

SOCIETIES REGISTERED UNDER SECTION 33 OF THE GAMING, BETTING AND LOTTERIES ACT 1988

SOCIETY LOTTERIES

The following notes are for guidance only. They are not comprehensive and must not be treated as a complete and authoritative statement of the law in any particular case.

Lottery Promoters are advised to familiarise themselves with the provisions of the Gaming, Betting and Lotteries Act 1988, before holding any lottery.

Purposes of Society

A society promoting a lottery under Section 32 of the 1988 Act must be established and conducted wholly or mainly for the one or more of the following purposes:-

- i. charitable purposes
- ii. participation in support of athletic sports or games or cultural activities
- iii. purposes which are not within i) or ii) above, but are neither purposes of private gain nor of any commercial undertaking.

All Societies conducting such a lottery must be registered to do so by the Gambling Supervision Commission.

Conduct of Lotteries

The following conditions must be observed in connection with the conduct of a society lottery:-

- a) 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 such;
- b) no remuneration shall be paid in respect of the lottery to the promoter or to any person employed by him in connection therewith who carries on a betting business or is otherwise engaged by way of business in the organisation of betting;
- c) no prize shall exceed £2000 in amount or value, and no ticket or chance shall be sold at a price exceeding £1.00;
- d) the whole proceeds, after deducting sums lawfully appropriated on account of expenses or for the provision of prizes, shall be applied to purposes of the society, being purposes as described above;
- e) the amount of the proceeds appropriated on account of expenses shall not exceed the expenses actually incurred, or 15 per cent of the whole proceeds, whichever is the less, and the amount of the proceeds appropriated for the provision of prizes shall not exceed one half of the whole proceeds;

- f) the **price of every ticket or chance shall be the same**, and the price of any ticket shall be stated on the ticket;
- g) the total value of the tickets or chances sold shall not exceed £7500, and if on any day on which tickets or chances in the lottery are on sale, tickets or chances are on sale in another lottery to which this section applies promoted on behalf of the society, the total value of the tickets or chances sold in those lotteries taken together shall not exceed £7500;
- h) any written notice or advertisement of the lottery to be exhibited, published or distributed requires the prior permission of the Commission, except as follows:-
 - i. a notice or advertisement exhibited on the premises of the society, or published or distributed exclusively to members of the society;
 - ii. such notice or advertisement as may be contained in the tickets, if any;
 - iii. 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 on which the draw, determination or event by or by reference to which the prize winners are ascertained will take place;
 - iv. the Gaming, Betting and Lotteries (Society Lottery Advertisements) Regulations 2011 <https://www.gov.im/media/1349449/society-lottery-advertisements-regulations-2011.pdf> regarding the requirements of any advertisement commissioned by a registered society; and
 - v. all advertisements commissioned by a society must not contravene the advertising standards used by the Advertising Standards Agency of the United Kingdom.
- j) no ticket shall be sent through the post to a person not being a member of the society;
- k) no person shall be admitted to participate in the lottery in respect of a ticket or chance except after payment to the promoter of the whole price of the ticket or chance, and no money received by the promoter for or on account of a ticket or chance shall in any circumstances be returned;
- l) no payment on account of expenses or prizes shall be made out of moneys of the society not being the proceeds of the lottery;
- m) no ticket or chance shall be sold by or to a person aged less than 16 years; and
- n) upon a prize winner being ascertained he shall be notified of the event and such notice shall include particulars of the time and manner in which the prize can be claimed.

Registration Fees

An application for the registration of a society shall be made to the Gambling Supervision Commission and shall be accompanied by a registration fee of £5.00. Subsequently every society which is registered shall pay to the Treasury on the 1st January in each year while it is so registered, a fee of £5.00. If this fee remains unpaid at the end of that month, the registration of the society shall be cancelled forthwith.

Returns

The Promoter of a society lottery shall not later than the end of one month after the month in which the winners of prizes in the lottery are ascertained, deliver to the Commission a return, certified by a member of an approved accounting body, showing -

- a) the whole proceeds of the lottery;
- b) the sums appropriated out of the proceeds on account of expenses and on account of prizes respectively;
- c) the particular purpose or purposes to which proceeds of the lottery were applied, and the amount applied for the purpose, or for each of those purposes, as the case may be;
- d) the dates between which the tickets or chances in the lottery were sold;
- e) the number of tickets or chances -
 - i. printed
 - ii. sold; and
 - iii. unsold.

The Promoter of a society lottery shall, if so required by the Commission by a notice in writing, deliver to the Commission within 14 days of the date of such a notice -

- a) particulars in writing accounting for all tickets or chances unsold; and
- b) all such books, vouchers, unsold tickets and other documents relating to the lottery as may be specified in the notice.

N.B. In this Act an "approved accounting body" means -

- the Institute of Chartered Accountants in England and Wales;
- the Institute of Chartered Accountants of Scotland;
- the Association of Certified Accountants;
- the Chartered Institute of Public Finance and Accountancy;
- the Institute of Chartered Accountants in Ireland.