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1. This checklist is intended to help you determine whether a raffle being planned will be lawful. If the relevant conditions are not met, the raffle will be unlawful, and anyone involved in it may be liable for a criminal offence under the Gambling Act 2005. This checklist is designed to be used in connection with any raffle or lottery that is planned on or after 1 April 2016, and the checklist takes account of the changes made by the Gambling Act by the Legislative Reform (Exempt Lotteries) Order 2015.

Whether a raffle being planned will be lawful. If the relevant conditions are not met, the raffle will be unlawful, and anyone involved in it may be liable for a criminal offence under the Gambling Act 2005. This checklist is designed to be used in connection with any raffle or lottery that is planned on or after 1 April 2016, and the checklist takes account of the changes made by the Gambling Act by the Legislative Reform (Exempt Lotteries) Order 2015.

2. The accompanying **Guidance** is in the Lotteries subfolder of the accompanying **Practice of Running Lotteries** and other lotteries subfolder of the accompanying **Practice of Running Lotteries** 2005.

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3. The accompanying **Descriptions** sets out examples of small scale raffles which a small group or organization might run.

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4. **Is it a lottery?**

The first legal test that must be satisfied is whether the raffle must amount in law to a "lottery".

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To be a "lottery", it has to have the following features:

- payment to participants (or to a third party) incurring any expenditure;
- one or more prizes (whether or not cash prizes); and
- the prizes must be awarded by chance (not skill).

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- one or more prizes (whether or not cash prizes); and
- the prizes must be awarded by chance (not skill).

Unless all three features are satisfied, the raffle will not be able to go ahead with the raffle.

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5. **Who is to promote and conduct the raffle?**

The headings in bold are the headings of the sections of the accompanying **Practice of Running Lotteries** and other lotteries) permitted by law. To check whether you are permitted to run a raffle, you should go to the relevant section of the accompanying **Practice of Running Lotteries** and other lotteries) permitted by law. To check whether you are permitted to run a raffle, you should go to the relevant section of the accompanying **Practice of Running Lotteries** and other lotteries) permitted by law.

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- (i) under one of these headings (if you are a charity or other organization which is to run the raffle you are permitted to run);
- (ii) go to the same heading as above (if you are not a charity or other organization which is to run the raffle you are permitted to run) below and follow the checklist under that bold heading.

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- (ii) go to the same heading as above (if you are not a charity or other organization which is to run the raffle you are permitted to run) below and follow the checklist under that bold heading.

Although other types of raffles and lotteries exist, this checklist covers only those types which are more commonly known as "exempt" raffles or those which have been registered, we suggest that you take legal advice and/or consult the accompanying **Practice of Running Lotteries** and other lotteries) permitted by law. To check whether you are permitted to run a raffle, you should go to the relevant section of the accompanying **Practice of Running Lotteries** and other lotteries) permitted by law. To check whether you are permitted to run a raffle, you should go to the relevant section of the accompanying **Practice of Running Lotteries** and other lotteries) permitted by law.

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**(a) Incidental**

A raffle in this category is one where the person or type of organization other than those in category (a) (Note that whilst the raffle itself must be “non-commercial” (i.e. no private gain) it may be run by a commercial or non-commercial person and/or at a commercial or non-commercial event.

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*This is a non-exhaustive list of types of organizations who might run such a lottery:*

*Types of organizations who might run such a lottery:*

- School
- School PTA
- Pub
- Hotel
- Restaurant
- Commercial sport organization (e.g. football club)
- Commercial concert organizer
- Festival organiser
- Shop
- Trade fair
- Charity which is raising money for another charity or other good cause
- Commercial or proprietor
- Any commercial business

- Commercial sport organization (e.g. football club)
- Commercial concert organizer
- Festival organiser
- Shop
- Trade fair
- Charity which is raising money for another charity or other good cause

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**(b) Private Society connected with**

**organization not set up for or connected with**

*This is a non-exhaustive list of types of organizations who might run such a lottery:*

*Types of organizations who might run such a lottery:*

- Charity which is raising money for another charity or other good cause
- Working men’s club
- Private members’ club

- Charity which is raising money for another charity or other good cause
- Working men’s club
- Private members’ club

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**(c) Work**

A group of colleagues at the same work place (employed, self-employed or running the business) which is on a single set of premises.

