

Changes to legislation: National Lottery etc. Act 1993, Cross Heading: Tenure 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

SCHEDULES

[^{F1}SCHEDULE 4A

THE BIG LOTTERY FUND

Textual Amendments

F1 Sch. 4A inserted (1.8.2006) by National Lottery Act 2006 (c. 23), s. 22(1), **Sch. 2**; S.I. 2006/2177, art. 2

Modifications etc. (not altering text)

C1 Sch. 4A: transfer of functions (13.4.2011) by The Transfer of Functions (Big Lottery Fund) Order 2011 (S.I. 2011/739), arts. 1(2), **2(1)(e)** (with art. 3)

C1 Sch. 4A functions transferred (9.11.2016) by The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 (S.I. 2016/997), arts. 1(2), **10(2)(c)** (with arts. 10(3), 11, 12)

PART 1

CONSTITUTION

Tenure

- 2 A person shall hold and vacate office as Chairman or other member of the Fund in accordance with the terms of his appointment (subject to this Schedule).
- 3 The Chairman or another member may resign his office by notice in writing to the [^{F2}Secretary of State] .

Textual Amendments

F2 Words in Sch. 4A substituted (9.11.2016) by The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 (S.I. 2016/997), art. 1(2), **Sch. 2 para. 9(15)(a)** (with art. 12)

- 4 (1) The Chairman or another member may be removed from office by the [^{F2}Secretary of State] on the grounds that—
- (a) a bankruptcy order has been made against him [^{F3}or a debt relief order has been made in respect of him (under Part 7A of the Insolvency Act 1986),] , his estate has been sequestrated or he has made a composition or arrangement with, or granted a trust deed for, his creditors, or
 - (b) he is, in the opinion of the [^{F2}Secretary of State] , unable, unfit or unwilling to discharge the functions of his office.
- (2) Before exercising the power under sub-paragraph (1) in respect of a person appointed for the purpose of satisfying paragraph 1(3)(b), (c) or (d) the [^{F2}Secretary of State] shall consult—

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- (a) the National Assembly for Wales, in the case of a person appointed for the purpose of satisfying paragraph 1(3)(b),
- (b) the Scottish Ministers, in the case of a person appointed for the purpose of satisfying paragraph 1(3)(c), and
- (c) the Northern Ireland Department of Culture, Arts and Leisure, in the case of a person appointed for the purpose of satisfying paragraph 1(3)(d).

Textual Amendments

- F2** Words in Sch. 4A substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 9(15)(a)** (with art. 12)
- F3** Words in Sch. 4A para. 4(1)(a) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 2 para. 29(3)** (with art. 5)

- 5 A person who ceases, otherwise than by virtue of paragraph 4, to be Chairman or another member may be re-appointed.]

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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.)