



# National Lottery etc. Act 1993

## 1993 CHAPTER 39

### PART II

#### DISTRIBUTION OF THE NET PROCEEDS OF THE NATIONAL LOTTERY

##### *Supplementary*

#### 44 Interpretation of Part II.

(1) In this Part—

[<sup>F1</sup>“charitable”, in relation to expenditure, means expenditure for a charitable, benevolent or philanthropic purpose.]

<sup>F2</sup> ...

“the Distribution Fund” means the National Lottery Distribution Fund;

[<sup>F3</sup>“education” includes training and the provision of activities for children;

[<sup>F4</sup>“endowment” includes permanent endowment;]

“the environment” includes the living and social environment;]

“expenditure on or connected with the national heritage” [<sup>F5</sup>means expenditure for any purpose for which expenditure may be incurred under section 3, 3A or 4 of the National Heritage Act 1980]

“financial year”, in relation to a body, means—

(a) the period beginning with the date on which the body is established and ending with the next 31st March, and

(b) each successive period of twelve months ending with 31st March.

[<sup>F6</sup>“joint scheme” means a joint scheme under section 25B;]

(2) For the purposes of the definition of “expenditure on or connected with the national heritage” in subsection (1), any reference in section 3 [<sup>F7</sup>3A or 4] of the National Heritage Act 1980 to the opinion of the Trustees shall be read, in relation to any body other than the Trustees of the National Heritage Memorial Fund that is for the time being specified in section 23(3), as a reference to the opinion of that body.

*Changes to legislation: National Lottery etc. Act 1993, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 01 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- [<sup>F8</sup>(3) A project or arrangement shall be regarded for the purposes of this Part as concerned or connected with health, education or the environment notwithstanding that it contains incidental provision—
- (a) which is not concerned or connected with any of those matters; but
  - (b) which is necessary or expedient for the purposes of the project or arrangement.]
- [<sup>F9</sup>(4) Any reference in this Part to the distribution of money shall be construed as including the making or entering into of arrangements in accordance with section 25(1A) <sup>F10</sup>...; and related expressions used in this Part shall be construed accordingly.]

#### Textual Amendments

- F1** Words in s. 44(1) substituted (1.12.2006) by [National Lottery Act 2006 \(c. 23\)](#), **ss. 20**, 22(1); S.I. [2006/3201](#), **art. 2(d)**
- F2** S. 44(1) entry omitted (1.12.2006) by virtue of [National Lottery Act 2006 \(c. 23\)](#), **ss. 19(7)**, 22(1); S.I. [2006/3201](#), **art. 2(d)**
- F3** Definitions in s. 44(1) inserted (2.7.1998 with application in relation to sums paid into the National Lottery Distribution Fund under s. 21(2) on or after 14.10.1997) by [1998 c. 22](#), **s. 6(8)(9)**.
- F4** Words in s. 44(1) inserted (retrospectively) by [National Lottery \(Funding of Endowments\) Act 2003 \(c. 23\)](#), s. 1(8)(9)
- F5** Words in s. 44(1) substituted (4.3.1998) by [1997 c. 14](#), s. 3, **Sch. Pt. I para. 5(a)**; S.I. [1998/292](#), **art. 2**
- F6** Definition in s. 44(1) inserted (2.7.1998) by [1998 c. 22](#), **s. 12(2)**.
- F7** Words in s. 44(2) inserted (4.3.1998) by [1997 c. 14](#), s. 3, **Sch. Pt. I para. 5(b)**; S.I. [1998/292](#), **art. 2**
- F8** S. 44(3) inserted (2.7.1998) by [1998 c. 22](#), **s. 8(2)**.
- F9** S. 44(4) inserted (2.7.1998) by [1998 c. 22](#), **s. 9(2)**.
- F10** Words in s. 44(4) repealed (1.12.2006) by [National Lottery Act 2006 \(c. 23\)](#), s. 22(1), **Sch. 3**; S.I. [2006/3201](#), **art. 2(e)**

**Changes to legislation:**

National Lottery etc. Act 1993, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 01 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5-6A substituted for s. 5 6 by [2006 c. 23 Sch. 1 para. 4](#) (Section 6 provides for Schedule 1 to be commenced by an order under that section rather than under the normal commencement provision (section 22). In particular, it requires the order to be subject to negative resolution procedures. Schedule 1 is to be commenced in this different way to reflect the intention that the Secretary of State will not commence Schedule 1 immediately but only if she considers that the current licensing structure has failed in creating an effective competition for the licence under section 5 of the 1993 Act to run the National Lottery and so risks failing to maximise returns to good causes.)
- s. 7(3A) inserted by [2006 c. 23 Sch. 1 para. 5\(5\)](#) (Section 6 provides for Schedule 1 to be commenced by an order under that section rather than under the normal commencement provision (section 22). In particular, it requires the order to be subject to negative resolution procedures. Schedule 1 is to be commenced in this different way to reflect the intention that the Secretary of State will not commence Schedule 1 immediately but only if she considers that the current licensing structure has failed in creating an effective competition for the licence under section 5 of the 1993 Act to run the National Lottery and so risks failing to maximise returns to good causes.)