

E Noble
Lingcroft
Main Street
Bilbrough
YO23 3PH

Please Ask For: Licensing
Telephone No: 0300 131 2 131
Email Address: Licensing.sel@northyorks.gov.uk
Our Ref: 24/00130/GALOT

13 March 2024

Dear E Noble

Gambling Act 2005
Registration – Bilbrough Village Hall
Permit No – 24/00130/GALOT

Please find enclosed your Lottery Permit together with Explanatory Notes for Guidance.

The current signatories for your society are:

If any of the above are no longer valid please complete the attached ‘Appointment of Certifying Members for Promoters Return’ form for new signatories and advise the Licensing Team of any which are no longer required.

Also attached is a copy of the Promoters Return form. This form must be completed and forwarded to the Licensing Team **no later than the end of the third month after each Lottery is held**, as required by Schedule 11, part 4, paragraph 39 (2) of the Gambling Act 2005.

Should you require any further information, please do not hesitate to contact your local Licensing team on the above email address or telephone number.

Yours faithfully

Licensing Team

24/00130/GALOT

NORTH YORKSHIRE COUNCIL

**GAMBLING ACT 2005
Schedule 11, Parts 4 & 5**

**Certificate of Registration
of Society for the purposes of Schedule 11, Parts 4 & 5 of the Act**

THIS CERTIFICATE confirms that the Society known as

Bilbrough Village Hall

whose address is

Village Hall, Redhill Field Lane, Bilbrough, YO23 3PL

has been registered by NORTH YORKSHIRE COUNCIL and can
conduct Small Society Lotteries in accordance with Schedule 11,
Part 4 of the Gambling Act 2005.

This registration shall remain in force from 13 March 2024 until 31 December 2024

A fee of £40 has been paid.

Granted at the office of the said Council at

The Civic Centre, Doncaster Road, Selby, YO8 9FT

On 13 March 2024



Licensing Manager

NOTE. A further fee of £20.00 is payable to North Yorkshire Council on the 1st January in each year while this registration remains in force along with a renewal application form

OFFICIAL

Guidance notes Small Society Lottery Gambling Act 2005

The aim of this guide is to answer any questions you may have about applying for a Small Society Lottery.

Please read the information carefully before completing the application form.

1. What are incidental “non-commercial” lotteries?

These are held at non-commercial events and do not require permission. Examples may include a lottery held at a school fete, or at a social event such as a dinner dance. An event is deemed non-commercial if all the money raised at the event, including entrance fees, goes entirely to purposes that are not for private gain. Therefore a fundraising social event with an entrance fee would be non-commercial if the profits went to a society but would be commercial if the profits were retained by the organiser.

For this type of lottery, part one of schedule 11 of the Act, and regulations laid by the regulations, specify the following:

- prizes cannot total more than £500.
- the promoters of the lottery may not deduct more than £100 from the proceeds in respect of the cost of other expenses, such as the cost of printing tickets or hire of equipment.
- the lottery cannot involve a rollover of prizes from one lottery to another.
- tickets must only be sold at the premises during the event, and the result must be made public while the event takes place.

2. What is a Lottery?

In essence a lottery is an arrangement which satisfies the statutory description of either a simple lottery or a complex lottery, as per section 14 of the Gambling Act 2005 (“the Act”).

An arrangement is a **simple lottery** if:

- persons are required to pay to participate;
- one or more prizes are allocated to one or more members of a class; and
- the prizes are allocated by a process which relies wholly on chance.

An arrangement is a **complex lottery** if:

- persons are required to pay to participate;
- one or more prizes are allocated to one or more members of a class;
- the prizes are allocated by a series of processes; and
- the first of those processes relies wholly on chance.

Arrangements that fulfil all of the criteria of either of the above categories are defined as a lottery under the Act.

3. What is a Society?

Section 19 of the Act defines a society as such if it is established and conducted:

- for charitable purposes;
- for 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.

It is essential in this definition that the society must have been established for one of the permitted purposes, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries - it must have some other purpose.

4. What is a Small Lottery under the Act?

The Act defines a small society lottery with the definition breaking down into two distinct areas:

1. **society status** – the society in question must be ‘non- commercial’ (per “Definition of Society” as outlined at 2. above).
2. **size of lottery** – the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they will be classed as a large lottery operator and must be licensed with the Gambling Commission (“the Commission”) instead.

The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a licensing authority. The licensing authority with which a small society lottery is required to register must be in the area where their principal office is located. If a licensing authority believes that a society’s principal office is situated in another area, it should inform the society and the other authority as soon as possible.

5. What are the limits placed on small society lotteries?

The limits are as follows:

- at least 20% of the lottery proceeds must be applied to the purposes of the society (schedule 11, paragraph 33 the Act);
- no single prize may be worth more than £25,000 (schedule 11, paragraph 34 the Act);
- rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society, and the maximum single prize is £25,000 (schedule 11, paragraph 35 the Act); and
- every ticket in the lottery must cost the same and the ticket fee must be paid to the society (i.e. the society must take payment) before entry into the draw is allowed. (schedule 11, paragraph 37 the Act).

6. What are the changes between the Act and the old Lotteries and Amusements Act 1976?

The Act introduces some relaxation of society lottery law and in particular:

- removes the individual limits on the percentage of proceeds that may be applied to expenses or prizes – although the maximum global amount that can be deducted for expenses and prizes remains at 80%, with a minimum of 20% going to the purposes of the society or to local authority expenditure;
- allows rollovers of prize funds from one lottery to another promoted by the same society, provided the maximum single prize does not exceed £25,000 or 10% of the gross proceeds;
- permits the sale of tickets by an automated process; and
- removes the £2 maximum limit on ticket prices.

