

2006 No. 2630 (C. 89)

NATIONAL LOTTERY

**The National Lottery Act 2006 (Commencement No. 2 and
Transitional Provisions) Order 2006**

Made - - - - *23rd September 2006*

The Secretary of State makes the following Order in exercise of the powers conferred by section 22 of the National Lottery Act 2006(a).

Citation and interpretation

1.—(1) This Order may be cited as the National Lottery Act 2006 (Commencement No. 2 and Transitional Provisions) Order 2006.

(2) In this Order “the 1993 Act” means the National Lottery etc. Act 1993(b).

Commencement

2. The following provisions of the National Lottery Act 2006 shall come into force on 1st October 2006—

- (a) sections 1 to 4,
- (b) section 8,
- (c) sections 10 to 12.

Transitional provisions

3.—(1) The person who immediately before 1st October 2006 is the chairman of the National Lottery Commission shall continue to hold office as such on and after that date and shall be treated for the purposes of Schedule 2A to the 1993 Act(c) as if—

- (a) she had been appointed by the Secretary of State under paragraph 4(1) of that Schedule(d); and
- (b) subject to paragraphs (2) and (3), she had been so appointed on the same terms of appointment as had effect in relation to her appointment as chairman immediately before 1st October 2006.

(2) Notwithstanding paragraph (1), the Secretary of State shall, on 1st October 2006 or as soon as reasonably practicable after that date, appoint a person to be the chairman of the National Lottery Commission with effect from 16th October 2006 or such later date as the Secretary of State may consider appropriate.

(a) 2006 c.23.

(b) 1993 c.39.

(c) Schedule 2A was inserted by section 1 of, and Schedule 1 to, the National Lottery Act 1998 (c.22).

(d) Paragraph 4 of Schedule 2A was inserted by section 1(3) of the National Lottery Act 2006.

(3) The terms of appointment as chairman of the person referred to in paragraph (1) shall have effect on and after 1st October 2006 as if they provided for her term of office to expire immediately before the time at which the Secretary of State's appointment of a new chairman under paragraph (2) takes effect.

4. The requirement in subsection (2A) of section 34 of the 1993 Act^(a) shall only apply in relation to a report under that section which is required to be made for a financial year beginning on or after 1st April 2007.

23rd September 2006

Richard Caborn
Minister of State
Department for Culture, Media and Sport

^(a) Section 34(2A) was inserted by section 12 of the National Lottery Act 2006.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the following provisions of the National Lottery Act 2006 all of which amend the National Lottery etc. Act 1993 (“the 1993 Act”). Section 1 amends Schedule 2A dealing with the constitution of the National Lottery Commission; section 2 inserts sections 4B and 4C to allow HM Revenue and Customs and the National Lottery Commission to exchange information; sections 3 and 4 make amendments to the licensing provisions in the 1993 Act including provision limiting the length of a licence; section 8 inserts section 29A to allow the Secretary of State to reallocate money held in the National Lottery Distribution Fund; section 10 inserts section 25(2C) to allow Lottery distributing bodies to consult; section 11 inserts section 25E to allow Lottery distributing bodies to promote the National Lottery; and section 12 inserts section 34(2A) requiring Lottery distributing bodies to include in their annual reports a statement on their policy and practice in relation to the principle that proceeds of the National Lottery should be used to fund projects for which funds would be unlikely to be made available by Government.

Article 3 makes transitional provision about the appointment of the chairman of the National Lottery Commission. It provides that the current chairman is to stay in office as if she had been appointed by the Secretary of State, for her existing terms of appointment to continue except that her term of office will expire immediately before the term of office of a new chairman to be appointed by Secretary of State takes effect on or after 16th October 2006. Article 4 makes transitional provision about the requirement for the annual reports of Lottery distributors to include certain information. The requirement in section 34(2A) of the 1993 Act will only apply to annual reports prepared for the financial years starting on or after 1st April 2007.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date Commencement</i>	<i>of S.I. No.</i>
Section 14, Schedule 2	1st August 2006	2006/2177 (C.73)

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£3.00

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E1252 10/2006 161252T 19585