

Registration of Society

Society lotteries are lotteries promoted for the benefit of a non-commercial society. A society is non-commercial if it is established and conducted:

- for charitable purposes;
- or the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity,
- or any other non-commercial purpose other than that of private gain.

If a society does not put on sale tickets or chances valued at more than £20,000 for any lottery and if it does not put on sale tickets or chances the value of which, when added to those sold or to be sold in all earlier lotteries in the same calendar year, amounts to over £250,000, application for registration should be made to the local authority within whose area the office or the head office of the particular society is situated; forms of application are available from the offices of the local authority, and when completed be returned to the authority, together with the statutory fee of £40. This fee is amended from time to time and it would be advisable to check with the authority as to the amount currently required to be paid on application for registration.

If a society wishes to run lotteries which will exceed the amounts mentioned above, then application for registration must be made to the Gambling Commission. Once registered with the Gambling Commission, the society must promote all further lotteries (of whatever size) held in that or the following three calendar years under the Commission's registration, and will not be able to change to local authority registration during that time.

In the case of registration by the local authority, a certificate of registration will be issued by the authority to the society, unless they consider that registration should be refused because:-

- **an operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past 5 years.** The Commission will be able to advise the details of people and organisations that have been refused an operating licence or have had an operating licence revoked within the last five years. Licensing authorities should consult the Commission as part of their consideration process.

Licensing authorities may also refuse an application for registration for any of the following reasons:

- **an operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past 5 years.** The Commission will be able to advise the details of people and organisations that have been refused an operating licence or have had an operating licence

revoked within the last five years. Licensing authorities should consult the Commission as part of their consideration process.

- **the society in question cannot be deemed non-commercial.** Under previous regimes licensing authorities often required applicants to provide a statement with their application form declaring that they represented a bona fide non-commercial society, and identifying how the purpose of the society could be established. The Commission believes that a similar approach remains appropriate. However, licensing authorities should also consider whether such a declaration is sufficient in the particular circumstances of each case or whether there are additional determining factors, such as an unusual or novel purpose of the society, which may suggest that further enquiry is needed.
- **a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence.** Under previous regimes licensing authorities often required applicants to provide a statement alongside their application form declaring that they had no relevant convictions that would prevent them from running lotteries, the accuracy of which could then be verified with the police. The Commission believes that this scenario remains appropriate.
- **information provided in or with the application for registration is found to be false or misleading.**

If the authority propose to refuse to register the society they must first give the society an opportunity of being heard, and eventually notify their decision to the society. If registration is finally refused the society has a right to appeal to the magistrates Court within 21 days of receipt of the notice of decision.

A licensing authority may determine to revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. Revocations cannot take place unless the society has been given an opportunity to make representations at a hearing or via correspondence.

Every registered society must pay to the local authority the annual fee of £20.00 which is payable within the period of two months which ends immediately before each anniversary of the registration. At any time, however, the society may apply for its registration to be cancelled and the local authority must in any such case cancel the registration accordingly.