

Raffles & Lotteries Guidance for Volunteers – Northern Ireland

This guidance is written for Fundraising Groups and Fundraising Volunteers in Northern Ireland 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

In England, Wales and Scotland, Marie Curie holds a licence that enables the charity to carry out prize led fundraising which brings in £5.6million per year. This is a requirement of the Gambling Act 2005 and administered by the Gambling Commission.

In Northern Ireland we have a blanket policy of not advertising or running gambling as our licences don't cover that activity and there are complications with attaining licences there.

What is a lottery/raffle in Northern Ireland?

There is no legal definition of the term **lottery** in Northern Ireland, however the Department for Communities Northern Ireland define a lottery similarly to that of 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 we have a policy at MC of not running gambling activity in Northern Ireland.

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

Simply put, volunteers can run the following:

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

However, the rules around the above are very different to those to those of the rest of the United Kingdom, please take note of the differences if you or your Fundraising Group are organising any of the activities.

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

What are prize competitions and free prize draws?

A **prize competition** is a game where there has to be a substantial degree of skill, knowledge or judgement is 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.

Free prize draws are draws where entry is free, and the winner may be chosen at random.

For either activity, you may include an ask for a donation in the promotion, however, this must not be advertised as an entry route. All entry routes **must be free** in order to remain legal.

Do I need a licence to run either of these activities?

- You do not need a licence to run a prize competition or 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 need to speak to your Volunteer Manager to gain permission from our Gaming
 Team in order to run either activity. This is so they can support you and ensure it doesn't
 accidentally become a licenced activity.
- You also need to include appropriate terms and conditions which would be sourced from the Gaming Team. For prize competitions this can be sourced on completion of the prize competition request form. Email completed form to FRVolunteering@mariecurie.org.uk

• You will need to supply the appropriate information about the competition or draw in the event planning document / prize competition request form, 6 weeks before the planned activity, 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 <u>here</u>.

What is an incidental lottery in Northern Ireland?

- 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** in Northern Ireland is where the lottery can be held at a bazaar, sale of work, fete, dinner, dance or sporting event and must be limited to one day or for the length of the event itself and is not the main purpose of the event (e.g. a raffle at a dinner). All net income must go to Marie Curie, tickets can only be sold during the event and must take place on the premises where the event is held. 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. Please speak to your Volunteer Manager for more information. 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.
- The organiser must keep records of the event and must inform the local police at least 7 days before the event is due to take place.
- You can find the most up to date guidance and information on the Gambling Commission's website here.

What is a workplace lottery in Northern Ireland?

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 only place a lottery/raffle can take place is at an actual event where tickets are sold at a physical event and not virtually. 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. 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 and we don't do any form of licenced gambling in Northern Ireland.

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?

If held for an event, then this could only be run as an incidental lottery. Alternatively, it may be classed as a prize competition/free draw if not held at an event so long as the competition is free to enter. You would need to complete a prize competition/free draw request form to ensure T&Cs are completed.

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

Yes, so long as the competition is free to enter. As mentioned, any prize competition needs a set of terms and conditions. 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 and therefore can only be run at an event like any other incidental lottery.

Can my group run a free prize draw?

Yes, so long as it is entirely free to enter. 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. Our policy in Northern Ireland forbids FGs from selling tickets before the event. You should ensure all plans for a raffle are completed on the event planning document.

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 our policy at MC doesn't allow gambling in Northern Ireland.

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.