



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**

Email; licensing.nbc@westnorthants.gov.uk

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

To Licensing Department
West Northamptonshire Council
The Guildhall
St Giles Square
Northampton
NN1 1DE

This section is for official use only



**West
Northamptonshire
Council**

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 If the answer to question 6 is "Yes", has the operating licence been revoked in the period of five years ending with the date of this application?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

10. Name

11. Capacity

12. Address (including postcode)

13. Daytime telephone number

SECTION C – Contact details for correspondence associated with this application

14. Please tick one box as appropriate to indicate address for correspondence in relation to this application

Address in section A Address in section B Address below

Address (including postcode)

Telephone number

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

SECTION D – Declaration

15. Please complete the following declarations and checklist

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
- (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
e

Date

Capacity
y

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**



GAMBLING ACT 2005
LOTTERY APPLICATION

In accordance with the provisions of the above Act, I confirm that:

MR/MRS/MISS (1)

.....

of (2)

.....

.....

.....

And

MR/MRS/MISS (1)

.....

of (2)

.....

.....

.....

being persons of full age, have been appointed by the governing body of the:

(3)

.....

to certify any financial return which may be submitted to Northampton Borough Council in accordance with the Act.

Signed:

.....

Designation:

.....

Date:

.....

Notes:

- (1) Please state full name
- (2) Please state home address
- (3) Please state full name of registered Society



GAMBLING ACT 2005

DECLARATION OF SOCIETY SMALL LOTTERY REGISTRATION

Please complete your details clearly in block capitals

Name: [Mr/Mrs/Ms/Other] _____

Position within Society (treasurer/secretary etc): _____

Address: _____

Postcode: _____

Telephone: _____

E-mail: _____

Name of Society: _____

Address of [head] office of Society: _____

Date _____ Signature _____

Please answer the following 9 questions. If you answer 'NO' to questions 1 to 6 a member of the Licensing Team will need to contact you to discuss your application as it may have an affect on the granting of your registration.

If you answer 'YES' to question 9 your application may be refused.

- 1) Is the Society a non-commercial society? YES / NO
2) Does/Will the Society raise money for charitable purposes, to support sport or culture or for another non-commercial purpose? YES / NO
3) Does/Will the Society raise less than £250,000 in a year in lotteries? YES / NO
4) And less than £20,000 in any one lottery? YES / NO
5) Do/Will any tickets have the following information on them - price, Society details name and address of a responsible person and the date of the draw? YES / NO

6) Has/Will the Society appointed 2 members (or more) for verifying the Return forms? **YES / NO**

7) Does/Will the Society raise funds by other ways as well as a lottery? **YES / NO**

8) Does/Will the Society use an external lottery manager? **YES / NO**

9) Has a person who will or may be connected with the promotion of the lottery received a conviction for a relevant offence (see overleaf re 'relevant offence' details)? **YES / NO**

The giving of any false or misleading information may result in the cancellation of your registration.

Relevant Offences:

Gambling offences

1 An offence under—

- (a) the Gambling Act 2005,
- (b) the Betting, Gaming and Lotteries Act 1963 (c. 2),
- (c) the Gaming Act 1968 (c. 65),
- (d) the Lotteries and Amusements Act 1976 (c. 32),
- (e) the National Lottery etc. Act 1993 (c. 39), or
- (f) the National Lottery Act 1998 (c. 22).

Theft, &c.

2 An offence under any of the following provisions of the Theft Act 1968 (c. 60)—

- (a) section 1 (theft),
- (b) section 8 (robbery),
- (c) section 9 (burglary),
- (d) section 10 (aggravated burglary),
- (e) section 11 (theft from exhibition, &c.),
- (f) section 12A (aggravated vehicle-taking),
- (g) section 13 (abstracting electricity),
- (h) section 15 (obtaining property by deception),
- (i) section 15A (obtaining money transfer by deception),
- (j) section 16 (obtaining pecuniary advantage by deception),
- (k) section 17 (false accounting),
- (l) section 19 (false statement by director, &c.),
- (m) section 20 (suppression of document, &c.),
- (n) section 21 (blackmail),
- (o) section 22 (handling stolen goods),
- (p) section 24A (retaining wrong credit), and
- (q) section 25 (going equipped for stealing, &c.).

3 An offence under section 1 or 2 of the Theft Act 1978 (c. 31) (obtaining services, or evading liability, by deception).

4 An offence under section 170 or 170B of the Customs and Excise Management Act 1979 (c. 2) (evasion of duty).

5 An offence under section 58(1) of the Civic Government (Scotland) Act 1982 (c. 45) (convicted thief in possession).

6 Both in England and Wales and in Scotland, the offence at common law of conspiracy to defraud.

7 In Scotland the offences at common law of—

- (a) theft,
- (b) robbery,
- (c) theft by housebreaking,
- (d) fraud,
- (e) extortion, and
- (f) reset.

Miscellaneous

8 A sexual offence within the meaning of section 161(2) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).

9 A violent offence within the meaning of section 161(3) of that Act.

10 An offence under—

- (a) the Firearms Act 1968 (c. 27), or
- (b) the Firearms (Amendment) Act 1988 (c. 45).

11 An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)—

- (a) section 4(2) (production),
- (b) section 4(3) (supply),
- (c) section 5(3) (possession with intent to supply), and
- (d) section 8 (permitting activity on premises).

12 An offence under the Forgery and Counterfeiting Act 1981 (c. 45), except for sections 18 and 19 (reproduction and imitation notes and coins).

