

ORKNEY ISLANDS AREA LICENSING BOARD

GAMBLING ACT 2005

INFORMATION/GUIDANCE **EXEMPT LOTTERIES – CUSTOMER LOTTERIES**

See also the Board's Information on Small Society Lotteries at www.orkney.gov.uk

The Gambling Act 2005 can be accessed on the Internet at www.opsi.gov.uk

Further information can also be accessed on the Internet at the following websites –

Department for Culture, Media and Sport – www.culture.gov.uk

Gambling Commission – www.gamblingcommission.gov.uk

Scottish Government – www.scotland.gov.uk

Customer lotteries are run by the occupiers of business premises, who sell tickets only to customers present on their premises.

The Act requires the following as regards customer lotteries –

- Ø tickets may only be sold or supplied by the promoter or by someone on their behalf;
- Ø no advertisement may be displayed or distributed except on the business premises, or sent to any other premises;
- Ø the lottery may thus only be advertised on the premises on which it is held;
- Ø no ticket may result in the winner receiving a prize worth more than £50;
- Ø no rollovers of prizes between lotteries are permitted;
- Ø each ticket must state –
 - a) the name and address of the promoter of the lottery;
 - b) the class of persons to whom the promoters can sell or supply tickets;
 - c) that the rights conferred by the sale or supply of a ticket in a customer lottery are not transferrable;
- Ø customer lotteries may not take place within 7 days of another customer lottery promoted on the same business premises.

Customer lotteries may not be conducted on vessels. The Act's definition of a vessel is –

- anything (other than a seaplane or amphibious vehicle) designed, adapted for navigation or other use in, on or over water;
- a hovercraft; or
- anything, or any part of any place, situated on or in water.

Information is also available at www.orkney.gov.uk in respect of the following categories of exempt lottery –

- incidental non-commercial lotteries
- private lotteries.

Anyone requiring further information about this topic should contact the Legal Clerks' Office at the Council Offices, Kirkwall, Orkney KW15 1NY –

by email licensing@orkney.gov.uk

by telephone: 01856 873535 extensions 2229 / 2232

by fax: 01856 876941