

Raffles & Lotteries Guidance for Volunteers - England, Scotland and Wales

This guidance is written for Fundraising Groups and Fundraising Volunteers in England, Scotland and Wales who are looking to hold any sort of raffles and lotteries. It is important that all volunteers clearly follow our guidance when looking to hold a raffle or lottery.

Please speak with your Volunteer Manager if you have any questions on any of the following information or are looking to hold a raffle or lottery.

Our licence

Marie Curie holds a licence that enables the charity to carry out prize led fundraising which brings in £5.6million per year.

In most cases, all raffles and lotteries held by or in support of Marie Curie fall under the terms of our gambling licence. Due to extensive regulation and in order to protect the charity's best interests, our Gaming Team are the only fundraisers who operate within the licence - this includes offline and virtual raffles/lotteries.

This licence therefore cannot be used by staff, supporters, Fundraising Groups or Volunteers due to the operation risk and increased level of regulation involved. Misuse could lead to high fines, or the licence being revoked.

As we hold an overall licence known as a society licence, groups or volunteers **cannot** apply for a licence in their local authority as the application would automatically fall under the Marie Curie Licence.

What is a lottery/raffle?

A **lottery or raffle** is defined by the Gambling Commission as having 3 key elements:

- 1. An arrangement to pay to enter
- 2. At least one prize awarded
- 3. Prizes awarded purely on chance

What would constitute a lottery?

- Here is a list of some examples we would constitute as a lottery:
 - A Raffle; A Tombola; Name the Bear; Lucky Squares; Sweepstakes

Do I need a licence to run a lottery?

- A licence is required in the majority of cases where you wish to hold a lottery, or raffle.
- A licence would be required to run a lottery or raffle online. Volunteers and FGs should therefore not be doing any form of online lotteries as it would present a risk to Marie Curie's overall licence.

What can I or my Fundraising Group do without a licence?

Simply put, volunteers can run the following:

- Prize competitions
- Free prize draws
- Incidental lotteries
- Workplace lotteries

The 'activity' must take place at a physical event, all ticket sales and the draw must take place during the main event.

We will look at each of the above options in the following sections:

What are prize competitions?

A **prize competition** is a game where there has to be a substantial degree of skill, knowledge or judgement used to win a prize. You need to ensure its challenging enough to deter people from getting the correct answer to avoid it being classed as a lottery.

Do I need a licence to run a prize competition?

- You do not need a licence to run a prize competition, unless it is online.
- However, you do need to ensure its challenging enough to deter people from getting the correct answer to avoid it being classed as a lottery.
- You will need permission from the Gaming Team in order to run a competition, so
 please talk to your Volunteer Manager if you are looking to run a competition, who can
 seek the necessary permissions. This is so they can support you and ensure it doesn't
 accidentally become a licenced activity.
- You will also need to include appropriate terms and conditions which would be sourced from the Gaming Team on completion of the prize competition request form.
- You will need to supply the appropriate information about the competition in the event planning document 6 weeks before the planned raffle, so we can sign off the terms and conditions.

What would constitute a competition?

- Here is a list of some examples that would constitute a competition:
 - Spot the Ball; Guess the number of daffodils in the jar or weight of cake
- You can find the most up to date guidance and information on the Gambling Commission's website here.

What is a free prize draw?

Free prize draws are draws where entry is free, and the winner may be chosen at random. You may include a suggested donation when entering however the free route must be advertised as prominently as the paid entry route.

- Entries from both the free and paid route must have an equal chance of winning
- Donating should not increase someone's chances of winning
- Prizes are allocated the same for either route.

Do I need a licence for a free prize draw?

- Only Marie Curie staff and registered volunteers are allowed to host prize draws due to the need to ensure it does not become a raffle/lottery.
- You do not need a licence as they are not regulated by the Gambling Commission.
- You do need to ensure you don't cross the line into an illegal lottery though by not offering a truly free route of entry.
- Terms and conditions for the draw need to be displayed and approved by the Gaming Team. You must speak to your Volunteer Manager about this.
- You will need to supply the appropriate information about the draw in the event planning document 6 weeks before the planned raffle, so we can sign off the terms and conditions.
- You can find the most up to date guidance and information on the Gambling Commission's website here.

What is an incidental lottery?

- In certain cases, you do not need a licence to hold an incidental lottery however incidental lotteries can only be held in specific circumstances and are only applicable to in-person events and not virtual or online events.
- An **incidental lottery** is where the lottery is not the main purpose of the event (e.g. a raffle at a dinner, tombolas and sweepstakes). All net income must go to Marie Curie and tickets can only be sold during the event. The Gaming Team should be consulted if groups are thinking of hosting an incidental lottery as there is still regulation involved to ensure that the lottery does not fall under our licence. For example, there are restrictions on how much can be spent on administering a raffle vs the income brought in.

