

SCHEDULES

SCHEDULE 1

Section 5.

REGISTRATION OF SOCIETIES

PART I

REGISTRATION

- 1 (1) An application for the registration of a society for the purposes of section 5 above shall be made to the registration authority.
- (2) In this Schedule "registration authority", in relation to any society, means—
 - (a) in England, a London borough council, a district council, the Common Council of the City of London, or the Council of the Isles of Stilly ;
 - (b) in Wales, a district council;
 - (c) in Scotland, an islands or district council,being the authority 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 upon payment of a fee of £10, the registration authority shall register the society in a register to be kept for the purposes of section 5 above and notify the society in writing that they have done so.
- 4 (1) The registration authority may, after giving the society an opportunity of being heard, refuse or revoke the registration of the society under this Part of this Schedule if it appears to the authority—
 - (a) that any person has been convicted of an offence to which this paragraph applies committed in connection with a lottery promoted or proposed to be promoted on behalf of the society ; or
 - (b) that the society does not satisfy or has ceased to satisfy the conditions specified in section 5(1) above.(2) This paragraph applies to any of the following offences, namely—
 - (a) an offence under section 2 or 13 above ;
 - (b) an offence under paragraph 14 below or paragraph 12 of Schedule 7 to the Betting, Gaming and Lotteries Act 1963 ;
 - (c) an, offence under section 42 or 45 of that Act; and
 - (d) an offence involving fraud or dishonesty.
- 5 Where the registration of any society has been refused or revoked under paragraph 4 above by a registration authority in England or Wales, that authority shall forthwith notify the society of the refusal or revocation and the society may appeal to the

- Crown Court, and any such appeal shall be commenced by giving notice to the appropriate officer of the Crown Court and to the registration authority within 21 days of the day on which notice of the refusal or revocation is given to the society.
- 6 Where the registration of any society has been refused or revoked under paragraph 4 of this Schedule by a registration 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 registration 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 registration authority revoke a registration under paragraph 4 above, then, until the time within which notice of appeal under paragraph 5 or 6 above 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 Crown Court or, as the case may be, the sheriff confirms the decision of the registration 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 registration 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 registration authority on 1st January in each year while it is registered a fee of £5, and any such fee which remains unpaid after the date on which it becomes payable may be recovered by the authority as a debt.
- 10 Subject to the provisions of this Schedule, the registration of any society under Schedule 7 to the Betting, Gaming and Lotteries Act 1963 shall have effect as registration under this Schedule.

PART II

RETURNS

- 11 Subject to paragraph 12 below, the promoter of a society's lottery shall, not later than the end of the third month after the date of the lottery, send to the registration authority a return certified by two other members of the society, being persons of full age appointed in writing by the governing body of the society, showing—
- (a) a copy of the scheme under which the lottery was promoted ;
 - (b) the whole proceeds of the lottery ;
 - (c) the sums appropriated out of those proceeds on account of expenses and on account of prizes respectively;
 - (d) the particular purpose or purposes to which proceeds of the lottery were applied in pursuance of section 5(4) above, and the amount applied for that purpose, or for each of those purposes, as the case may be; and
 - (e) the date of the lottery.
- 12 Paragraph 11 above shall not apply to a society's lottery promoted in accordance with a scheme registered with the Board.

Status: This is the original version (as it was originally enacted).

- 13 The registration authority shall preserve any return sent to them under paragraph 11 above for a period of at least 18 months, and during that period shall keep it deposited at their office and permit any member of the public to inspect it during office hours free of charge.
- 14 Any person who fails to send a return in accordance with the provisions of this Part of this Schedule, or who knowingly gives in any such return sent by him any information which is false in a material particular, or who certifies any such return knowing it to contain such information, shall be guilty of an offence.