13 An offence under section 3 of the Private Security Industry Act 2001 (c. 12) (unlicensed activity).

14 An offence under section 70 of the Army Act 1955 (c. 18) in so far as it relates to an offence listed elsewhere in this Schedule.

15 An offence under section 70 of the Air Force Act 1955 (c. 19) in so far as it relates to an offence listed elsewhere in this Schedule.

16 An offence under section 42 of the Naval Discipline Act 1957 (c. 53) in so far as it relates to an offence listed elsewhere in this Schedule.

17 An offence under section 52 or 52A of the Civic Government (Scotland) Act 1982 (offences relating to indecent photographs of children).

18 An offence under any of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)—

(a) section 1 (incest),

(b) section 2 (intercourse with a stepchild),

(c) section 3 (intercourse with child under 16 by person in position of trust),

(d) section 5 (unlawful intercourse with a girl under 16),

(e) section 6 (indecent behaviour towards girl between 12 and 16),

(f) section 8 (detention of woman in brothel or other premises),

(g) section 10 (person having parental responsibilities causing or encouraging sexual activity in relation to a girl under 16), and

(h) section 13(5) (homosexual offences).

19 In Scotland, the offences at common law of—

(a) rape,

(b) clandestine injury to women,

(c) abduction of a woman or girl with intent to rape or ravish,

(d) assault with intent to rape or ravish,

(e) indecent assault,

(f) lewd, indecent or libidinous behaviour or practices,

(g) shameless indecency,

(h) sodomy, (i) murder,

(j) culpable homicide, and

(k) assault.

20 In Scotland, the offence at common law of uttering and fraud.

21 An inchoate offence relating to an offence listed elsewhere in this Schedule.

22 A reference in this Part of this Schedule to an offence under an Act or a provision of an Act includes a reference to an offence under that Act or provision.

GAMBLING ACT 2005 SMALL SOCIETY LOTTERY

The following notes indicate briefly the rules governing small societies lotteries in circumstances where the society needs to register with the local authority and not the Gaming Board. For more detail, refer to the Act above.

General

A Society's Lottery means a lottery promoted on behalf of a Society which is established and conducted wholly or mainly for one or more of the following purposes.

- (a) Charitable purposes
- (b) Participation in or support of athletics, sports or games or cultural activities.
- (c) For any other non-commercial purpose other than private gain.

Note – Charitable Purposes means in relation to England and Wales, purposes which are exclusively charitable according to the law of England and Wales.

It is inherent in this definition that the Society must have been established for one of the permitted purposes, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a Society whose sole purpose is to facilitate lotteries – it must have some other purpose.

The promoting society of a small Society lottery must, throughout the period during which the lottery is promoted, be registered with a licensing authority.

The licensing authority with which a small Society lottery is required to register must be in the area where their principal office is located.

A Society which is required to register with the local authority alone is one where the total value of tickets in any one lottery sold or to be sold is less than £20,000. Once registered therefore a Society may promote several lotteries. However, if the cumulative value of tickets in all lotteries promoted by the Society sold in any calendar year exceeds £250,000, registration will be with the Gaming Board.

Administration

As the purpose of permitted lotteries is to raise money for non-commercial causes, the Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the Society that promoted the lottery. If a small Society lottery does not comply with these limits it will be in breach of the Act's provisions, and consequently be liable for prosecution.

The limits placed on small Society lotteries are as follows:

- at least 20% of the lottery proceeds must be applied to the purposes of the Society
- no single prize may be worth more than £25,000
- rollovers between lotteries are only permitted where every lottery affected is also a small Society lottery promoted by the same Society, and the maximum single prize is £25,000
- every ticket in the lottery must cost the same and the Society must take payment for the ticket fee before entry into the draw is allowed

Tickets

- Must display the name of promoting society
- Must display the price of a ticket
- Must display the name and address of person with the responsibility for promoting the small lottery
- Must display the date of the draw
- Tickets must not be sold by or to a person under the age of 16
- No payment other than the price of the ticket shall be required as condition of his admission to participate in the lottery
- A register must be kept of unsold/returned tickets

Returns

- A return form is available from this authority to assist you
- A return must be submitted by the Promoter to the Local Authority within three months of **EVERY** lottery held. These MAY be inspected by the Gambling Commission

The following information must be included on the return

- The arrangements for the lottery e.g. date tickets went on sale, date of draw, value of prizes, value of any donated prizes and any rollover amount or prizes
- Must outline the proceeds from the lottery

- Must outline the amounts deducted for prizes
- Must outline the amounts deducted for organising the small lottery
- Must outline any expenses incurred in connection with the lottery that were not paid for by deduction from the proceeds
- Must outline the amount applied to the purpose for which the promoting society is conducted
- The return must be signed by 2 members of the society
- These members must be 18 years or over, and must have been appointed to have authorisation to sign returns on behalf of the society

Should you have any queries regarding this matter then please do not hesitate to contact a member of the Licensing Department.

Registration

Applications for small society lottery registration must be submitted on the prescribed form AND be accompanied by the required registration fee of £40 and a copy of their terms and conditions or constitution in order to establish that it is a non-commercial society. Details of which will be passed to the Gambling Commission.

The registration also attracts an annual fee to be paid prior to the anniversary of the date of registration.

Refusal of Registration

A local authority shall refuse an application for registration if in the period of five years ending with the date of the application –

- an operating licence held by the applicant for registration has been revoked under section 119(1), or
- an application for an operating licence made by the applicant for registration has been refused.

A local authority may refuse an application for registration if they think that –

- the applicant is 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 for registration is false or misleading.

A local authority may not refuse an application for registration unless they have given the applicant an opportunity to make representations.