- The raffle must be incidental to the event itself (i.e. there has to be an event in the first place rather than being placed in a shop for a month). Whilst event in the legislation and Gambling Commission guidance is not the clearest, they do emphasise the word incidental and provide examples of fete, exhibition, charity dinner. So, in other words, not the focus. There is a value cap on how much we can spend on prizes. This is £500, unless they have been donated, in which case there is no cap.
- You can find the most up to date guidance and information on the Gambling Commission's website here.

What is a workplace lottery?

You do not need a licence for a work lottery. These are not open to the public and are run within a workplace. Only the employees who work at the premises can enter and it must be held at the place of work. The Gaming Team should be consulted if groups are thinking of hosting a work lottery as there is still regulation involved. You can find the most up to date guidance and information on the Gambling Commission's website here.

FAQs

What lotteries or raffles my groups can do?

Simply put, volunteers can run an incidental lottery, a prize competition, a free prize drawer or workplace raffles. The 'activity' must take place at a physical event, all ticket sales and the draw must take place during the main event. Any raffle being run should be added to the event planning document and should be discussed with your Volunteer Manager.

What can we do instead?

We have mentioned competitions as an activity that groups and volunteers can engage with. These are permissible as long as they are organised compliantly and don't cross the line into becoming a lottery. Auctions are also a possible option. If the auction is on behalf of Marie Curie, then you can seek support from your Volunteer Manager.

Can my FG hold our raffle online instead?

No, volunteers cannot hold any form of online raffle as it is not an incidental raffle, and any online lottery requires a licence. Prize competitions must also not take place online.

My FG are holding an online event. Can we add a raffle as part of it if everyone buys their ticket during the event?

No, you can't sell raffle tickets at an online event as there isn't a specific location and an incidental lottery requires tickets to be sold at an actual location.

What about sweeties in a jar or guess the weight of the cake? Do I need a licence for that? Does that need to be only placed on the day of the event?

This would count as a prize competition, so wouldn't require a licence. As it is not an incidental lottery, there is also no time limit on this. For fraud purposes, we would recommend keeping the competition running for a short amount of time and to be clear

when the event will end and how the winner decided in the terms and conditions. You would need to complete a prize competition request form to get T&Cs written.

We want to run a prize competition – does this need to be signed off?

Yes. As mentioned, any prize competition needs a set of terms and conditions and need to be signed off by our gaming team. To ensure a prize competition doesn't become a lottery, you will need to add details to the raffle section on the events planning document and complete a prize competition request form. This should be completed 6 weeks before the planned competition so the T&Cs can be written and agreed by our gaming team.

We have sometimes done "Name the Bear" style events where people choose a name from a list and the winning name wins the bear. Can we still do those?

Name the bear is a lottery/game of chance so therefore an incidental lottery.

Can my group run a free prize draw?

Yes. However, you would need T&Cs so should still contact your Volunteer Manager for support.

Can FGs have raffles at their events and sell tickets beforehand?

FGs can hold raffles at their events where tickets are being sold specifically at that event as this is an incidental raffle. The regulations forbid them from selling tickets before the event.

My Fundraising Group do an event each year where traditionally the group have obtained a licence from the local authority and then printed raffle books to sell before their event they hold annually. Should my group be doing this?

They can sell tickets at their event as this is an incidental lottery. They shouldn't need to apply to their council to do incidental lotteries/raffles. However, anything else would require a

licence and they are unable to use our Marie Curie licence to do this. This is due to the many regulations involved in ensuring we are sticking with legal guidelines.

Why does the application by a registered volunteer for a small society licence affect our Marie Curie license?

Marie Curie can only have one licence. The only time you would need a local authority licence is when you have no need for a national licence. Marie Curie has need of a national licence and all gambling activity falls under it. Therefore, any activities where Marie Curie is the promoter would be against our national licence. This means any misdemeanours put the £5.6million we raise from our licence at risk.

I saw another charity hold a raffle on Facebook – why can they do it and we can't?

The regulations are very clear around raffles. We can't comment on what other charities do, but all lotteries and raffles held by, or on behalf of Marie Curie are covered under our licence. Therefore, to protect the charities best interests, and the £5.6million we raise each year, only the gaming team can run lotteries under this licence.

My FG traditionally do events throughout the year. Can we place posters in our local community and on our local social media pages advertising that there will be a raffle at our event?

Yes, as long as they don't sell any tickets in advance, this is fine.

Who should we come to with any questions?

If you have any questions about lotteries and gaming, please speak to your Volunteer Manager so we can ensure this is legal and we are meeting requirements. You can also contact the gaming team by email: **gaming@mariecurie.org.uk**.