

SCHEDULE 4

Transitional provisions

PART 8

Conversion of lottery registrations under the Lotteries and Amusements Act 1976 into operating licences or registrations under the Gambling Act 2005

Conversion of society registrations: transitional provisions

68.—(1) A society falling within sub-paragraph (1) of paragraph 67 is to be treated as if it holds a converted society lottery operating licence during the period beginning on 1st September 2007 and ending immediately before the converted society lottery operating licence issued to the society takes effect.

(2) Where the society or a person acting on its behalf carries out activities in reliance on sub-paragraph (1) they are to comply with any relevant operating licence conditions.

(3) Section 258 of the 2005 Act (which makes it an offence to promote a lottery other than in specified circumstances) is not to apply to activity by a society acting in reliance on sub-paragraph (1) if the activity is carried on in accordance with any relevant operating licence conditions.

(4) Section 258 of the 2005 Act is not to apply to activity by a person acting on behalf of a society to which sub-paragraph (1) applies if—

- (a) he acts otherwise than as an external lottery manager, and
- (b) the activity is carried on in accordance with any relevant operating licence conditions.

(5) In this paragraph, any reference to relevant operating licence conditions is to—

- (a) any conditions specified by the Gambling Commission under section 75 of the 2005 Act which would be attached in accordance with subsection (3) of that section to a converted society lottery operating licence; and
- (b) any conditions specified by the Secretary of State in regulations under section 78 of that Act which would be attached to such a licence.