



Betting, Gaming and Lotteries Act 1963

1963 CHAPTER 2

PART III

LOTTERIES AND PRIZE COMPETITIONS

42 Offences in connection with lotteries

- (1) Subject to the provisions of this section, every person who in connection with any lottery promoted or proposed to be promoted either in Great Britain or elsewhere—
- (a) prints any tickets for use in the lottery; or
 - (b) sells or distributes, or offers or advertises for sale or distribution, or has in his possession for the purpose of sale or distribution, any tickets or chances in the lottery; or
 - (c) prints, publishes or distributes, or has in his possession for the purpose of publication or distribution—
 - (i) any advertisement of the lottery; or
 - (ii) any list, whether complete or not, of prize winners or winning tickets in the lottery; or
 - (iii) any such matter descriptive of the drawing or intended drawing of the lottery, or otherwise relating to the lottery, as is calculated to act as an inducement to persons to participate in that lottery or in other lotteries; or
 - (d) brings, or invites any person to send, into Great Britain for the purpose of sale or distribution any ticket in, or advertisement of, the lottery; or
 - (e) sends or attempts to send out of Great Britain any money or valuable thing received in respect of the sale or distribution, or any document recording the sale or distribution, or the identity of the holder, of any ticket or chance in the lottery; or
 - (f) uses any premises, or causes or knowingly permits any premises to be used, for purposes connected with the promotion or conduct of the lottery; or
 - (g) causes, procures or attempts to procure any person to do any of the above-mentioned acts,

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shall be guilty of an offence.

- (2) In any proceedings instituted under the foregoing subsection, it shall be a defence to prove either—
- (a) that the lottery to which the proceedings relate was a lottery declared not to be unlawful by section 43, 44, 45 or 46 of this Act, and that at the date of the alleged offence the person charged believed, and had reasonable ground for believing, that none of the conditions required by that section to be observed in connection with the promotion and conduct of the lottery had been broken; or
 - (b) that the lottery to which the proceedings relate was also a game of chance and that at the time of the alleged offence the person charged believed, and had reasonable ground for believing, that it was being conducted in such circumstances that no offence under Part II of this Act was committed.
- (3) In England, proceedings under subsection (1) (c) (iii) of this section in respect of any matter published in a newspaper shall not be instituted except by, or by direction of the Director of Public Prosecutions.