

GAMBLING ACT 2005

Schedule 11 to the Gambling Act 2005

Return by Promoter relating to a Small Lottery

(This form should be completed by the promoter and sent to the Licensing Dept, South Hams District Council, Follaton House, Plymouth Road, Totnes, TQ9 5NE no later than the end of the third month following the date of the lottery)

Name of Society		Registration No. SL	
I, (full name) _____ Of (full address) _____ _____		Daytime tel no:	
being the promoter of the above organisation hereby confirm the proceeds and expenses incurred for the lottery(ies).		Signature _____	
Date of Lottery			
Dates tickets were on sale			
From			
To			
Serial No. of Lottery			
Sales of tickets	£	£	£
Other proceeds	£	£	£
TOTAL PROCEEDS	£	£	£
Lottery expenses (cost of tickets/registration etc.)	£	£	£
Commission to Agents/Vendors/etc	£	£	£
Other expenses (specify)	£	£	£
TOTAL EXPENSES	£	£	£
Total spent on prizes	£	£	£
BALANCE FOR DISPOSAL	£	£	£
Proceeds allotted for (state purpose & amount)	£	£	£

This statement must be signed by two members of the Society who have been appointed in writing by the Society, or its governing body, in accordance with the provision of Schedule 11 of the Gambling Act 2005.

We hereby certify that the information given on this return is correct to the best of our knowledge and belief.

Signed	Please print name	Date:
Signed	Please print name	Date:

NOTE:

The 2005 Gambling Act sets out a number of offences that apply to lotteries, as follows:

Section of the Act	Offence
s. 258	Promoting a non-exempt lottery without a licence
s. 259	Facilitating a non-exempt lottery without a licence
s. 260	Misusing the profits of a lottery
s. 261	Misusing the profits of an exempt lottery
s. 262	Purporting to operate a small society lottery when not registered, or failing to make the required, or making false or misleading, returns in respect of such lotteries.
s. 326	Without reasonable excuse, obstructing or failing to cooperate with an authorised person exercising his/her powers
s. 342	Without reasonable excuse, giving false or misleading information to the Commission or a licensing authority.

If a society running small lotteries fails to comply with any of the conditions of running such lotteries specified in Part 4 of Schedule 11 of the Act, it will be operating in an illegal manner, irrespective of whether it is registered with a licensing authority or not. Under these circumstances small society lottery operators may face prosecution by the Commission, a licensing authority, or the police.

Paragraph 39 of Schedule 11 in the Act sets out the information that the promoting society of a small society lottery must send as returns to the licensing authority with which it is registered **following each lottery held**. This information will allow authorities to assess, in particular, whether financial limits are being adhered to and to ensure that any money raised is being applied for the proper purpose. The information that must be submitted is as follows:

- the arrangements for the lottery – specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover; - the proceeds of the lottery;
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers;
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery;
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid; and

- the amount applied to the purpose for which the promoting society is conducted (this **must** be at least 20% of the proceeds).

Paragraph 39 of the Act also requires that returns must:

- be sent to the licensing authority no later than three months after the date of the lottery draw, or in the case of 'instant lotteries (scratch cards) within three months of the last date on which tickets were on sale; and
- be signed (electronic signatures are acceptable if the return is sent electronically) by two members of the society, who must be aged eighteen or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and accompanied by a copy of their letter or letters of appointment. Section six of this document explores the compliance and enforcement responsibilities expected of local authorities in ensuring that societies have provided the required information at the required time.

If you have any queries on this form, please contact The Licensing Office on 01803 861336 or email licensing@southhams.gov.uk