



Horserace Betting and Olympic Lottery Act 2004

2004 CHAPTER 25

PART 3

NATIONAL LOTTERY: OLYMPIC LOTTERIES

Olympic Lottery Distribution Fund

26 Payments out of Fund

- (1) The Secretary of State^{F1}... may pay sums from the Olympic Lottery Distribution Fund to the Olympic Lottery Distributor.
- (2) The Secretary of State^{F1}... may make regulations permitting payments from the Olympic Lottery Distribution Fund—
 - (a) in respect of expenses of the Secretary of State^{F1}... in connection with functions under this Part;
 - (b) in respect of expenses incurred or to be incurred by the National Debt Commissioners in making investments under section 27;
 - (c) into the National Lottery Distribution Fund;
 - (d) to the Greater London Authority;
 - (e) to the National Olympic Committee;
 - (f) into the Consolidated Fund for the purpose of meeting payments made or to be made under paragraph 10 of [F2Schedule 4 to the Gambling Act 2005, so far as those payments relate to expenses of the Gambling Commission incurred or to be incurred in exercising its relevant functions] .
- (3) Regulations by virtue of subsection (2)(a) and (b) shall permit payment only with the consent of the Treasury.
- (4) Regulations by virtue of subsection (2)(c) shall in respect of each payment specify, or enable the Secretary of State^{F1}... to specify, whether it is to be—

Changes to legislation: Horseshoe Betting and Olympic Lottery Act 2004, Section 26 is up to date with all changes known to be in force on or before 27 September 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

- (a) treated as having been paid into the National Lottery Distribution Fund by virtue of section 5(6) of the National Lottery etc. Act 1993 (c. 39) (general payments into fund), or
 - (b) allocated entirely for expenditure on or connected with sport and held in accordance with section 23(2) of that Act (distributing bodies for sports).
- (5) Regulations by virtue of subsection (2)(c) may, in respect of a payment allocated in accordance with subsection (4)(b) provide, or enable the Secretary of State^{F1}... to provide, for section 23(2) of that Act to apply with specified modifications (which may, in particular, include modifications reducing a distributor’s share to nil).
- (6) Money paid to the Greater London Authority by virtue of subsection (2)(d) may be used by the Authority for any purpose for which it is authorised to incur expenditure.
- [^{F3}(7) In subsection (2)(f) “relevant functions” means functions conferred or imposed under or by virtue of—
- (a) a provision of the National Lottery etc. Act 1993 other than section 10C,
 - (b) this Part, and
 - (c) section 6(2) of the National Lottery Act 2006.]

Textual Amendments

- F1** Words in s. 26 omitted (7.7.2010) by virtue of [Secretary of State for Culture, Olympics, Media and Sport Order 2010 \(S.I. 2010/1551\)](#), art. 1(2), **Sch. para. 4(c)**
- F2** Words in s. 26(2)(f) 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. 27(c)(i)** (with art. 8, Sch. para. 43)
- F3** S. 26(7) inserted (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. 27(c)(ii)** (with art. 8, Sch. para. 43)

Commencement Information

- I1** S. 26 in force at 8.7.2005 by [S.I. 2005/1831](#), **art. 2**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 26(4)(a) words substituted by [2006 c. 23 Sch. 1 para. 16\(5\)](#) (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.)