

SCHEDULES

SCHEDULE 8

REGISTRATION OF SCHEMES: AMENDMENT OF SCHEDULE 2 TO THE 1976 ACT

- 2 (1) In paragraph 3(1) (duty of Gaming Board to register a scheme submitted to them)—
- (a) after “this Schedule” there shall be inserted “, and notify the local authority in writing that they have done so,”,
 - (b) paragraph (a) (scheme submitted by a society) shall be omitted,
 - (c) in paragraph (c)(i) for “applicant” there shall be substituted “local authority”,
 - (d) in paragraph (c)(ii) after “payable” there shall be inserted “by the local authority”,
 - (e) paragraph (c)(iii) (duty does not apply where requirements relating to provision of information have not been complied with) shall be omitted,
 - (f) in paragraph (d) (duty does not apply where an unsuitable person will be employed for reward in connection with the promotion of a lottery under the scheme) for “employed for reward in connection with the promotion of” there shall be substituted “a person connected with”, and
 - (g) after paragraph (d) there shall be inserted—
 - “; or
 - (e) except where the Secretary of State otherwise directs, it appears to the Board that the local authority—
 - (i) have given to the Board in or in connection with the authority’s application for registration of the scheme any information which was false in a material particular; or
 - (ii) have failed to comply with a requirement imposed on them under paragraph 6C below; or
 - (f) except where the Secretary of State otherwise directs, it appears to the Board that an act or omission of a person who will be a person connected with a lottery under the scheme was a cause—
 - (i) of the registration of another scheme being refused or revoked on a ground specified in paragraph (e) above or paragraph 4(2)(c) below;
 - (ii) of the registration of a society being refused or revoked on the ground specified in paragraph 3(2)(b) or (f) of Schedule 1A above or under paragraph 3(5) of that Schedule; or
 - (iii) of a relevant lottery, in the promotion of which that person was involved, not being properly conducted.”
- (2) After paragraph 3(1) there shall be inserted—

Status: This is the original version (as it was originally enacted).

“(1A) In considering whether sub-paragraph (1)(f) above applies, the Board shall disregard any act or omission that occurred more than five years previously.

(1B) Where a scheme submitted to the Board under this Schedule is not registered by them, the Board shall notify the local authority concerned in writing of that fact and the reason for it.”

(3) In paragraph 3(2) (“unsuitable person” means a person convicted of one of a specified number of offences) after “an offence under paragraph 14 of Schedule 1 above” there shall be inserted “, paragraph 14 of Schedule 1A above, paragraph 8 or 9 below, paragraph 12 of Schedule 2A below”.

(4) After paragraph 3(2) there shall be inserted—

“(3) For the purposes of this paragraph and paragraph 4 below—

- (a) a person connected with a lottery is a person who is or has been—
 - (i) involved in the promotion of the lottery; or
 - (ii) employed for reward in connection with the promotion of any other lottery under the same scheme; and
- (b) “relevant lottery”, in relation to a scheme and a person, means a lottery promoted—
 - (i) under another scheme that at the time of the person’s involvement with the promotion of the lottery was registered with the Board; or
 - (i) on behalf of a society that at the time of the person’s involvement with the promotion of the lottery was registered with the Board.”