A group of colleagues at the same work place (employed, self-employed or running the business) which is on a single set of premises.

**(d) Residents**

A group of residents at the same set of premises.

A group of residents at the same set of premises.

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6. **Tests of legality for each category of raffle**

**Raffle**

We have indicated below where a raffle cannot be run. This means that it would be *unlawful* to run such a raffle in that instance.

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**(a) Incidental**

**(i) Is the raffle incidental to another event or activity? If not, it cannot take**

The event or activity must be non-commercial in nature, but the raffle must be incidental to that activity must comprise something other than just the raffle.

For example, a school supper event, e.g. a supper quiz held at the school, with admission for that event on or before the date of the event. The supper quiz tickets are entitled to have a meal and take part in the quiz and the proceeds go to the PTA or other charity or good cause for which the event is held. The supper quiz ticket does not include payment for the evening at the supper quiz. Tickets are sold during the same evening as the quiz, and the proceeds go either to the same charity or good cause, and the proceeds go either to the same charity or good cause, or to some other charity or good cause. The raffle is only incidental to the supper quiz, but the supper quiz event comprised nothing more than the raffle.

As another example, a person who sells drinks and food at his pub one evening for his own commercial purpose, but if he holds a raffle during the evening and the proceeds go to a charity or other good cause, the raffle is incidental to the pub event (i.e. the normal trading of the pub) is commercial, but the raffle is incidental to the pub event because it is for a charity or good cause, not for private gain.

**(ii) Are proceeds of the raffle, after deduction of prize costs and other permitted expenses, all to go to a charity or other good cause?**

If any part of the proceeds of the raffle will be for any private/commercial gain, it cannot take place.

**(iii) Are the deductions permitted by the regulations from proceeds of the raffle within the permitted limits?**

If not, it cannot take place.

-only up to £100 for expenses incurred in organizing the raffle may be deducted from the proceeds of the raffle, even if a greater sum is actually incurred. Expenses include: printing raffle tickets, hire of equipment.

-only up to £500 may be deducted from the proceeds for the actual cost of acquiring the prizes, excluding the cost of the prizes.

**(iv) Will or may the proceeds of the raffle be used for prizes to another raffle (or other lottery)?**

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**(iv) Will or may the proceeds of the raffle be used for prizes to another raffle (or other lottery)?**

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If so, the raffle cannot

**(v) Will all raffle tickets be sold or supplied at the location of the event and distributed there?**

**supplied at the location of the event and distributed there?**

If not, the raffle cannot be run (see "(i)" above), any tickets sold off the school premises or after the end of the event cannot be run.

For example, at a school PTA event, tickets can be sold or supplied either/both (1) before the beginning of the event and (2) before the beginning of the event. Tickets cannot be run.

**(vi) Will all raffle tickets be sold or supplied at the event and bought there?**

**Will all raffle tickets be sold or supplied at the event and bought there?**

If not, the raffle cannot be run. Tickets cannot be sold to anyone not at the event.

Tickets cannot be sold to anyone not at the event.

**(vii) Do any of the prizes consist of alcoholic drinks?**

**Do any of the prizes consist of alcoholic drinks?**

If so, this will be in breach of the Licensing Act 2003 unless the drink is in a sealed container. For example, spirits, wine, or beer in a new unopened bottle is permitted.

Alcoholic drinks are permitted unless the drink is in a sealed container. For example, spirits, wine, or beer in a new unopened bottle is permitted. See also question "(viii)" below.

**(viii) Will any raffle prizes be given to children?**

**Will any raffle prizes be given to children?**

This is permitted if in the event of a prize being awarded as a prize cannot be awarded to a child under 18.

A raffle is lawful, but alcoholic drinks cannot be given to children under 18.

**(ix) Will all tickets be sold for the same price?**

**Will all tickets be sold for the same price?**

A raffle can be run where tickets are sold for different prices, so for example, where one ticket is sold for £1, but another is sold for £2, this is permitted.

A raffle can be run where tickets are sold for different prices, so for example, where one ticket is sold for £1, but another is sold for £2, this is permitted.

