



**An Bille um Chrannchur Náisiúnta
(An Príomh-Chiste a Chosaint), 2018
National Lottery (Protection of Central Fund)
Bill 2018**

*Meabhrán Mínitheach
Explanatory Memorandum*



**AN BILLE UM CHRANNCHUR NÁISIÚNTA
(AN PRÍOMH-CHISTE A CHOSAINT), 2018
NATIONAL LOTTERY (PROTECTION OF
CENTRAL FUND) BILL 2018**

EXPLANATORY MEMORANDUM

The National Lottery Fund was established by section 8 of the National Lottery Act 1986 and section 44 of the National Lottery Act 2013. This Fund enables Government to disburse funds to good causes coming under the following categories:

- (a) Sport and recreation;
- (b) national culture and heritage (including the Irish language);
- (c) the arts (within the meaning of the Arts Act 2003);
- (d) health of the community;
- (e) youth, welfare and amenities;
- (f) natural environment;
- (g) such other objectives (if any) as the Government may determine from time to time.

The greater the sale of National Lottery tickets, the greater the amount of money in the fund which is then available for good causes. In recent years unregulated off-shore companies are offering bets on the national lottery. At present there are 15 bet-on-lottery operators active in the Irish market and it is likely that this number will increase. Rather than buying lottery tickets, people can avail of these operators to bet on the outcome of the lottery. This results in less money being allocated to the Fund and less disbursements to good causes.

This Act seeks to overcome that threat to the Lottery Fund by prohibiting operators from taking bets on Lottery products. Such prohibition is proportionate and reasonable in light of the public interest in preserving and protecting the Lottery Fund. Consequently, it is not an unreasonable or disproportionate restriction on any constitutional rights of bookmakers to offer bets on certain events.

The Act inserts a further condition attaching to any bookmaker's licence, remote bookmaker's licence and remote betting intermediary's licence granted under the Betting Acts 1931 to 2015.

The condition attaches to all such licences, including existing licences, and provides that nothing may be done, directly or indirectly, in reliance on such a licence in relation to a bet on the outcome of any lottery game under the National Lottery Acts operated within or outside the State.

The term "lottery game" is defined in the National Lottery Act 2013 as "*any game, competition or other procedure, including those played by way*

of interactive channels on the internet, in which or whereby prizes (whether money prizes or otherwise) are distributed by lot or chance among persons participating in the game, competition or other procedure”.

Contravention of section 7F will provide grounds for the Minister for Justice and Equality to make an application to the District Court seeking revocation of any licence where the Minister believes that the licence holder has contravened section 7F.

Deputy Jim O’Callaghan
Meán Fómhair, 2018.