

## [Aberdeenshire Licensing Boards](#)

### [Gambling Act 2005](#)

#### [Small Society Lotteries](#)

### [Brief Overview of the Legislation](#)

Society lotteries are those promoted on behalf of a society that is established and conducted

- for charitable purposes;
- for the purpose of enabling participation in, or supporting of, sport, athletics or a cultural activity; or
- for any other non-commercial purpose other than that of private gain.

It is **NOT** permissible to establish a society whose sole purpose is to facilitate lotteries – it must have some other purpose.

The promoting society of a small society lottery must, throughout the period during which the lottery is promoted. Be registered with the Licensing Board for the area in which the principal premises of the society are situated.

The total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of the tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they will be classed as a large lottery operator, and must be licensed with the Gambling Commission.

The Registration fee is £40 and the annual retention fee is £20.

#### **Lottery Requirements**

- At least 20% of the proceeds of the lottery must be applied to a purpose for which the society is conducted.
- Prizes must not exceed £25,000 (whether in money, money's worth, or partly the one and partly the other)
- The arrangements for a small society lottery may include a rollover only if each other lottery which may be affected by the rollover is a small society lottery promoted by or on behalf of the same society (and subject to the terms of the preceding paragraph)

#### **Lottery Tickets**

Lotteries may involve the issuing of physical or virtual tickets to participants ( a virtual ticket being non-physical, for example in the form of an e-mail or text message). The purchase of a small society lottery ticket must receive a document which identifies:

- the name of the promoting society;
- the price of the ticket (which must be the same for all tickets);

- the name and address of the member of the society who is designated as having responsible at the society for promoting small lotteries, or (if there is one) the external lottery manager; and
- either the date of the draw, or, enables the date to be determined.

However, the requirement to provide this information can be satisfied if the participant can retain the message electronically or print it.

Lottery tickets may only be sold by persons over the age of 16 to persons over the age of 16.

- Tickets should not be sold in a street, where street includes any bridge, road, lane, footway, subway, square, court or passage (including passages through enclosed premises such as shopping malls); and
- Tickets may, however, be sold from a kiosk, in a shop or door-to-door.

### **Prizes**

Prizes awarded in small society lotteries can be either cash or non-monetary.

### **Returns – what information has to be supplied?**

The promoting society of a small society lottery must send to the Licensing Board the following information:

- 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).

The return must be:

- Sent to the Licensing Board 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
- Signed (electronic signatures are acceptable if the return is sent electronically) by two members of the society, who must be aged 18 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.

The Licensing Board is required to retain returns for a minimum period of 3 years from the date of the lottery draw. The return will also be made available for

inspection by the general public for a minimum period of 18 months following the date of the lottery draw.

A return may be submitted either electronically or manually.

**Further Information**

For further information and assistance please go to our website at:-

[www.aberdeenshire.gov.uk/licensing/gambling/gambling-gaming-and-lotteries/](http://www.aberdeenshire.gov.uk/licensing/gambling/gambling-gaming-and-lotteries/)

Or email: [licapps@aberdeenshire.gov.uk](mailto:licapps@aberdeenshire.gov.uk)