



National Lottery etc. Act 1993

1993 CHAPTER 39

PART II

DISTRIBUTION OF THE NET PROCEEDS OF THE NATIONAL LOTTERY

The distribution system

25 Application of money by distributing bodies.

(1) Subject to the provisions of this Part, a body shall distribute any money paid to it under section 24 for meeting expenditure of the relevant description mentioned in section 22(3).

^{F1}[(1A) The manner in which a body may distribute any money paid to it under section 24 includes making or entering into arrangements for or in connection with meeting expenditure (including arrangements with respect to vouchers); and this subsection shall apply notwithstanding anything to the contrary in any enactment or instrument relating to the functions of the body.]

(2) A body shall not under subsection (1) distribute money for any purpose or in any manner if it does not have power to distribute money for that purpose or in that manner apart from subsection (1).

^{F2}[(2A) A body which distributes money under subsection (1) shall have power to solicit applications from other bodies or persons for any of the money which the body so distributes, notwithstanding anything to the contrary in any enactment or instrument relating to the functions of the body.]

(2B) In determining whether a decision of a body concerning its distribution of money under subsection (1) was unlawful, it shall be immaterial whether or not the body, or any person acting on behalf of the body, solicited an application from a body or person for such money.]

^{F3}(2C) In determining how to distribute money in accordance with subsection (1) a body may—

Changes to legislation: National Lottery etc. Act 1993, Section 25 is up to date with all changes known to be in force on or before 01 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) consult any person;
 - (b) take account of opinions expressed to it or information submitted to it.]
- (3) A body may defray out of any money paid to it under section 24 any expenses incurred by the body in consequence of this Act.
- (4) The Trustees of the National Heritage Memorial Fund may apply any money paid to them under section 24 for any purpose for which they have power to apply money under section 4 of the ^{M1}National Heritage Act 1980 [^{F4}(other expenditure out of the fund)].
- [^{F5}(5) References in this section (however expressed) to the distribution of money for meeting expenditure are to be construed as including distribution of money for the purpose of establishing, or contributing to, endowments in connection with expenditure of the description concerned.]
- [^{F6}(6) A reference in this section to meeting expenditure includes a reference to meeting expenditure which relates to—
- (a) the Isle of Man, or
 - (b) any of the Channel Islands.]

Textual Amendments

- F1** S. 25(1A) inserted (2.7.1998) by 1998 c. 22, **ss. 9(1), 27(4)**.
- F2** S. 25(2A)-(2B) inserted (2.7.1998) by 1998 c. 22, **ss. 10, 27(4)**.
- F3** S. 25(2C) inserted (1.10.2006) by National Lottery Act 2006 (c. 23), **ss. 10, 22(1)**; S.I. 2006/2630, art. 2(c)
- F4** Words in s. 25(4) substituted (4.3.1998) by 1997 c. 14, s. 3, **Sch. para. 4**; S.I. 1998/292, **art. 2**
- F5** S. 25(5) inserted (retrospectively) by National Lottery (Funding of Endowments) Act 2003 (c. 23), **s. 1(3)(9)**
- F6** S. 25(6) added (1.12.2006 for specified purposes) by National Lottery Act 2006 (c. 23), **ss. 13(1), 22(1)**; S.I. 2006/3201, art. 2(b)
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Marginal Citations

- M1** 1980 c. 17.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5-6A substituted for s. 5 6 by [2006 c. 23 Sch. 1 para. 4](#) (Section 6 provides for Schedule 1 to be commenced by an order under that section rather than under the normal commencement provision (section 22). In particular, it requires the order to be subject to negative resolution procedures. Schedule 1 is to be commenced in this different way to reflect the intention that the Secretary of State will not commence Schedule 1 immediately but only if she considers that the current licensing structure has failed in creating an effective competition for the licence under section 5 of the 1993 Act to run the National Lottery and so risks failing to maximise returns to good causes.)
- s. 7(3A) inserted by [2006 c. 23 Sch. 1 para. 5\(5\)](#) (Section 6 provides for Schedule 1 to be commenced by an order under that section rather than under the normal commencement provision (section 22). In particular, it requires the order to be subject to negative resolution procedures. Schedule 1 is to be commenced in this different way to reflect the intention that the Secretary of State will not commence Schedule 1 immediately but only if she considers that the current licensing structure has failed in creating an effective competition for the licence under section 5 of the 1993 Act to run the National Lottery and so risks failing to maximise returns to good causes.)