
Changes to legislation: National Lottery etc. Act 1993, Part I is up to date with all changes known to be in force on or before 23 May 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

SCHEDULES

SCHEDULE 3

REVOCATION OF LICENCES

PART I

DISCRETIONARY GROUNDS FOR REVOCATION

- 1 A condition in the licence has been contravened.
- 2 Any information given by the licensee to the Director General—
 - (a) in or in connection with the application for the licence,
 - (b) in pursuance of a condition in the licence, or
 - (c) in making representations under section 8(2) or Part II of this Schedule, was false in a material particular.
- 3 (1) A proposal for a voluntary arrangement under Part I of the ^{M1}Insolvency Act 1986 or Part II of the ^{M2}Insolvency (Northern Ireland) Order 1989 has been made in relation to the licensee.
 - (2) A petition ^{F1}... for the winding up of the licensee has been presented to the court.
 - (3) A resolution for the voluntary winding up of the licensee has been passed.
 - (4) A receiver or manager of the whole or any part of the licensee's property has been appointed.
 - [^{F2}(5) An administration application has been made or a notice of intention to appoint an administrator or a notice of an appointment of an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986 (c. 45) has been filed.]

Textual Amendments

- F1** Words in Sch. 3 para. 3(2) omitted (15.9.2003) by virtue of [The Enterprise Act 2002 \(Insolvency\) Order 2003 \(S.I. 2003/2096\)](#), art. 1(1), [Sch. para. 21\(a\)](#) (with art. 6)
- F2** Sch. 3 para. 3(5) inserted (15.9.2003) by [The Enterprise Act 2002 \(Insolvency\) Order 2003 \(S.I. 2003/2096\)](#), art. 1(1), [Sch. para. 21\(b\)](#) (with art. 6)

Marginal Citations

- M1** 1986 c. 45.
- M2** S.I. 1989/2405 (N.I. 19).

- 4 In the case of a licence granted under section 5—
 - (a) the licensee is not providing or proposing to provide facilities that are necessary or desirable for running the National Lottery;

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- (b) any person who is managing the business or any part of the business of running the National Lottery under the licence is not a fit and proper person to do so;
- (c) any person for whose benefit that business is carried on is not a fit and proper person to benefit from it.

5 In the case of a licence granted under section 6—

- (a) the licensee is not taking or proposing to take steps that are necessary or desirable for preventing the commission of fraud by participants in any lottery promoted under the licence;
- (b) a person who is managing the business or any part of the business of promoting lotteries under the licence is not a fit and proper person to do so;
- (c) a person for whose benefit that business is carried on is not a fit and proper person to benefit from it.

Changes to legislation:

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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.)