

LOTTERIES

Do I need a licence?

Information for people who operate society lotteries

Regulation of the gambling industry in Great Britain is changing. From 1 September 2007, new legislation comes into force that places new responsibilities on gambling operators. Anyone who wishes to run a gambling business in Great Britain and certain other key staff must be licensed by the Gambling Commission.

This leaflet is designed to help you identify whether or not you need to apply for a licence. It explains which activities require a licence and the different types of licence that are available.

Please note that external lottery managers are not covered by this leaflet. If you are an external lottery manager, please contact our enquiries team on 0121 230 6666.



**GAMBLING
COMMISSION**

Why are licences being introduced?

The new arrangements have been introduced to regulate gambling in the public interest. In essence, this means:

- keeping crime out of gambling;
- ensuring that gambling is conducted in a fair and open way; and
- protecting children and vulnerable people from being harmed or exploited by gambling.

We are making sure this happens through a system of licence conditions and codes of practice.

Will I need a licence?

If you operate with proceeds of less than £20,000 or annual aggregated proceeds of less than £250,000 then **you do not** require an operating licence and should simply register with your local licensing authority.

If you plan to provide facilities for participating in a lottery with proceeds that are likely to exceed the above amounts you will need a licence from the Gambling Commission.

There are three different types of licence:

- operating,
- personal, and
- premises.

You will need an **operating licence** if you run a lottery or provide other facilities for gambling; and/or manufacture, supply, install, repair or adapt a gaming machine or gambling software in Britain.

In addition to an operating licence, you may need a **personal management licence** for individuals in certain management positions within your organisation, unless you are classified as a small-scale operator and are exempt. You are generally classed as a small-scale operator if you have three or less people who occupy a qualifying position as named on your licence. Further details are provided in the Commission's separate guidance on small-scale operator exemption. In the meantime if you would like to know more, please see our website or contact the enquiries team on 0121 230 6666.

If you operate in the lotteries sector, you are unlikely to require a **premises licence**.

This leaflet focuses on operating licences. Further details on personal licences are provided in the Commission's separate guidance on personal licences.

I operate in the lotteries sector, which type of operating licence will I need?

There are three different types of lottery:

- The National Lottery,
- exempt lotteries, and
- society lotteries.

The **National Lottery** is regulated by The National Lottery Commission under separate legislation.

An **exempt lottery** can be run without a licence. Examples include:

- incidental, non-commercial lotteries held at events such as school fetes or one-off charity fundraising events;
- private lotteries such as those held in private clubs or on work premises;
- customer lotteries held on business premises.

Specific rules apply to all types of exempt lotteries. Further details are available on our website or by calling our enquiry line on 0121 230 6666.

Society lotteries are lotteries established for the benefit of a non-commercial society. A society is non-commercial if it is established and conducted:

- for charitable purposes;
- to enable participation in, or to support, sports, athletics or cultural activities; or
- for any other non-commercial purpose other than private gain.

A society must hold a **lottery operating licence** issued by the Commission if the total proceeds in a single lottery exceed £20,000 or £250,000 in cumulative lotteries in one calendar year. If the proceeds are below these levels, the society must register with its local licensing authority.

If you wish to sell lottery tickets and receive payments by means of remote communication, ie not face to face but via telephone, fax or over the internet, you will need to apply for a **remote gambling operating licence** in addition to a lottery operating licence.

When should I apply for my licence?

If you are an existing operator, and your registration fee is due for renewal before 31 August 2007, you should submit your application for registration under the 1976 Lotteries and Amusements Act in the normal way.

Registrations that are current on 1 September 2007 will automatically be converted into new lottery operating licences and will be subject to new licence conditions and codes of practice. The converted operating licence will last for the remainder of the period of up to three years from the date on which the last registration fee was paid. Once the operating licence has been

converted you will also be liable for an annual fee, due 30 days after the start of the converted operating licence.

If your next fee is due after 1 September 2007, you must apply for an operating licence at least two months before your existing licence is due to expire. You will also be liable for an annual fee (due 30 days after the start of the converted licence).

I am a new operator, how do I apply for a licence?

Operators who intend to start operating after 1 September 2007 will need to apply to the Commission for operating and personal licences. We are now accepting applications. Copies of the licence application forms, along with guidance notes to help you fill in the forms, are available on our website or by calling us on 0121 230 6666. The forms are available in both hard copy and electronic formats.

To ask for a form, or for further information and advice:

- **email us on enquiries@gamblingcommission.gov.uk**
- **or call our enquiry line on 0121 230 6666.**

When you apply for a form, please state whether you would prefer an electronic copy of the interactive form or a paper copy.

How much will the licence cost?

For operating licences you will need to pay a one-off application fee and an annual fee for each licence. The size of the fee depends on the licensed gambling activities you operate or intend to operate. More information about the fee structure for operating licences is available on our website at www.gamblingcommission.gov.uk or phone 0121 230 6666.

A personal management licence costs £330 (and a further fee is payable every five years).

Further information

This leaflet provides a summary for people who operate in the lotteries sector. Other leaflets are available for the following sectors: adult gaming centres, betting, bingo, casinos, family entertainment centres, gaming machines, gambling software and pool betting.