



Gambling Act 2005

2005 CHAPTER 19

PART 11

LOTTERIES

Offences

258 Promotion of lottery

- (1) A person commits an offence if he promotes a lottery unless—
 - (a) the exception in subsection (2) or (3) applies, or
 - (b) the lottery is an exempt lottery.
- (2) This section does not apply to activity by a person if—
 - (a) he holds an operating licence authorising the activity, and
 - (b) he acts in accordance with the terms and conditions of the licence.
- (3) This section does not apply to activity by a person if—
 - (a) he acts, otherwise than as an external lottery manager, on behalf of a person who holds an operating licence authorising the activity, and
 - (b) the activity is carried on in accordance with the terms and conditions of the licence.
- (4) It is a defence for a person charged with an offence under this section to show that he reasonably believed that—
 - (a) he was not committing the offence by reason of subsection (1)(b), (2) or (3),
 - (b) that the arrangement to which the charge relates was not a lottery, or
 - (c) that the arrangement to which the charge relates was a lottery forming part of the National Lottery.
- (5) In this Act “exempt lottery” means a lottery which is exempt by virtue of a provision of Schedule 11.