sale of tickets or chances, together with banking records in support;
- d) details of all expenses, together with relevant invoices; it is advisable to differentiate between expenses appropriated directly from the lottery proceeds, those met by the society promoting the lottery or the

beneficiary and thus treated as appropriated from the proceeds, and expenses donated by a third party;

- e) details of all prizes together with relevant invoices;
- f) details of winners and winning tickets (it is accepted that for “instant” lotteries it will be inappropriate to maintain lists of small winners but major winners should be duly listed together with winning tickets);
- g) details of the distribution of the proceeds to each beneficiary where the beneficiary is other than the society conducting the lottery (including receipts from beneficiaries);
- h) where agents are employed, records should be maintained showing their remuneration and the number of tickets sold and returned.

6.36 Not later than the end of the third month after the date of a lottery, the promoter must send a completed return, certified by a qualified accountant (see footnote 1 on page 15) to the district council which registered the society. A copy of this return form is attached at Annex B. A copy of a ticket sold in the lottery must be attached to this return.

6.37 The society must keep copies of these returns, together with copies of supporting bills, receipts and accounts for at least 18 months. If asked to do so during this period, the society must supply copies to the district council or the police.

Inspection

6.38 An officer of the district council or the police may enter the office of a registered society and inspect its records and the promotion of any lottery.

Lottery consultant or manager

6.39 A society may wish to employ an outsider to organise or run its lottery. Such a person is called an external lottery consultant or manager and must hold a lottery certificate granted by the court before he can act in this capacity. Before a society employs such a person, it must ensure that he holds a lottery certificate.

Offences and defences

6.40 If any requirement of the law on societies' lotteries is contravened, the promoter, and any other person who was a party to the contravention, is guilty of an offence. The punishment on conviction can range from a fine to a fine and imprisonment for up to two years. Defences are, however, available if, for instance, the promoter can prove that the contravention occurred

without his consent or connivance, the proceeds of the lottery fell short of those reasonably estimated or the date of the lottery was unexpectedly or unforeseeably delayed.

7. General advice

7.1 Further information on the lotteries law may be obtained from Social Policy Unit (address below) or the local district council. Legal advice on the law should be obtained from a professional legal adviser.

7.2 Additional copies of this leaflet are available from:

Social Policy Unit
Department for Communities
8th Floor, Causeway Exchange
1-7 Bedford Street
Belfast BT2 7EG
Tel: 028 9082 3140
Email: social.policy@communities-ni.gov.uk

7.3 The Northern Ireland Council for Voluntary Action (NICVA) provides advice and information to voluntary and community groups on lottery law in Northern Ireland. NICVA's pamphlet "Lotteries - A Guide for Voluntary Groups" is available, free of charge, by contacting the Charity Advice Officer at:

Governance and Charity Advice Team
Northern Ireland Council for Voluntary Action

61 Duncairn Gardens

Belfast

BT15 2GB

Tel: 028 9087 7777

Email: denise.copeland@nicva.org

ANNEX A

The Legislation

Primary legislation

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (S.I.1985 No. 1204 (N.I. 11))

The Betting and Lotteries (Northern Ireland) Order 1994 (S.I. 1994 No. 1893 (N.I. 8))

The National Lottery etc Act 1993 c. 39

Subordinate legislation

The Lotteries Regulations (Northern Ireland) 1994 (S.R.1994 No. 467)

These regulations relate to the conduct of societies' lotteries and prescribe the form of the return (see Annex B) to be made to the district council for each lottery.

The Lottery (Form of Certificate) Regulations (Northern Ireland) 1987 (S.R.1987 No.194)

These regulations prescribe the form of the lottery certificate, granted by a court, which an external lottery consultant or manager must hold.

The Gaming and Lotteries (Variation of Monetary Limits) Order (Northern Ireland) 1990 (S.R.1990 No.238)

This Order prescribes £1 as the maximum price of a ticket or chance in a society's lottery.

The Betting, Gaming, Lotteries and Amusements with Prizes (Variation of Fees and Monetary Limits) Order (Northern Ireland) 1995 (S.R. 1995 No. 343)

This Order prescribes the current fees for the registration of a society - £35 for the initial registration and £17.50 for the annual fee to be paid by a registered society.

The above legislation may be accessed at:
www.legislation.gov.uk

ANNEX B

Society's Lottery - Return by Promoter

**(Betting, Gaming, Lotteries and Amusements
(Northern Ireland) Order 1985)**

*(To be sent by the promoter of the lottery to
the district council named below not later
than the end of the third month after the
date of the lottery)*

Part 1

To.....Council
*(name of district council by whom the society
is registered)*

I,
*(full forenames and surname of promoter
of lottery)*

of.....
.....
.....
(full residential address)

being the promoter of a lottery promoted on
behalf of.....
.....
(name of registered society)

registered by the above-named district
council under Article 136 of the Betting,
Gaming, Lotteries and Amusements
(Northern Ireland) Order 1985 hereby make
the following return in respect of that lottery:

1. The date of the lottery was
.....
2. The total proceeds from the sale of tickets
or chances were £.....
3. The amount of the total proceeds
appropriated on account of expenses
(exclusive of prizes) was £.....,
including an amount of £.....* met by
the registered society on whose behalf the
lottery was promoted and an amount of
£.....* met by the following
(beneficiary) (beneficiaries) of the lottery;
.....
.....
.....
*(full forenames and surname of beneficiary,
or, where beneficiary is a society, the name
of the society)*
of.....
.....
*(full residential address, or, where
beneficiary is a society, that of its office
or head office) (give separate details if
more than one beneficiary) (* insert nil
if appropriate)*

4. The amount of the total proceeds appropriated for the provision of prizes was £.....

5. The purpose(s) to which the proceeds of the lottery were applied (was)(were)
.....
.....
(give separate details if more than one purpose)

6. The amount of the proceeds which was applied for the purpose(s) named above was.....
.....
.....
(give separate details if more than one purpose)

7.
(full forenames and surname of holder of lottery certificate, or, where holder of certificate is a body corporate, title of body) of.....
.....
(full address, or, where holder of certificate is a body corporate, that of its registered or principal office)

acted as an external lottery consultant or manager in the promotion of the lottery

8. A copy of a ticket sold in the said lottery is attached.

I hereby certify that I am a member of the said society and have been duly authorised in writing by the governing body of that society to act as the promoter of this lottery.

Dated theday of 20....

Signed

Occupation.....

Part II

Certification of Lottery Return

I, the undersigned, being a qualified accountant within the meaning of Article 2(2) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985¹ hereby certify that

I have examined the accounts relating to the above lottery and to the best of my information and belief the information contained in this return is correct.

Dated the day of 20....

.....
(signature of qualified accountant)

.....
.....
(address)

¹ "qualified accountant" means a person who is eligible for appointment as a company auditor under Article 28 of the Companies (NI) Order 1990 - Article 2(2) of the Betting etc Order as amended by S.R. 1993 No. 67

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