



BARNSELEY

Metropolitan Borough Council

RETURN BY PROMOTER RELATING TO A SOCIETY LOTTERY HELD UNDER THE GAMBLING ACT 2005

**This return must be sent to:
The Licensing Section, PO Box 634, Barnsley, S70 9GG
no later than the end of the third month after the date of the lottery**

Name of Society.....
Registration Number SL.....
I (full name).....
of (full address).....
being a promoter of the lottery conducted on behalf of (name of organisation)

.....
a society registered by Barnsley Metropolitan Borough Council for the purposes of the
Gambling Act 2005, **HEREBY STATE** as follows:

1. Date of lottery.....
2. The total proceeds of the lottery were £.....
3. The following expenses were incurred and met by sources other than from the proceeds of the lottery:

Amount Expense incurred for	Expense paid by
£	
£	

4. After deducting the sums (listed at 3.) for expenses and for the provision of prizes, the following amount(s) remained and was/were used for:

Amount Used	Amount Used for
£	
£	

5. I hereby certify that I am a member of the Society named above and have been duly authorised in writing by the governing body of the society to act as the promoter of the lottery.

6. A copy of the scheme under which the lottery was promoted accompanies this return.

Dated.....
Signed.....
Occupation.....

CERTIFICATION

WE, being two members of the said Society and persons of full age who have been appointed in writing by the governing body of the said Society to certify the returns relating to lotteries conducted for the benefit of the said Society **HEREBY CERTIFY** that to the best of our knowledge and belief the information contained in this return is in all respects correct.

Signature 1..... Signature 2.....
Name..... Name.....
Date..... Date.....

NOTE:

The 2005 Gambling Act sets out a number of offences that apply to lotteries, as follows:

Section of the Act	Offence
s. 258	Promoting a non-exempt lottery without a licence
s. 259	Facilitating a non-exempt lottery without a licence
s. 260	Misusing the profits of a lottery
s. 261	Misusing the profits of an exempt lottery
s. 262	Purporting to operate a small society lottery when not registered, or failing to make the required, or making false or misleading, returns in respect of such lotteries.
s. 326	Without reasonable excuse, obstructing or failing to cooperate with an authorised person exercising his/her powers
s. 342	Without reasonable excuse, giving false or misleading information to the Commission or a Licensing Authority.

If a society running small lotteries fails to comply with any of the conditions of running such lotteries specified in Part 4 of Schedule 11 of the Act, it will be operating in an illegal manner, irrespective of whether it is registered with a Licensing Authority or not. Under these circumstances small society lottery operators may face prosecution by the Commission, a Licensing Authority, or the police.

Paragraph 39 of Schedule 11 of the Act sets out the information that the promoting society of a small society lottery must send as returns to the Licensing Authority with which it is registered, **following each lottery held**. This information will allow authorities to assess, in particular, whether financial limits are being adhered to and to ensure that any money raised is being applied for the proper purpose. The information that must be submitted is as follows:

- the arrangements for the lottery – specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover;
- the proceeds of the lottery;
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers;
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery;
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid; and
- the amount applied to the purpose for which the promoting society is conducted (this **must** be at least 20% of the proceeds).

Paragraph 39 of the Act also requires that returns must:

- be sent to the Licensing Authority no later than three months after the date of the lottery draw, or in the case of 'instant' lotteries (scratch cards) within three months of the last date on which tickets were on sale; and
- be signed (electronic signatures are acceptable if the return is sent electronically) by two members of the society, who must be aged eighteen or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and accompanied by a copy of their letter or letters of appointment.

If you have any queries regarding this form, please contact The Licensing Section on 01226 773555 or email licensing@barnsley.gov.uk