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**1977 No. 238 (S. 34)**

**BETTING, GAMING AND LOTTERIES**

**The Lotteries (Scotland) Regulations 1977**

*Laid before Parliament in draft*

*Made - - - - - 10th February 1977*

*Coming into Operation in accordance with Regulation 1*

In exercise of the powers conferred on me by section 10 of the Lotteries Act 1975(a) and of all other powers enabling me in that behalf and—

- (a) after consulting the Gaming Board for Great Britain and the Convention of Scottish Local Authorities, being the association of local authorities which appears to me to be concerned, and
- (b) a draft of these regulations having been approved by a resolution of each House of Parliament,

I hereby make the following regulations:—

**1.—(1)** These regulations may be cited as the Lotteries (Scotland) Regulations 1977 and shall come into operation on the day to be appointed for the coming into operation of section 1 of the Lotteries Act 1975.

**(2)** These regulations shall extend to Scotland only.

**2.** The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

**3.—(1)** A scheme approved by a society or local authority for the promotion of a lottery shall comply with the provisions of the Schedule to these regulations.

**(2)** This regulation does not prevent the inclusion in a scheme of provisions not required by that Schedule.

**4.** No ticket or chance in a society's lottery or local lottery shall be sold by or to a person who has not attained the age of sixteen years.

**5.—(1)** Subject to paragraph (2) below, no ticket or chance in a society's lottery or local lottery shall be sold to a person in any street.

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(a) 1975 c. 58.

(b) 1889 c. 63.

(2) Paragraph (1) above shall not have effect in relation to the sale of a ticket or chance by a person present in a kiosk or shop premises having no space for the accommodation of customers.

(3) In this regulation, "street" includes any bridge, road, lane, footway, subway, court, alley, close or passage, whether a thoroughfare or not, which is for the time being open to the public without payment.

6. No ticket or chance in a society's lottery or local lottery shall be sold to a person—

- (a) in any licensed betting office within the meaning of the Betting, Gaming and Lotteries Act 1963(a);
- (b) in any premises used wholly or mainly for providing amusements in the form of amusements with prizes or of amusements by means of slot-machines or of both; or
- (c) in any bingo or other gaming club, that is to say, in any premises in respect of which a licence under the Gaming Act 1968(b) is for the time being in force.

7. No ticket or chance in a society's lottery or local lottery shall be sold by means of a vending machine.

8. No ticket or chance in a society's lottery or local lottery shall be sold by a person when visiting any other person at his home in the discharge of any official, professional or commercial function not connected with lotteries.

9. Every ticket in a local lottery, and every notice or advertisement of a local lottery, lawfully exhibited, distributed or published shall specify the name of the local authority promoting the lottery and the date of the lottery.

*Bruce Millan,*  
One of Her Majesty's Principal  
Secretaries of State.

New St. Andrew's House,  
Edinburgh.

10th February 1977.

## Regulation 3.

## SCHEDULE

## LOTTERY SCHEMES

1. The scheme shall specify the name and address of the society or local authority by which the scheme was approved.
2. In the case of a scheme approved by a society, the scheme shall specify the following matters relating to the registration of the society for the purposes of section 5(3) of the Lotteries and Amusements Act 1976(a) (power of certain societies to promote lotteries), that is to say:—
  - (a) the name and address of the registration authority;
  - (b) the date of registration; and
  - (c) the reference number (if any) of the registration.
3. The scheme shall specify the period during which it is to have effect, and in such a way as to secure that the scheme does not have effect for a period of more than three years.
4. The scheme shall specify, in the case of a scheme having effect for less than 12 months, the number of lotteries which may be promoted under it and, in any other case, the number of lotteries which may be promoted under it in any period of twelve months; and, in either case, the scheme shall require that the number so specified shall not be exceeded.
5. The scheme shall, in the case of a scheme to be registered with the Board, specify a sum of money as being the amount or value of the largest or most valuable prize which may be offered in—
  - (a) any short-term lottery under the scheme;
  - (b) any medium-term lottery under the scheme; and
  - (c) any other lottery under the scheme,and shall require that the sums so specified shall not be exceeded.
6. The scheme shall, in the case of a scheme to be registered with the Board, specify a sum of money as being the total value of the tickets or chances which may be sold in—
  - (a) any short-term lottery under the scheme;
  - (b) any medium-term lottery under the scheme; and
  - (c) any other lottery under the scheme,and shall require that the sums so specified shall not be exceeded.
- 7.—(1) The scheme shall specify a proportion (not exceeding one half) as being the proportion of the whole proceeds of any lottery under the scheme which may be appropriated for the provision of prizes in that lottery; and shall require that the proportion so specified shall not be exceeded except in the special circumstances mentioned in sub-paragraph (2) below.
  - (2) The special circumstances referred to above are that—
    - (a) the proceeds of the lottery fall short of the sum reasonably estimated; and
    - (b) the appropriation is made in order to fulfil an unconditional undertaking as to prizes given in connection with the sale of the relevant tickets or chances; and
    - (c) the total amount appropriated in respect of prizes does not exceed the amount which could have been appropriated out of the proceeds of the lottery if the proceeds had amounted to the sum reasonably estimated.
8. In the case of a scheme approved by a local authority, the scheme shall make provision as to whether all or any class of—
  - (a) members of the authority; and
  - (b) officers of the authority,are to be precluded from buying tickets or chances in any lottery under the scheme, or not.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations impose requirements as to the provisions which must be included in any scheme for the promotion of a lottery on behalf of a society registered for the purpose or by a local authority (Regulation 3 and the Schedule). Regulations 4 to 8 impose restrictions as to the sale of tickets or chances in a lottery. Regulation 9 imposes requirements as to the publication of the name of the authority and the date of the lottery in the case of a lottery promoted by a local authority.

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