



National Lottery etc. Act 1993

1993 CHAPTER 39

PART I

AUTHORISATION AND REGULATION OF THE NATIONAL LOTTERY

The licensing system

5 Licensing of a [F¹ person] to run the National Lottery.

- (1) The Director General may by licence authorise a [F² person] to run the National Lottery.
- (2) Only one [F³ person] may be licensed under this section at any one time.
- (3) The Director General shall not grant a licence under this section unless an application in writing, containing such information as he has specified as necessary for enabling him to determine whether to grant it, has been made to him by such date as he has specified.
- (4) The Director General shall not grant such a licence unless he is satisfied that the applicant is a fit and proper [F⁴ person] to run the National Lottery.
- (5) In determining whether to grant such a licence, the Director General may consider—
 - (a) whether any person who appears to him to be likely to manage the business or any part of the business of running the National Lottery under the licence is a fit and proper person to do so, and
 - (b) whether any person who appears to him to be likely to be a person for whose benefit that business would be carried on is a fit and proper person to benefit from it.
- [F⁵(6) A licence under this section shall include a condition requiring the licensee to pay into the National Lottery Distribution Fund sums out of the proceeds of lotteries forming part of the National Lottery.
- (6A) A licence under this section shall include provision for determining—
 - (a) the amount of payments under subsection (6), and

Changes to legislation: National Lottery etc. Act 1993, Section 5 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

(b) the timing of payments under subsection (6).]

- (7) A licence under this section may include a condition requiring the licensee to make such arrangements as may be determined by or under the licence for securing that, in circumstances specified in the licence, such sums as may be so determined are paid to the Director General for distribution to participants in lotteries forming part of the National Lottery.

Textual Amendments

- F1** Word in s. 5 heading substituted (1.10.2006) by [National Lottery Act 2006 \(c. 23\), ss. 3\(b\), 22\(1\)](#); S.I. 2006/2630, art. 2(a)
- F2** Word in s. 5(1) substituted (1.10.2006) by [National Lottery Act 2006 \(c. 23\), ss. 3\(b\), 22\(1\)](#); S.I. 2006/2630, art. 2(a)
- F3** Word in s. 5(2) substituted (1.10.2006) by [National Lottery Act 2006 \(c. 23\), ss. 3\(b\), 22\(1\)](#); S.I. 2006/2630, art. 2(a)
- F4** Words in s. 5(4) substituted (1.10.2006) by [National Lottery Act 2006 \(c. 23\), ss. 3\(b\), 22\(1\)](#); S.I. 2006/2630, art. 2(a)
- F5** S. 5(6)(6A) substituted for s. 5(6) (8.4.2005) by [Horserace Betting and Olympic Lottery Act 2004 \(c. 25\), s. 34\(3\)\(4\), 40](#); S.I. 2005/1134, art. 2

Modifications etc. (not altering text)

- C1** [S. 5\(6\)](#) applied (30.1.2015) by [The Olympic Lottery Distribution Fund \(Winding Up\) Order 2015 \(S.I. 2015/85\)](#), arts. 1, 5

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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.)