**(x) Is the ticket price limited?**

**Is the ticket price limited?**

The legislation does not limit the price of a raffle ticket, so you can charge any amount, but there is a limit on the amount that can be spent on raffle tickets.

The legislation does not limit the price of a raffle ticket, so you can charge any amount, but there is a limit on the amount that can be spent on raffle tickets.

**(xi) Is there any information on the ticket itself?**

**Is there any information on the ticket itself?**

In order to operate the raffle, every ticket must be distinguishable from every other ticket, and some other unique identifier will be needed. However, there is no requirement to include any other information such as the name of the promoter, or as to the category of people who can buy the ticket, or as to the tickets not being transferable (if that is the case), or as to the tickets not being "cloakroom" tickets or otherwise used for raffles with nothing else on the ticket itself.

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(xii) **Will any or prizes awarded and announced at the event itself?**

prizes be drawn and/or prizes announced at the event itself?

A raffle can be run either before, during or after the event. Prizes are given out or prize winners must take place at the event.

are given out or prize winners must take place at the event.

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(xiii) **Will there be a raffle displayed or distributed anywhere?**

Will there be a raffle displayed or distributed anywhere?

This is permitted where the raffle is away from the premises where the event is held.

ing is away from the premises

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(xiv) **Will the rules of the raffle allow a ticket to be transferrable by the purchaser or any other person?**

ticket to be transferrable by the purchaser or any other person?

The rules may either allow or prohibit the purchaser from transferring any ticket.

ser from transferring any ticket.

**(b) Private Society**

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(i) **Will any non-members be promoting the raffle?**

Will any non-members be promoting the raffle?

If not, the raffle cannot be promoted by non-members.

(ii) **Will anyone other than members be able to buy tickets?**

Will anyone other than members be able to buy tickets?

If only members buy tickets (or guests on the society's premises) and members' tickets are sold on the society's premises, the raffle can be run. No other person may be permitted to buy tickets.

ociety's premises) and members' tickets are sold on the society's premises, the raffle can be run. No other person may be permitted to buy tickets.

(iii) **Is the raffle for an event or activity?**

Is the raffle for an event or activity?

This is not relevant – raffles can be run as "incidental" lotteries. There need not be any event or activity for the raffle, and so tickets may be sold for a private society, project etc. Tickets can be sold at any time, i.e. they do not need to be sold at any event, and on any particular occasion/s.

"incidental" lotteries. There need not be any event or activity for the raffle, and so tickets may be sold for a private society, project etc. Tickets can be sold at any time, i.e. they do not need to be sold at any event, and on any particular occasion/s.

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(iv) **Are proceeds of the raffle, or other permitted purposes, to go to a charity or other good cause or to the society itself?**

Are proceeds of the raffle, or other permitted purposes, to go to a charity or other good cause or to the society itself?

If any part of the (proceeds of the raffle) will be for any private/commercial gain, it must take place. However, this means that, after incurring the costs of the raffle, the proceeds must either all go to the society for the purposes of the society (as set out in its constitution) or to one or more charities, or some of the proceeds can go to the society's purposes and some to any charity or good cause.

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cause. It does not make any profit for the society. The key point is that the proceeds can be for *private gain*.

what the purposes are of the raffle. The proceeds can be for *private gain*.

**(v) Are there limits on the expenses or prizes which can be made from the raffle?**

**expenses or prizes which can be made from the raffle?**

No, there are no such limits. Expenses for prizes and other expenses deducted should be reasonable.

There are no limits on the amount of money that can be spent for prizes and other expenses deducted should be reasonable.

**(vi) Will or may any of the prizes be transferred to another raffle (or other lottery)?**

**of prizes to another raffle (or other lottery)?**

If so, the raffle cannot be a lottery.

Prizes can be transferred to another raffle or lottery.

**(vii) Does it matter if any of the prizes consist of an alcoholic drink?**

**consist of an alcoholic drink?**

No, this is permitted with the drink in a sealed container.

There is no restriction on prizes consisting of alcoholic drinks, provided they are in a sealed container.

**(viii) Will any raffle tickets be sold in a public place?**

**be sold in a public place?**

This is permitted if in a public place it is a lawful one.

Raffle tickets can be sold in a public place if it is a lawful one.