7. What must I do to comply with the regulations under the Act?

As the purpose of permitted lotteries is to raise money for non-commercial causes, the Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery. If a small society lottery does not acquiesce with these limits then it will be in breach of the Act’s provisions, and consequently be liable for prosecution (see 4. above for details of limits).

Paragraph 39 of Schedule 11 in 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 us 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 us 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.

A proforma return for use by societies will be enclosed with your registration.

8. Can you refuse a Lottery registration? If so on what grounds?

Yes, we will refuse an application 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 society in question cannot be deemed non-commercial.
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence.
- information provided in or with the application for registration is found to be false or misleading.

However, we may only refuse an application for registration after the Society has had the opportunity to make representations against the refusal. These can be taken at a formal hearing or taken via correspondence. We will inform the society of the reasons why we are minded to refuse registration and will provide it with at least an outline of the evidence on which we have reached that preliminary conclusion – in order to enable it to make any representations it sees fit. The applicant or society may decide to make an appeal against the decision. They must lodge an appeal within 21 days of receipt of the notice of the decision, and this must be made directly to the local Magistrates’ Court.

9. What are the regulations concerning lottery tickets?

Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message).

Schedule 11(36) requires that a purchaser of a small society lottery ticket must receive a document which identifies:

- the name of the promoting society;
- the price of the ticket (must be the same for all tickets);

- the name and address of the member of the society who is designated as having responsibility at the society for promoting small lotteries, or (if there is one) the external lottery manager; and
- the date of the draw, or enables the date to be determined.

However, the requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it.

The Act requires that lottery tickets may only be sold by persons over the age of 16 to persons over the age of 16.

Tickets should not be sold in a street, (street including any bridge, road, lane, footway, subway, square, court or passage - including passages through enclosed premises such as shopping malls); however, tickets may be sold from a kiosk, in a shop or door-to-door.

10. What are the regulations concerning prizes?

Prizes awarded in small society lotteries can be either cash or non-monetary. However the amount of money deducted from the proceeds of the lottery to cover prizes must not exceed the limits set out by the Act - i.e. that combined with any expenses incurred with the running of the lottery, such as manager's fees, they must not comprise more than 80% of the total proceeds of the lottery. Donated prizes would not be counted as part of this 80% (as no money would be withdrawn from the proceeds to cover their purchase) but should still be declared on the return following the lottery draw (see 6. above).

11. What are the offences applicable to Lotteries under the Act?

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 co-operate 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

12. What is the fee?

The fee for initial registration is £40 which must be paid at the time of registration.

Please note that ALL registrations are renewed on 1st January each year, regardless of when they were issued.

13. Do I have to pay an annual fee to stay registered?

Yes. This has currently been set by the Government at £20 and must be paid within the period of two months after the renewal date of 1st January each year

To: Licensing Authority (Selby)
 North Yorkshire Council
 Civic Centre
 Doncaster Road
 Selby
 YO8 9FT



RETURN RELATING TO A SMALL SOCIETY LOTTERY

GAMBLING ACT 2005 – SCHEDULE 11, PART 4

The following information is required by Schedule 11, Part 4, Paragraph 39(2) of the Gambling Act 2005. This statement must be submitted **no later than three months** beginning on the day on which the draw (or last draw) in the lottery took place. It must be signed by two members of the Society appointed in writing for that purpose by the Society, or its governing body if applicable, **and** accompanied by a copy of that appointment. All signatories must be over the age of 18 years.

We, being duly appointed members of the Society in compliance with the requirements of Schedule 11, Part 4, Paragraph 39(4), hereby submit the following statutory return:

Name of Society:	Bilbrough Village Hall
Licensing Authority issued Registration number of Society:	24/00130/GALOT
Arrangements for the lottery, including: a) Dates on which tickets were available for sale or supply; b) Dates of any draw; c) Arrangements for prizes, including any rollover; and d) Details of any donated prizes:	a) b) c) d)
Proceeds of the Lottery:	
Amounts deducted by the promoters of the lottery in respect of the provisions of prizes (including the provision of any prizes in accordance with any rollover):	

<p>Any amount applied to a purpose for which the promoting Society is conducted:</p>	
<p>Whether any expenses in connection with the lottery were paid otherwise than by deduction from proceeds, and, if they were –</p> <p>(i) the amount of the expenses, and</p> <p>(ii) the sources from which they were paid</p>	

Declaration and Signatures

We the undersigned, being two members of the Society who are appointed in writing by the Society, or its governing body, submit this return to the Licensing Authority in accordance with the provisions of Schedule 11, Part 4, Paragraph 39 of the Gambling Act 2005.

Signed:

Print Name:

Capacity:

Dated:

Signed:

Print Name:

Capacity:

Dated:

PLEASE NOTE THAT IT IS AN OFFENCE UNDER SECTION 342 OF THE GAMBLING ACT 2005, TO GIVE ANY FALSE OR MISLEADING INFORMATION WITHIN THIS RETURN.

For Office Use Only:

Return Form Checked by the following Officer and found to be satisfactory/unsatisfactory.

Signed:

Print Name:

Capacity:

Dated:

To: Licensing Authority (Selby)
North Yorkshire Council
Civic Centre
Doncaster Road
Selby
YO8 9FT



**APPOINTMENT OF CERTIFYING MEMBERS FOR
PROMOTER'S RETURN**

APPOINTMENT

Bilbrough Village Hall is a society duly registered under the Gambling Act 2005 schedule 11 for the promotion of small society lotteries.

The Committee of the society (being the governing body of the Society) appoint:

Print Name:

Print Address:

Signature:

Print Name:

Print Address:

Signature:

both being members of the society of full age, for the purpose of certifying returns made by the promoter of any of the society's lotteries.

Signed on behalf of the said committee at its meeting on:

_____ (Date)

_____ (Chairman or Secretary)