

SCHEDULE 4

Transitional provisions

PART 8

Conversion of lottery registrations under the Lotteries and Amusements Act 1976 into operating licences or registrations under the Gambling Act 2005

Application of the Gambling Act 2005 to lotteries begun before 1st September 2007

73.—(1) A lottery operating licence is to authorise the holder to continue to promote a lottery which the holder began promoting before 1st September 2007 in reliance on the 1976 Act registration.

(2) Where before 1st September 2007 a person is able to participate in such a lottery by purchasing a chance (whether participation in the lottery in this way is offered in addition to or instead of participation by purchasing a ticket), persons may continue on and after that date to purchase a chance and not a ticket in the lottery if the condition in sub-paragraph (3) is met.

(3) The condition is that the arrangements for the lottery provide for each and every draw in the lottery to take place before 1st March 2009.

(4) Section 99 of the 2005 Act (which makes provision about the conditions to be attached to lottery operating licences) is to have effect subject to the following modifications in relation a lottery which falls within the description in sub-paragraph (2) and complies with the condition in sub-paragraph (3).

(5) Subject to sub-paragraph (6), subsections (4), (6) and (8) of that section are to have effect as if any reference to a person purchasing a ticket in the lottery (irrespective of how it is described) included a reference to a person purchasing a chance in the lottery.

(6) Section 99 of the 2005 Act is to have effect as if the requirement in paragraph (b) of subsection (6) only applies where a person purchases a ticket in order to participate in the lottery.

(7) In sub-paragraph (1), “the 1976 Act registration” is to be construed in accordance with paragraph 72(4).