**(ix) Will all tickets be sold for the same price?**

**each other?**

A raffle can only take place if all tickets are sold for the same price. So for example, if one ticket were to be sold for £1, and another for £2, it would not be a raffle.

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**(x) Is the ticket price limited?**

**Is the ticket price limited?**

There is no legal limit on the price of a raffle ticket.

There is no legal limit on the price of a raffle ticket.

**(xi) Is there any requirement for the ticket to be distinguishable from every other ticket, and if so, what information must be included on the ticket?**

**Is there any requirement for the ticket to be distinguishable from every other ticket, and if so, what information must be included on the ticket?**

In order to operate the raffle, the ticket must be distinguishable from every other ticket, and some other unique identifier will be needed. However, there is no requirement to include any other information such as the name of the promoter, or as to the category of people who can purchase the ticket, or as to the tickets not being transferable. This means that the ticket may consist of "cloakroom" tickets (or similar) that are completely self-contained, with nothing else on the ticket itself given to its purchaser.

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**(xii) When do the prizes have to be drawn and/or awarded and how should this be done?**

**to be drawn and/or prizes awarded?**

This may be at any time, but if the raffle is promoted, purchasers must be told the time/date of the draw.

This may be at any time, but if the raffle is promoted, purchasers must be told the time/date of the draw.

**(xiii) Will there be any prizes or raffle tickets displayed or distributed in a public place?**

**raffle displayed or distributed in a public place?**

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Advertising is only permitted if distributed on the premises of the society.

or distributed on the premises of

(xiv) **Will the rules of the raffle be transferrable by the purchaser of a ticket?**

**ticket to be transferrable by the person?**

The raffle rules must not be transferrable.

(c) **Work**

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(i) **Will only work colleagues be able to buy tickets on the same single set of premises?**

**g on the same single set of raffle?**

If any promoter is not a work colleague of the other promoters, and if any of the work colleagues do not buy tickets on the same single set of premises, the raffle cannot be run.

the other promoters, and if any of the same single set of premises, the

(ii) **Will anyone other than work colleagues who all work on the same premises be able to buy tickets?**

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**colleagues who all work on the same premises “(i)” above be able to buy**

If anyone else can buy tickets, the raffle cannot be run.

(iii) **Is the raffle incidental to an event or activity?**

**event or activity?**

This is not relevant – incidental to “incidental non-commercial” lotteries. There need not be an event or activity. Tickets may be sold for a stand alone event or activity. Tickets can be sold at any place or time.

to “incidental non-commercial” event or activity. Tickets may be sold at any place or

(iv) **Are proceeds of the raffle to be used for the reduction of prizes and other permitted costs to go to a charity or other good cause or will they be used for the promotion of prizes awarded to the winning work colleagues?**

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**reduction of prizes and other permitted costs go to a charity or other good cause or will they be used for the promotion of prizes awarded to the**

If any part of the proceeds is for any private/commercial gain, the raffle cannot take place. Proceeds must all be used either only to pay for the prizes or, after deducting those prize costs, to make a donation to charities or other good causes

for any private/commercial gain, proceeds must all be used either colleagues or, after deducting those charities or other good causes

(v) **Are there limited expenses or prizes which can be made from the raffle?**

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**expenses or prizes which can be made from the raffle?**

No, there are no such limited expenses or prizes which can be deducted should be reasonably incurred.

(vi) **Will or may any prizes be transferred to another raffle (or other lottery)?**

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**prizes to another raffle (or other lottery)?**

If so, the raffle cannot

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**(vii) Does it matter if the raffle tickets consist of an alcoholic drink?**

No – this is permitted where the tickets are in a sealed container.

**(viii) Will any raffle tickets be sold?**

This is permissible if in a public place or where there is a lawful one.

**(ix) Will all tickets be sold for the same amount each other?**

A raffle can only take place if all tickets are sold for the same amount, so for example, if one ticket were to be sold for £1, then another would need to be sold together for £2.

**(x) Is the ticket price limited?**

There is no legal limit on the price of a ticket.

**(xi) Is there anything that must be included on the ticket?**

In order to operate the raffle, the ticket must be distinguishable from every other ticket, and some form of unique identifier will be needed. However, the ticket does not need to include any other information such as the name of the promoter, the name of the promoter, or as to the category of people who are eligible to purchase the ticket, or as to the premises, or as to the date of the raffle. This means that raffle tickets may consist of “ordinary” tickets (similar) that are commonly used for raffles with nothing else on them.

