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SCHEDULES

SCHEDULE 7

PROMOTION OF SMALL LOTTERIES BY REGISTERED SOCIETIES

PART I

Registration of societies

- 1 (1) An application for the registration of a society for the purposes of section 45 of this Act shall be made to the local authority.
- (2) In this Schedule, the expression "the local authority." in relation to any society, means the authority, being—
 - (a) in England, the council of a county borough, metropolitan borough or county district or the Common Council of the City of London ; or
 - (b) in Scotland, a county council or town council,within whose area the office or head office of the society is situated.
- 2 Any such application shall specify the purposes for which the society is established and conducted.
- 3 Subject to the provisions of this Schedule, upon application being duly made on behalf of a society and on payment of a fee of one pound, the local authority shall register the society in a register to be kept for the purposes of section 45 of this Act and notify the society in writing that they have done so.
- 4 The local authority may, after giving the society an opportunity of being heard, refuse or revoke the registration of a society under this Part of this Schedule if it appears to the authority—
 - (a) that any person has been convicted of an offence committed in connection with a lottery promoted or proposed to be promoted on behalf of the society, being—
 - (i) an offence under section 45 of this Act, under paragraph 12 of this Schedule or under the Small Lotteries and Gaming Act 1956 ; or
 - (ii) an offence under section 42 of this Act; or
 - (iii) an offence under section 22 of the Betting and Lotteries Act 1934 committed after 4th August 1956 ; or
 - (b) that the society is not or has ceased to be a society on behalf of which lotteries may be promoted under the said section 45.
- 5 Where the registration of any society has been refused or revoked under the last foregoing paragraph by a local authority in England, that authority shall forthwith notify the society of the refusal or revocation, and the society may appeal in accordance with the provisions of the Quarter Sessions Act 1849 to the next practicable court of quarter sessions having jurisdiction in the local authority's area and held not less than twenty-one clear days after the notice of the refusal or

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revocation is given to the society, and notice of any appeal under this paragraph shall be given to the local authority and to the clerk of the peace.

- 6 Where the registration of any society has been refused or revoked under paragraph 4 of this Schedule by a local authority in Scotland, that authority shall forthwith notify the society of the refusal or revocation, and the society may appeal, within such time, and in accordance with such rules, as may be prescribed by the Court of Session by act of sederunt, to the sheriff having jurisdiction in the local authority's area, and on any such appeal the decision of the sheriff shall be final and may include such order as to the expenses of the appeal as he thinks proper.
- 7 Where the local authority revoke a registration under paragraph 4 of this Schedule, then, until the time within which notice of appeal under paragraph 5 or 6 thereof may be given has expired and, if such notice is duly given, until the determination or abandonment of the appeal, the registration shall be deemed to continue in force, and if the court of quarter sessions or, as the case may be, the sheriff confirms the decision of the local authority, the court or the sheriff may, if it or he thinks fit, order that the registration shall continue in force for a further period not exceeding two months from the date of the order.
- 8 A society which is for the time being registered under this Part of this Schedule may at any time apply to the local authority for the cancellation of the registration ; and in any such case the authority shall cancel the registration accordingly.
- 9 Every society which is registered under this Part of this Schedule shall pay to the local authority on 1st January in each year while it is so registered a fee of one pound, and any such fee which remains unpaid after the date on which it becomes payable may be recovered by the authority as a debt.