

# FUNDRAISING GUIDELINES LOTTERIES

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SEPTEMBER 2017



## Lotteries<sup>1</sup>

Lotteries generally involve people buying a chance to win a prize. Raffles are a type of lottery. A raffle involves a person purchasing a numbered ticket, which has the chance of winning a prize. At a certain time, the winning ticket(s) are drawn from a container holding a copy of every number. Lotteries, particularly raffles, whether organised internally or by volunteers, are widely used by charities as a means of fundraising.

The questions set out in Part 1 capture legal requirements in relation to lotteries and direct you to what you **must** do as a charity when organising a lottery, including a raffle as a way of raising funds. Part 2 contains questions which provide guidance in terms of best practice and indicate what a charity **ought** to do in such circumstances.

Last updated: 28<sup>th</sup> September 2017

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<sup>1</sup>This checklist does not constitute legal advice and should not be considered a substitute for taking legal advice. The purpose of this checklist is to serve as a guide for the legal requirements and best practice associated with the specific fundraising activity. Law and best practice develop and are shaped over time. This checklist is current as at the date indicated as the date the checklist was last updated.

Please read the Authority Guidance on Fundraising in advance of reading this document.

Please read the introduction to these Codes in advance of and in conjunction with this Part 1.

## Part 1 Lotteries

Questions	Yes/N/A	Comment/Action Required
<p>Have you obtained the necessary permit or licence for the promotion of a lottery?</p> <p><i>When to apply for a permit:</i></p> <p>If you intend to promote a once-off lottery, you must apply to the Garda Superintendent of the district in which the lottery is to be organised for a permit. However, where a carnival, bazaar, sports meeting, local festival, exhibition or other similar event is being organised, the permit may authorise the promotion of more than one lottery in conjunction with it, provided that if more than one lottery is held in any week, the total value of the prizes for the week shall not be more than €5,000. In addition, a permit shall not be granted more than once in six months for the benefit of any one beneficiary.</p> <p><i>When to apply for a licence:</i></p> <p>If you intend to promote a periodical lottery, you must apply to the District Court for a licence. Before applying to the District Court for a licence, you must also give 28 days' notice of your intention to submit such an application to the Garda Superintendent of the district in which the lottery is to be organised. This notice should include the following: (i) the kind of lottery proposed to be carried on; (ii) the purpose of the lottery; (iii) the amount, or proportion of the proceeds, intended to be devoted to the remuneration of agents, ticket-sellers and other persons employed in connection with it; and (iv) the value of the prizes</p>		

Questions	Yes/N/A	Comment/Action Required
<p>Does the lottery comply with the licence or permit conditions as appropriate?</p> <p>Where you have obtained a permit from the Garda Superintendent, the lottery must also comply with the following conditions:</p> <ol style="list-style-type: none"> <li>1. The permit holder must not derive any personal profit from the lottery;</li> <li>2. The total value of the prizes must not be more than €5,000; and</li> <li>3. The value of each prize shall be stated on every ticket or coupon.</li> </ol> <p>Where you have obtained a licence from the District Court, the lottery must also comply with the following conditions:</p> <ol style="list-style-type: none"> <li>1. It must be for some charitable or philanthropic purpose or purposes;</li> <li>2. The licensee must derive no personal profit from it;</li> <li>3. The total value of the prizes on any occasion shall be not more than €30,000 and if more than one lottery is held in any week, the total value of the prizes for the week shall be not more than €30,000;</li> <li>4. The value of each prize must be stated on every ticket or coupon; and</li> <li>5. Not more than 40% of the gross proceeds shall be utilised for the expenses of promotion, including commission and any free entry for the lottery shall be deemed to be a paying of commission to the extent of its value.</li> </ol>		

Questions	Yes/N/A	Comment/Action Required
<p>Does the lottery ticket / coupon / counterfoil include the following details:</p> <ol style="list-style-type: none"> <li>1. The name and address of the licence / permit holder;</li> <li>2. The name of the printer;</li> <li>3. The beneficiary of the lottery; and</li> <li>4. Whether it is being carried out under a licence granted by the District Court or a permit granted by the Garda Superintendent?</li> </ol>		

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