



# Horserace Betting and Olympic Lottery Act 2004

## 2004 CHAPTER 25

### PART 3

#### NATIONAL LOTTERY: OLYMPIC LOTTERIES

##### *Olympic Lottery Distributor*

#### **29 The Olympic Lottery Distributor**

- (1) There shall be a body corporate known as the Olympic Lottery Distributor.
- (2) Schedule 5 (which makes provision in relation to the Distributor) shall have effect.

#### **30 Distribution**

- (1) The Olympic Lottery Distributor shall distribute money received, whether under section 26 or otherwise, by way of grant or loan (subject to Part 3 of Schedule 5).
- (2) The Distributor may make a grant or loan only if it considers it necessary or expedient for the purpose of or in connection with—
  - (a) the provision of facilities which are necessary or expedient if London is to be the host city of the 2012 Olympic games, or
  - (b) any other service or function which it is necessary or expedient to provide or undertake if London is to be the host city of the 2012 Olympic Games.
- (3) In exercising its functions under this section the Distributor shall have regard to—
  - (a) the Olympic Charter, and
  - (b) any agreement entered into by or on behalf of the International Olympic Committee in the course of or in connection with the election of London as the host city for the 2012 Olympic Games.
- (4) A grant or loan may, in particular, fund expenditure related to the provision of—

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- (a) facilities outside London;
  - (b) cultural and other events held in accordance with a provision of the Olympic Charter or in accordance with an agreement entered into by or on behalf of the International Olympic Committee.
- (5) A grant or loan may be subject to conditions which may, in particular, include conditions—
- (a) as to repayment (with or without interest);
  - (b) providing for payments to be made only with the consent of a specified person.
- (6) The Secretary of State may by regulations provide that a specified class of expenditure is to be treated as—
- (a) satisfying the requirements of subsection (2), or
  - (b) not satisfying those requirements.

### **31 Distribution policy**

- (1) The Olympic Lottery Distributor shall comply with any requirement of the Secretary of State to—
- (a) prepare a policy for the distribution of money under section 30, or
  - (b) review and revise the policy.
- (2) A policy must, in particular—
- (a) estimate the Distributor's annual income,
  - (b) specify the sources of the income estimated,
  - (c) specify matters in respect of which the Distributor thinks that it will or may make grants or loans, and
  - (d) estimate, where possible, the amount of grants or loans that the Distributor will or may make.
- (3) A requirement under subsection (1) may include provision (which may supplement or amplify subsection (2)) about—
- (a) the form of the policy;
  - (b) the content of the policy.
- (4) Before preparing or revising a policy the Distributor—
- (a) shall submit a draft of the policy or revision to the Secretary of State, and
  - (b) shall consult—
    - (i) the National Lottery Commission,
    - (ii) the Mayor of London,
    - (iii) the National Olympic Committee, and
    - (iv) the British Paralympic Association.
- (5) The Distributor shall as soon as is reasonably practicable send a copy of a policy or revision under this section to—
- (a) the Secretary of State,
  - (b) the Mayor of London,
  - (c) the National Olympic Committee, and
  - (d) the British Paralympic Association.

- (6) Where the Secretary of State receives a copy of a policy or revision under subsection (5) he shall lay it before Parliament.

## **32 Dissolution**

- (1) The Secretary of State may by order make provision for the dissolution of the Olympic Lottery Distributor.
- (2) An order under this section may, in particular—
- (a) provide for the transfer of property, rights or liabilities of the Distributor to—
    - (i) the Secretary of State, or
    - (ii) any other person;
  - (b) make provision enabling a person to receive anything transferred under paragraph (a) (and that provision shall have effect despite any other enactment or instrument);
  - (c) establish a body corporate;
  - (d) make consequential, incidental or transitional provision which may, in particular—
    - (i) provide for anything done by or in relation to the Distributor to have effect as if done by or in relation to another person;
    - (ii) permit anything (which may include legal proceedings) which is in the process of being done by or in relation to the Distributor when a transfer takes effect, to be continued by or in relation to another person;
    - (iii) provide for a reference to the Distributor in an instrument or other document to be treated as a reference to another person.
- (3) An order transferring a sum of money to the Secretary of State under subsection (2) (a)(i) may require the Secretary of State to pay the sum into the National Lottery Distribution Fund; and an order containing such provision shall specify whether the payment is to be—
- (a) treated as having been paid into the National Lottery Distribution Fund by virtue of section 5(6) of the National Lottery etc. Act 1993 (c. 39) (general payments into fund), or
  - (b) allocated entirely for expenditure on or connected with sport and held in accordance with section 23(2) of that Act (distributing bodies for sports).
- (4) Provision by virtue of subsection (3)(b) may provide for section 23(2) of that Act to apply with specified modifications (which may, in particular, include modifications reducing a distributor's share to nil).
- (5) The Secretary of State may not make an order under this section providing for the transfer of property, rights or liabilities to a person unless the person has consented to the transfer.
- (6) An order under this section—
- (a) may transfer rights and liabilities relating to employees, but
  - (b) shall not affect the operation of the Transfer of Undertakings (Protection of Employment) Regulations 1981 (S.I. 1981/1794).

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- (7) The Secretary of State may not make an order by virtue of subsection (6)(a) unless satisfied that sufficient notice has been given to enable compliance with any applicable requirement of those regulations.