



An Bille um Chrannchur Náisiúnta (Leasú), 2021
National Lottery (Amendment) Bill 2021

Mar a tionscnaíodh

As initiated



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ACTS REFERRED TO

Betting (Amendment) Act 2015 (No. 7)

Betting Act 1931 (No. 27)

Fines Act 2010 (No. 8)

National Lottery Act 2013 (No. 13)

National Lottery Acts 2013 to 2021



AN BILLE UM CHRANNCHUR NÁISIÚNTA (LEASÚ), 2021
NATIONAL LOTTERY (AMENDMENT) BILL 2021

Bill

entitled

An Act to amend the National Lottery Act 2013 to prohibit the use of the National Lottery or its products in betting offers by entities other than the National Lottery. 5

Be it enacted by the Oireachtas as follows:

Short title, construction, collective citation and commencement

1. (1) This Act may be cited as the National Lottery (Amendment) Act 2021.
- (2) The National Lottery Act 2013 and this Act shall be construed together as one Act and may be cited together as the National Lottery Acts 2013 to 2021. 10
- (3) This Act shall come into operation three months after its passage by the Houses of the Oireachtas.

Definitions

2. In this Act, unless the context otherwise requires— 15

“bet” shall have the meaning assigned to it by section 1 of the Betting Act 1931;

“betting offer” means a bet offered by a bookmaker;

“bookmaker”, for the purposes of section 46 of the National Lottery Act 2013, means a person, who in the course of business, takes bets, sets odds and undertakes to pay out on winning bets, and includes— 20

- (a) a licensed remote betting intermediary,
- (b) a remote betting intermediary,
- (c) a licensed remote bookmaker, and
- (d) a remote bookmaker,

and each term in this definition has the meaning given to it by section 1 of the Betting Act 1931, as inserted by section 2 of the Betting (Amendment) Act 2015; 25

“Principal Act” means the National Lottery Act 2013.

Amendment of section 46 of Principal Act

3. The Principal Act is amended in section 46—

(a) by the substitution of the following subsection for subsection (1):

“(1) A person, other than the Minister, the Regulator, the operator or a licensee, or a person authorised to do so by any of them, shall not, for the purposes of a betting offer— 5

(a) make use of the National Lottery, or

(b) make use of—

(i) the name ‘Irish National Lottery’, its equivalent in the Irish language, or any equivalent thereof, 10

(ii) the name ‘National Lottery’, ‘*An Crannchur Náisiúnta*’, or any equivalent thereof, or

(iii) any name so closely resembling either of those names in subparagraphs (i) or (ii) as to be reasonably capable of leading to the belief that any of those names or equivalents is being referred to.” 15

and

(b) by the substitution of the following subsection for subsection (3):

“(3) (a) It shall be an offence to contravene subsection (1).

(b) Where a contravention of subsection (1) has been committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to, any neglect on the part of the person being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in any such capacity, that person as well as the body corporate shall be guilty of an offence and be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence. 20 25

(c) Where the affairs of a body corporate are managed by its members, paragraph (b) shall apply in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director or manager of the body corporate. 30

(d) A person or body corporate that contravenes subsection (1) is liable—

(i) on summary conviction, to a class A fine, or

(ii) on conviction on indictment, to a fine not exceeding €100,000. 35

(e) In considering what the appropriate penalty under paragraph (d) in any case, a court shall have regard to the provisions of section 14 of the Fines Act 2010.”

An Bille um Chrannchur Náisiúnta (Leasú),
2021

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta um Chrannchur Náisiúnta,
2013 chun a thoirmeasc ar eintitis seachas an
Crannchur Náisiúnta an Crannchur Náisiúnta nó
a tháirgí a úsáid i dtairiscintí gealltóireachta.

*Na Seanadóirí Barra Mac an Bháird, Emer Currie
agus Micheál Mac Ronncarraí a thug isteach,*

26 Aibreán, 2021

National Lottery (Amendment) Bill 2021

BILL

(as initiated)

entitled

An Act to amend the National Lottery Act 2013 to
prohibit the use of the National Lottery or its
products in betting offers by entities other than
the National Lottery.

*Introduced by Senators Barry Ward, Emer Currie
and Micheál Carrigy,*

26th April, 2021

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