



# National Lottery etc. Act 1993

## 1993 CHAPTER 39

### PART II

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

*[<sup>F1</sup>The Big Lottery Fund]*

#### **[<sup>F1</sup>36B Power to distribute funds**

- (1) The Big Lottery Fund may make grants or loans, or make or enter into other arrangements, for the purpose of complying with section 25(1).
- (2) A grant or loan may be subject to conditions (which may, in particular, include conditions as to repayment with interest).
- (3) The [<sup>F2</sup>Secretary of State] may by order make provision limiting the amounts distributed under subsection (1).
- (4) An order under subsection (3) may in particular—
  - (a) specify a maximum amount that may be distributed during a specified period for expenditure of a description prescribed under section 22(3A);
  - (b) specify a minimum amount that must be distributed during a specified period for expenditure of a description prescribed under section 22(3A);
  - (c) make provision by reference to the aggregate of amounts distributed, to a percentage of amounts available for distribution or otherwise;
  - (d) make provision (which may, in particular, confer a power on the Fund) for the treatment of expenditure which satisfies more than one prescribed description.
- (5) Before making an order under subsection (3) the [<sup>F3</sup>Secretary of State] shall consult—
  - (a) the Fund,
  - (b) the National Assembly for Wales,
  - (c) the Scottish Ministers,
  - (d) the Northern Ireland Department of Culture, Arts and Leisure, and

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**Changes to legislation:** National Lottery etc. Act 1993, Section 36B 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

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(e) such other persons (if any) as he thinks appropriate.]

#### Textual Amendments

- F1** Ss. 36B-36E inserted (1.12.2006) by [National Lottery Act 2006 \(c. 23\)](#), **ss. 15(2)**, 22(1); S.I. 2006/3201, [art. 2\(c\)](#)
- F2** Words in s. 36B(3) 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(5)** (with art. 12)
- F3** Words in s. 36B(5) 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(5)** (with art. 12)

#### Modifications etc. (not altering text)

- C1** S. 36B 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)

**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.)