



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 11

#### LOTTERIES

##### *Offences*

#### **261 Misusing profits of exempt lottery**

- (1) This section applies to the following kinds of lottery—
  - (a) an incidental <sup>F1</sup>... lottery (within the meaning of Part 1 of Schedule 11),
  - (b) a private society lottery (within the meaning of Part 2 of that Schedule), <sup>F2</sup>...
  - [<sup>F3</sup>(ba) a work lottery and a residents' lottery (within the meaning of Part 2 of that Schedule) except where the lottery has been organised in such a way as to ensure that no profits are made, and]
  - (c) a small society lottery (within the meaning of Part 4 of that Schedule).
- (2) A person commits an offence if he uses any part of the profits of a lottery to which this section applies for a purpose other than one for which the lottery is permitted to be promoted in accordance with Schedule 11.
- (3) Subsection (3) of section 260 shall have effect for the purpose of this section as it has effect for the purpose of that section.

#### **Textual Amendments**

- F1** Word in s. 261(1)(a) omitted (6.4.2016) by virtue of [The Legislative Reform \(Exempt Lotteries\) Order 2016 \(S.I. 2016/124\)](#), arts. 1(1), **4(1)(b)(i)**
- F2** Word in s. 261(1)(b) omitted (6.4.2016) by virtue of [The Legislative Reform \(Exempt Lotteries\) Order 2016 \(S.I. 2016/124\)](#), arts. 1(1), **4(1)(b)(ii)**
- F3** S. 261(1)(ba) inserted (6.4.2016) by [The Legislative Reform \(Exempt Lotteries\) Order 2016 \(S.I. 2016/124\)](#), arts. 1(1), **4(1)(b)(iii)**

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*Changes to legislation: There are currently no known outstanding effects  
for the Gambling Act 2005, Section 261. (See end of Document for details)*

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#### **Commencement Information**

- II** S. 261 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, Section 261.