

This form is prescribed by Regulation 3(1)(a) of the Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007

APPLICATION FORM FOR REGISTRATION OF NON-COMMERCIAL SOCIETY

Regulation 3(1)(a)

If you are completing this form by hand, please write legibly in block capitals using ink.

To: South Gloucestershire Council
Department for Environment & Community Services
Licensing Service
PO Box 1954
Bristol
BS37 0DD
Tel: 01454 868001



Please tick the type of registration applied for:

New Registration

Renewal Registration

If new, would you like the registration to start immediately or from 1st Jan the following year?

Start as soon as possible

Start from 1st Jan 20__

SECTION A – Details of society applying for registration

1. Name of society:

2. Address (including postcode) of office or head office of society:

3. Telephone number of society:

4. Please state the purpose(s) for which the society is established and conducted:

5. If the society is a registered charity, please give the society's unique charity registration number:

6. Has the society held an operating licence under the Gambling Act 2005 in the period of five years ending with the date of this application? Yes No

7. If the answer to question 6 is 'Yes', has the operating licence been revoked in the period of five years ending with the date of this application? Yes No

8. If the answer to question 7 is 'Yes', please state the reasons for revocation and enclose a copy of the notice of revocation if one is available:

9. Has the society applied for and been refused an operating licence in the period of five years ending with the date of this application? Yes No

SECTION B – General information about person applying on behalf of society. Please note that all correspondence will be sent to this address.

10. Name

11. Capacity

12. Address

13. Daytime telephone number

14. Email address (if the applicant is happy for correspondence in relation to this application to be sent via e-mail)

SECTION C – Checklist

14. Please read the checklist and tick all appropriate boxes to indicate agreement, for those boxes that are not relevant please mark as n/a (please refer to attached supplementary notes if required):

- I have provided documentary evidence to show that my society is formed in line with Section 19 of the Gambling Act 2005
- If the society is a registered charity I have provided documentary evidence
- I have read the supplementary notes and am aware of all requirements And legal obligations in holding a small society lottery registration

SECTION D – Declaration

15. Please complete the following declaration

I *[Full Name]*

a. make this application on behalf of the society referred to in Section A and have authority to act on behalf of that society.

b. enclose payment of the registration fee of £40 (new registration) or £20 (renewal registration)

c. confirm that, to the best of my knowledge, the information contained in this application is true. I understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.

Signature:

Date:

Capacity:

Note to societies applying for registration:

The application will be refused if in the period of five years ending with the date of the application:

(a) an operating licence held by the society has been revoked under section 119(1) of the Gambling Act 2005, or

(b) an application for an operating licence made by the society has been refused.

The application may be refused if the local authority think that:

(a) the society is not a non-commercial society,

(b) a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, or

(c) information provided in or with the application is false or misleading.

This Authority is under a duty to protect the public funds it administers and to this end may use the information you have provided on this form within this Authority for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes.

Supplementary Notes

What is a society?

A society for the purposes of a lottery is one that is established and conducted for:

- charitable purposes
- the purpose of enabling participation, or of supporting, sport, athletics or a cultural activity or
- any other non-commercial purpose other than that of private gain

The proceeds of any lottery must be devoted to those purposes.

It is not permissible to establish a society lottery whose sole purpose is to facilitate lotteries – it must have some other purpose.

In order to provide evidence to show your status as a society we would expect to see terms and conditions or a constitution of the society along with the names of appointed officers and their roles.

What is a Small Lottery?

A small lottery is one where the total value of tickets to be put on sale per lottery must not exceed £20,000, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000.

If either of these figures are to be exceeded then a licence will be required from the Gambling Commission.

What are the limits placed on Small Society Lotteries?

- At least 20% of the lottery proceeds must be applied to the purposes of the lottery. No single prize may be worth more than £25,000.
- Rollovers between lotteries are permitted but only when every lottery affected is also a Small Society Lottery promoted by the *same* society and where the maximum single prize does not exceed £25,000 or 10% of the *gross* proceeds.
- Every ticket in the lottery must cost the same and the ticket fee must have been paid to the society before entry into the draw is allowed.

What must be done to comply with the Gambling Act?

- Every Small Society Lottery must be registered with the relevant Local Authority.
- At least the minimum proportion of the proceeds must be channelled into the beneficial purpose of the society. To do otherwise is unlawful.
- A Return must be made to the Local Authority with whom the lottery is registered.

What information is required on the Return?

- The date when tickets were made available.
- The date of the draw and the value of prizes
- The proceeds of the lottery.
- The amounts deducted by the promoter for the provision of prizes and the costs incurred in organising the lottery.
- The amount provided to the purpose of the society.

The Return must be sent no later than 3 months from the date of the draw and the return must be signed by two members of the society who must be aged at least 18 years and have been appointed for that purpose.

If no lotteries are carried out you will be required to notify the Licensing Authority of this fact on a quarterly basis.

What are the rules concerning tickets?

- Tickets must provide the following information:
 1. The name of the promoting society.
 2. The price of the ticket.
 3. The name and address of the person designated as being the promoter of the lottery or, if there is one, the external lottery manager.
 4. The date of the draw.
- Tickets may only be sold by and to persons over the age of 16 years.
- Tickets may be sold from a kiosk, from within a shop or from door to door. They must not be sold in a street.
- A written record is to be kept of any unsold or returned tickets. This record to be kept for at least one year from the date of the draw.

What are the rules concerning prizes

- Prizes can be either cash or non-monetary. The amount of money deducted from the proceeds to cover prizes must not exceed the limits mentioned earlier.
- The amount including the costs of running the lottery must not exceed 80% of the proceeds.
- Donated prizes would not be included in this because no money would have been drawn from the proceeds to cover their purchase.

Can the Local Authority refuse an application?

Basically, YES for any of the following reasons:

- If an operating licence (issued by the Gambling Commission to the applicant) has been revoked or an application for an operating licence has been refused within the past 5 years.
- If the society concerned cannot be deemed non-commercial.
- If a person who will be connected with the promotion of the lottery has been convicted of a 'relevant offence'.
- If information provided in or with the application for registration is found to be false or misleading.

However if we are minded to refuse an application we will inform the applicant of our intention and reasons and give them the opportunity to make representations against refusal. The matter may need to be referred to a Licensing Sub-Committee for consideration.

Any decision made at a Licensing Sub-Committee may be appealed through the Magistrates Court.

Offences under the Gambling Act involving Small Society Lotteries

- Misusing the profits of a lottery.
- Purporting to operate a Small Society Lottery when not registered, or failing to make the required returns, or making false or misleading returns.
- Obstructing or failing to cooperate with an authorised person.
- Giving false or misleading information to the Commission or the Licensing Authority.