

SCHEDULE

Article 4

CONSEQUENTIAL AMENDMENTS

National Lottery etc Act 1993

1. The National Lottery etc Act 1993 is amended as follows.
2. In section 22(3A) and (3C) (power to prescribe descriptions of expenditure for which money allocated to the Big Lottery Fund may be distributed), for “Secretary of State” substitute “Minister for the Cabinet Office”.
3. In section 25C(3)(a) (strategic plans for distributing bodies)(1), after “Secretary of State” insert “or the Minister for the Cabinet Office”.
4. In section 31(2)(b) (payments from Distribution Fund in respect of expenses), after “Secretary of State” insert “or the Minister for the Cabinet Office”.
5. In section 34 (annual reports by distributing bodies), after subsection (6)(2) insert—

“(7) See the Transfer of Functions (Big Lottery Fund) Order 2011 for provision under which the functions of the Secretary of State under this section, so far as they relate to the Big Lottery Fund, are transferred to the Minister for the Cabinet Office.”
6. In section 36B(3) and (5) (limits on amount distributed by the Big Lottery Fund), for “Secretary of State” substitute “Minister for the Cabinet Office”.
- 7.—(1) Section 36E (directions to the Big Lottery Fund) is amended as follows.
 - (2) In subsection (1), for “by the Secretary of State (subject to subsection (4)).” substitute—

“by—

 - (a) the Secretary of State in relation to a direction given by virtue of subsection (3), or
 - (b) (subject to subsection (4)) the Minister for the Cabinet Office in relation to any other direction.”
 - (3) For subsection (2) substitute—

“(2) A direction under subsection (1)(b) may, in particular—

 - (a) specify matters to be taken into account in determining the persons to whom, the purposes for which and the conditions subject to which the Fund distributes money;
 - (b) relate to the employment of staff;
 - (c) in so far as it relates to the employment of staff—
 - (i) relate to the persons to whom or the terms on which the Fund delegates functions;
 - (ii) require the Fund to obtain the Minister for the Cabinet Office’s consent before taking action of a specified kind;
 - (iii) require the Fund to provide information to that Minister.”
 - (4) In subsection (3)—
 - (a) for “this section may, in particular” substitute “subsection (1)(a) may”,
 - (b) omit paragraph (b), and

(1) Section 25C was inserted by the National Lottery Act 1998 (c. 22), section 13. Subsection (3)(a) of section 25C was amended by the National Lottery Act 2006, section 19(2).

(2) Subsection (6) was inserted by S.I. 1999/1750, Schedule 5, paragraph 12(3).

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(c) in paragraph (d) for “paragraphs (a) to (c)” substitute “paragraph (a) or (c)”.

(5) In subsection (4), for “this section, other than a direction given by virtue only of subsection (3), may not be given by the Secretary of State” substitute “subsection (1)(b), other than a direction given by virtue only of subsection (2)(b) or (c), may not be given by the Minister for the Cabinet Office”.

(6) In subsection (5), for “this section, other than by virtue only of subsection (3), the Secretary of State” substitute “subsection (1)(b), other than by virtue only of subsection (2)(b) or (c), the Minister for the Cabinet Office”.

(7) In subsection (7), for “by virtue only of subsection (3) the Secretary of State” substitute “under subsection (1)(a), or under subsection (1)(b) by virtue only of subsection (2)(b) or (c), the Secretary of State or, as the case may be, the Minister for the Cabinet Office”.

(8) In subsection (8)(b), for “Secretary of State” substitute “Minister for the Cabinet Office”.

8. In section 60(6) (orders and regulations)(3), after “Secretary of State” insert “or the Minister for the Cabinet Office”.

9.—(1) Schedule 4A (the Big Lottery Fund: constitution; proceedings and money) is amended as follows.

(2) For “Secretary of State” (in each place) substitute “Minister for the Cabinet Office”.

(3) In paragraph 6 and 18(1), for “36E(3)(b)” substitute “36E(2)(b)”.

(3) Section 60(6) was inserted by the National Lottery Act 1998, section 15(6). By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1, and the Government of Wales Act 2006 (c. 32), Schedule 11, paragraph 32, section 60(6) has effect as if the reference to the Secretary of State included a reference to the Welsh Ministers.