



Gambling Act 2005

2005 CHAPTER 19

PART 11

LOTTERIES

Offences

258 Promotion of lottery

- (1) A person commits an offence if he promotes a lottery unless—
 - (a) the exception in subsection (2) or (3) applies, or
 - (b) the lottery is an exempt lottery.
- (2) This section does not apply to activity by a person if—
 - (a) he holds an operating licence authorising the activity, and
 - (b) he acts in accordance with the terms and conditions of the licence.
- (3) This section does not apply to activity by a person if—
 - (a) he acts, otherwise than as an external lottery manager, on behalf of a person who holds an operating licence authorising the activity, and
 - (b) the activity is carried on in accordance with the terms and conditions of the licence.
- (4) It is a defence for a person charged with an offence under this section to show that he reasonably believed that—
 - (a) he was not committing the offence by reason of subsection (1)(b), (2) or (3),
 - (b) that the arrangement to which the charge relates was not a lottery, or
 - (c) that the arrangement to which the charge relates was a lottery forming part of the National Lottery.
- (5) In this Act “exempt lottery” means a lottery which is exempt by virtue of a provision of Schedule 11.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 258. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 258 excluded (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), **Sch. 4 para. 68(3)-(5)**
- C2** S. 258 excluded (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), **Sch. 4 para. 70(3)-(5)**

Commencement Information

- I1** S. 258(1)-(4) 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.)
- I2** S. 258(5) in force at 1.10.2005 for specified purposes by [S.I. 2005/2455](#), art. 2(1), **Sch.** (with art. 3)
- I3** S. 258(5) in force at 1.9.2007 in so far as not already in force 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, Section 258.