

**2004 No. 532**

**BETTING, GAMING AND LOTTERIES**

**The Lotteries (Gaming Board Fees) Order 2004**

*Made - - - - 1st March 2004*

*Laid before Parliament 2nd March 2004*

*Coming into force - - 1st April 2004*

The Secretary of State, in exercise of the powers conferred on her by sections 18(1)(e) and (ee) and (2) and 24(2) of, and paragraph 6(1)(a) of Schedule 1A and paragraph 7(1)(b) of Schedule 2 to, the Lotteries and Amusements Act 1976(a), hereby makes the following Order:

1. This Order may be cited as the Lotteries (Gaming Board Fees) Order 2004 and shall come into force on 1st April 2004.

2. In this Order—

“the Act” means the Lotteries and Amusements Act 1976;

“an exempt lottery” means a lottery in respect of which no fee is payable under paragraph 6(2) below; and

a reference to a Schedule is to a Schedule of the Act.

3. The fee payable to the Board on an application for the registration of a society under paragraph 2 of Schedule 1A shall be £4,810.

4. The fee payable to the Board on an application for the registration of a scheme approved by a local authority under paragraph 7(1)(a) of Schedule 2 shall be £4,810.

5. The fee payable to the Board under—

(a) paragraph 6(1)(a) of Schedule 1A (which provides for the payment of a fee by a society at intervals during its registration); and

(b) paragraph 7(1)(b) of Schedule 2 (which provides for the payment of a fee by a local authority at intervals during the registration of the authority's scheme),

shall be a fee of £188 which is hereby directed to be payable first on the third anniversary of—

(i) in the case of a society, the date on which it was registered with the Board under Schedule 1A; and

(ii) in the case of a local authority, the date on which the scheme approved by the authority was registered with the Board under Schedule 2;

and subsequently at intervals of three years thereafter.

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(a) 1976 c.32; section 18 was amended by section 54(4) to (6) of the National Lottery etc. Act 1993 (c. 39); Schedule 1A was inserted by Schedule 7 to that Act and paragraph 7(1) of Schedule 2 was substituted by paragraph 8 of Schedule 8 to that Act.

**6.—(1)** The fee payable to the Board under paragraph 6(1)(b) of Schedule 1A or, as the case may be, paragraph 7(1)(c) of Schedule 2 (which provide, respectively, for the payment of fees for promotion of a lottery by a society and under a local authority scheme), shall be—

- (a) for each lottery promoted by a society or under a scheme where—
  - (i) the total value of tickets or chances sold in the lottery exceeds £2,000 but does not exceed £20,000, and
  - (ii) the lottery is not an exempt lottery,  
a fee of £104;
- (b) for each lottery so promoted where the total value of tickets or chances sold in the lottery exceeds £20,000 but does not exceed £50,000, a fee of £104;
- (c) for each lottery so promoted where the total value of tickets or chances sold in the lottery exceeds £50,000 but does not exceed £200,000, a fee of £303;
- (d) for each lottery so promoted where the total value of tickets or chances sold in the lottery exceeds £200,000, a fee of £454.

(2) Where—

- (a) a society promotes any lottery to which paragraph (1)(a)(i) above applies, and
- (b) on the date on which a fee would be payable to the Board in respect of that lottery the society has already paid fees in respect of seven relevant lotteries in the calendar year in which that date falls (a “relevant lottery” for this purpose being a lottery falling within paragraph (1)(a) above),

no fee shall be payable in respect of that lottery.

(3) Where a lottery is promoted by a society or under a local authority scheme registered with the Board in which the total value of tickets or chances sold is £2,000 or less, no fee shall be payable in respect of that lottery.

**7.** The fee payable to the Board under—

- (a) paragraph 10 of Schedule 1A (which provides for the payment of a fee by a member of the public to inspect a return made in respect of a society's lottery); and
- (b) paragraph 6A of Schedule 2(a) (which provides for the payment of a fee by a member of the public to inspect a return made in respect of a local lottery),

shall be £10.

**8.** The fee payable under paragraph 1(3) of Schedule 2A(b) (fee payable to the Board on an application for certification as a lottery manager) shall be £14,850.

**9.** The Lotteries (Gaming Board Fees) Order 2002(c) is hereby revoked.

1st March 2004

*Andrew McIntosh*  
Parliamentary Under Secretary of State  
Department for Culture, Media and Sport

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(a) Paragraph 6A of Schedule 2 was inserted by paragraph 7 of Schedule 8 to the National Lottery etc. Act 1993.  
(b) Schedule 2A was inserted by Schedule 9 to the National Lottery etc. Act 1993.  
(c) S.I. 2002/639.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision as to the fees payable to the Gaming Board for Great Britain by societies under Schedule 1A to the Lotteries and Amusements Act 1976, by local authorities under Schedule 2 to that Act and by applicants for certification as a lottery manager under Schedule 2A to that Act. The level at which such fees were set previously by the Lotteries (Gaming Board Fees) Order 2002 (S.I. 2002/639) (“the 2002 Order”), revoked by this Order, is indicated in brackets after each relevant figure below.

A society or local authority wishing to promote a lottery is required to pay a fee of £4,810 (previously £4,600) to register itself or a scheme with the Board.

A fee of £188 (previously £180) is payable every 3 years in respect of continued registration with the Board.

The following sliding scale of fees applies for each society's lottery promoted on behalf of a society while it is registered with the Gaming Board and for each lottery promoted under a local authority scheme registered with the Board.

<i>Turnover (total value of tickets or chances sold)</i>	<i>Fees</i>
Exceeds £2,000 but does not exceed £20,000	£104 (previously £100)
Exceeds £20,000 but does not exceed £50,000	£104 (previously £100)
Exceeds £50,000 but does not exceed £200,000	£303 (previously £290)
Exceeds £200,000	£454 (previously £435)

As in the 2002 Order, no fee is payable in respect of the eighth and any subsequent lottery promoted by a society in a calendar year provided that the turnover of the lottery in question does not exceed £20,000. A fee exemption applies to lotteries with a turnover of £2,000 or less.

The fee payable by members of the public inspecting returns made in respect of societies and local authorities remains £10 and the fee payable under the Act on an application for certification as a lottery manager is £14,850 (previously £14,220).

A full Regulatory Impact Assessment of the costs and benefits of this Order is available from the Gaming and Lotteries Branch, Department for Culture, Media and Sport, 2-4 Cockspur Street, London SW1Y 5DH, telephone 020 7211 6498.

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