**(xii) When do the prizes have to be drawn and/or awarded and/or displayed?**

This may be at any time, but if the raffle is promoted, purchasers must be told the time/date of the draw.

**(xiii) Will there be any advertising of the raffle displayed or distributed anywhere?**

Advertising is only permitted if the raffle is displayed or distributed on the relevant premises or on a single set of work premises.

**(xiv) Will the rules of the raffle be transferrable by the purchaser of the ticket?**

The raffle rules must not be transferrable.

**(d) Residents**

**(i) Will only residents of a single set of premises, be eligible to purchase the ticket?**

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If any promoter is not a resident of premises concerned, the raffle cannot be run.

of premises concerned, the

**(ii) Will anyone other than the promoter who all live at on the same premises be able to buy tickets?**

who all live at on the same premises be able to buy tickets?

If anyone else can buy a ticket, the raffle cannot be run.

cannot be run.

**(iii) Is the raffle incidental to an event or activity?**

event or activity?

This is not relevant – the raffle must be incidental to an event or activity. There need not be any associated event or activity. Tickets may be sold for a stand-alone raffle. Tickets may be sold for a stand-alone raffle or time.

“incidental” lotteries. There need not be any associated event or activity. Tickets may be sold for a stand-alone raffle. Tickets may be sold for a stand-alone raffle or time.

**(iv) Are proceeds of the raffle to be used for the promotion of prizes and other permitted costs to a charity or other good cause or will they be used for the promotion of prizes awarded to the winning resident?**

duction of prizes and other permitted costs to a charity or other good cause or will they be used for the promotion of prizes awarded to the winning resident?

If any part of the proceeds of the raffle cannot take place for any private/commercial gain, the raffle cannot take place. Proceeds must all be used either for the promotion of prizes or, after deducting those prize costs, to make a donation to a charity or other good causes.

for any private/commercial gain, the raffle cannot take place. Proceeds must all be used either for the promotion of prizes or, after deducting those prize costs, to make a donation to a charity or other good causes.

**(v) Are there limits on the expenses or prizes which can be made from the raffle?**

expenses or prizes which can be made from the raffle?

No, there are no such limits. Expenses incurred should be reasonably incurred.

Expenses incurred should be reasonably incurred.

**(vi) Will or may the proceeds of the raffle be used for prizes to another raffle (or other lottery)?**

prizes to another raffle (or other lottery)?

If so, the raffle cannot take place.

cannot take place.

**(vii) Does it matter if the raffle consists of an alcoholic drink?**

consist of an alcoholic drink?

No, this is permitted where the drink is in a sealed container.

sealed container.

**(viii) Will any raffle tickets be sold to the public?**

public?

This is permitted if in all circumstances it is a lawful one.

is a lawful one.

**(ix) Will all tickets be sold to the public?**

each other?

A raffle can only take place if all tickets are sold to the public. So for example, if one ticket were to be sold for £1, the raffle would not be permitted if another ticket were sold together for £2.

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**(x) Is the ticket price limited?**

limited?

There is no legal limit on the ticket price.

There is no legal limit on the ticket price.

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(xi) **Is there anything on the ticket?**

In order to operate the raffle, the ticket must be distinguishable from every other ticket, and some other unique identifier will be needed. However, the raffle rules must include any other information such as the name of the promoter, or as to the category of people who are eligible to purchase tickets, or as to the premises concerned, or as to the date of the raffle. This means that raffle tickets may be different from the tickets (or similar) that are commonly used for raffles, which are often the ticket itself given to its purchaser.

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(xii) **When do the prizes have to be drawn and/or awarded and/or announced?**

This may be at any time, but if the raffle is promoted, purchasers must be told the time/date of the draw.

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(xiii) **Will there be a display of the raffle displayed or distributed anywhere?**

Advertising is only permitted if it is displayed or distributed on the relevant single set of residents' premises.

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(xiv) **Will the rules of the raffle be transferrable by the purchaser of the ticket?**

The raffle rules must not be transferrable.

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