



National Lottery Act 2006

2006 CHAPTER 23

Licensing System

3 Licensees

In the following provisions of the National Lottery etc. Act 1993 (c. 39) for “body corporate” or “body” substitute “person” (and for “bodies” substitute “persons”)—

- (a) section 1(3)(a) and (b) (promotion of lottery),
- (b) section 5(1), (2) and (4) (and the heading) (licence to run National Lottery),
- (c) section 6(1) and (4) (and the heading) (licence to promote lotteries),
- (d) section 7(2)(g) (supplemental), and
- (e) section 10(1) and (2) (revocation).

4 Length of licence

- (1) In section 7 of the National Lottery etc. Act 1993 (c. 39) (licensing: supplemental) after subsection (1) insert—

“(1A) The period specified under subsection (1) must—

- (a) begin with the date of grant of the licence, and
- (b) not exceed 15 years.

(1B) A licence granted under section 5 or 6 may (subject to the restriction in subsection (1A)(b)) include—

- (a) provision enabling the period specified under subsection (1) to be extended by the Commission;
- (b) provision enabling the period specified under subsection (1) to be extended by agreement between the Commission and the licensee.”

- (2) In section 7(2) of that Act for “Such a licence” substitute “A licence granted under section 5 or 6”.

5 Fees

- (1) After section 7 of the National Lottery etc. Act 1993 (c. 39) (licences: supplemental) insert—

“7A Annual fee

- (1) The holder of a licence under section 5 or 6—
- (a) shall pay a first annual fee to the Commission within such period after the issue of the licence as may be prescribed, and
 - (b) shall pay an annual fee to the Commission before each anniversary of the issue of the licence.

- (2) In this section—

“annual fee” means a fee of such amount as may be prescribed, and
“prescribed” means prescribed by regulations made by the Secretary of State.

- (3) Subsection (1)(b) does not apply in relation to an anniversary of the issue of a licence on or immediately before which the licence ceases, by virtue of its terms, to have effect.

- (4) The Commission shall pay fees received by virtue of this section into the Consolidated Fund.”

- (2) Section 7(5) and (6) of that Act (fee on grant of licence) shall cease to have effect.

- (3) In section 10 of that Act (revocation of licence)—

- (a) after subsection (3) insert—

“(3A) The Commission shall revoke a licence granted under section 5 or 6 if the licensee fails to pay the annual fee in accordance with section 7A; but the Commission may disapply this subsection if it thinks that a failure to pay is attributable to administrative error.”, and

- (b) at the end of subsection (4) add “or under subsection (3A).”

6 Licensing structure

- (1) The Secretary of State may by order provide for Schedule 1 (which amends the licensing structure of the National Lottery) to have effect.

- (2) Before making an order under subsection (1) the Secretary of State must consult the National Lottery Commission.

- (3) An order under subsection (1)—

- (a) may make transitional or incidental provision,
- (b) may bring all or part of Schedule 1 into force,
- (c) may make different provision for different purposes,
- (d) shall be made by statutory instrument, and
- (e) shall be subject to annulment in pursuance of a resolution of either House of Parliament.