



National Lottery etc. Act 1993

1993 CHAPTER 39

PART I

AUTHORISATION AND REGULATION OF THE NATIONAL LOTTERY

The licensing system

[^{F1}10C Annual levy

- (1) The Secretary of State may make regulations requiring holders of licences under section 5 or 6 to pay an annual levy to the [^{F2}Commission] .
- (2) The regulations shall, in particular, make provision for—
 - (a) timing of payment of the levy, and
 - (b) the amount of the levy.
- (3) The regulations may, in particular, make provision—
 - (a) determining the amount of the levy by reference to a percentage of specified receipts of the holder of a licence under section 5 or 6,
 - (b) determining the amount of the levy by reference to a percentage of specified profits of the holder of a licence under section 5 or 6,
 - (c) providing for the determination of the amount of the levy according to a specified formula, or
 - (d) providing for the determination of the amount of the levy in some other way.
- (4) Any sum due by way of levy by virtue of this section shall be treated for the purposes of this Act as if its payment were a condition of the licence under section 5 or 6.
- (5) The [^{F3}Commission] shall, with the consent of the Treasury and of the Secretary of State, expend money received by way of levy for purposes related to, or by providing financial assistance for projects related to—
 - (a) addiction to gambling,
 - (b) other forms of harm or exploitation associated with gambling, or

Changes to legislation: *National Lottery etc. Act 1993, Section 10C 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*

- (c) any of the licensing objectives for the purposes of the Gambling Act 2005.
- (6) In subsection (5) the reference to financial assistance is a reference to grants, loans and any other form of financial assistance, which may be made or given on terms or conditions (which may include terms and conditions as to repayment with or without interest).
- (7) The Secretary of State may make regulations under this section only if—
- (a) he has made regulations under the Gambling Act 2005 requiring holders of operating licences to pay an annual levy to the [^{F4}Commission] , and
 - (b) he has consulted the ^{F5}... Commission.

^{F6}(8).....]

Textual Amendments

- F1** S. 10C inserted (E.W.S.) (1.9.2007) by [Gambling Act 2005 \(c. 19\)](#), s. 358(1), **Sch. 3 para. 1** (with ss. 352, 354); [S.I. 2006/3272](#), art. 2(4)(5), Sch. 3B (with arts. 7-12, Sch. 4) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, Sch.)
- F2** Word in s. 10C(1) substituted (1.10.2013) by [The Public Bodies \(Merger of the Gambling Commission and the National Lottery Commission\) Order 2013 \(S.I. 2013/2329\)](#), art. 1(2), **Sch. para. 6(a)** (with art. 8, Sch. para. 43)
- F3** Word in s. 10C(5) substituted (1.10.2013) by [The Public Bodies \(Merger of the Gambling Commission and the National Lottery Commission\) Order 2013 \(S.I. 2013/2329\)](#), art. 1(2), **Sch. para. 6(a)** (with art. 8, Sch. para. 43)
- F4** Word in s. 10C(7)(a) substituted (1.10.2013) by [The Public Bodies \(Merger of the Gambling Commission and the National Lottery Commission\) Order 2013 \(S.I. 2013/2329\)](#), art. 1(2), **Sch. para. 6(b)(i)** (with art. 8, Sch. para. 43)
- F5** Words in s. 10C(7)(b) omitted (1.10.2013) by virtue of [The Public Bodies \(Merger of the Gambling Commission and the National Lottery Commission\) Order 2013 \(S.I. 2013/2329\)](#), art. 1(2), **Sch. para. 6(b)(ii)** (with art. 8, Sch. para. 43)
- F6** S. 10C(8) omitted (1.10.2013) by virtue of [The Public Bodies \(Merger of the Gambling Commission and the National Lottery Commission\) Order 2013 \(S.I. 2013/2329\)](#), art. 1(2), **Sch. para. 6(c)** (with art. 8, Sch. para. 43)

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Changes and effects yet to be applied to :

- s. 10C(1) words substituted by [2006 c. 23 Sch. 1 para. 11](#) (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. 10C(3)(a) words substituted by [2006 c. 23 Sch. 1 para. 11](#) (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. 10C(3)(b) words substituted by [2006 c. 23 Sch. 1 para. 11](#) (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. 10C(4) words substituted by [2006 c. 23 Sch. 1 para. 11](#) (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.)

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.)