SCHEDULES

SCHEDULE 3

AMENDMENT OF NATIONAL LOTTERY ETC. ACT 1993 (C. 39)

Annual levy

1 After section 10B of the National Lottery etc. Act 1993 (financial penalties: appeal) insert—

"**10C Annual levy**

(1) The Secretary of State may make regulations requiring holders of licences under section 5 or 6 to pay an annual levy to the Gambling Commission.

(2) The regulations shall, in particular, make provision for—
- (a) timing of payment of the levy, and
- (b) the amount of the levy.

(3) The regulations may, in particular, make provision—
- (a) determining the amount of the levy by reference to a percentage of specified receipts of the holder of a licence under section 5 or 6,
- (b) determining the amount of the levy by reference to a percentage of specified profits of the holder of a licence under section 5 or 6,
- (c) providing for the determination of the amount of the levy according to a specified formula, or
- (d) providing for the determination of the amount of the levy in some other way.

(4) Any sum due by way of levy by virtue of this section shall be treated for the purposes of this Act as if its payment were a condition of the licence under section 5 or 6.

(5) The Gambling Commission shall, with the consent of the Treasury and of the Secretary of State, expend money received by way of levy for purposes related to, or by providing financial assistance for projects related to—
- (a) addiction to gambling,
- (b) other forms of harm or exploitation associated with gambling, or
- (c) any of the licensing objectives for the purposes of the Gambling Act 2005.

(6) In subsection (5) the reference to financial assistance is a reference to grants, loans and any other form of financial assistance, which may be made or given on terms or conditions (which may include terms and conditions as to repayment with or without interest).

(7) The Secretary of State may make regulations under this section only if—

(a) he has made regulations under the Gambling Act 2005 requiring holders of operating licences to pay an annual levy to the Gambling Commission, and

(b) he has consulted the National Lottery Commission.

(8) The Gambling Commission shall consult the National Lottery Commission before incurring expenditure under subsection (5).”

Commencement Information

I1 Sch. 3 para. 1 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

Changes to legislation:
There are currently no known outstanding effects for the Gambling Act 2005, Paragraph 1.