**Draft Regulation amending the Regulation to the Lottery Act**

§1 new second paragraph shall read:

*This regulation does not apply to pre-drawn scratch card lotteries, cf. Regulation 15 June 2011 No. 699 concerning pre-drawn scratch card lotteries, nor bingo games, cf. Regulation 30 November 2004 No. 1528 concerning bingo games.*

§2 shall read:

*§2 Fees*

Lottery applications shall be decided by the *Gaming Authority*.

A fee of *3000* NOK shall be paid to the Government for a lottery permit pursuant to § 6.

*For applications for a lottery permit pursuant to § 7, the lottery operator shall pay a fee of 30.000 NOK before the application is taken into consideration. The fee will not be refunded if a permit is not granted. For permits granted, a fee of 20.000 NOK shall be paid for each commenced year from when the permit is granted and until the end of the duration of the permit. The total fees in relation to the application, supervision and control of the lottery shall not exceed 170.000 NOK for the duration of the permit.*

*A fee of 300 NOK shall be paid to the government for each draw the Gaming Authority conducts.*

§ 3

Lottery permits may only be granted when an adult residing in Norway is responsible for the lottery.

§ 4

Lottery permits are not transferable.

§ 5 shall read:

*§ 5. Common rules for lotteries*

*For lotteries pursuant to § 6 and § 7, the following rules apply:*

1. *The value of the main prize cannot exceed 2 million NOK.*
2. *The value of the prizes must amount to at least 25 % of the allowed turnover.*
3. *The number of lottery tickets that are allowed to be sold shall be specified by the Gaming Authority in the permit. The number shall reflect the presumed sales volume of the lottery, either based on an estimate by the applicant or the actual sales of previous lotteries.*
4. *A permit may not be granted to lotteries with interactive draws in electronic channels.*

New § 5a shall read:

*§ 5 a. Monetary prizes*

*Monetary prizes are only allowed for lotteries with a permit pursuant to §§ 6 or 7.*

§ 6 shall read:

*§ 6. Permits for post-drawn lotteries where the Gaming Authority or other public authority conducts the draw, as well as pre-drawn lotteries*

*The Gaming Authority shall grant a permit to humanitarian and socially beneficial organisations to establish a post-drawn lotteries where the Gaming Authority or other public authority conducts the draw, as well as pre-drawn lotteries, when the following conditions are fulfilled:*

1. *The turnover of the lottery must not exceed 100 million NOK.*
2. *At least 20 % of the turnover, after deduction of prizes, shall be destined for humanitarian and socially beneficial organisations.*
3. *The sales period shall not exceed 12 months.*
4. *The prizes must be kept ensured and shall not lose its value by use.*
5. *The customer shall receive a receipt with information about the name and address of the lottery, the organisations behind it, the number and value of the prizes, that a permit is granted by the Gaming Authority, the number of lottery tickets which are permitted sold and whether or not unsold lottery tickets shall be part of the draw, the time and place of the draw and the announcement of the results of the draw, the deadline and place for collecting the prizes, as well as how prizes that are not collected will be handled.*
6. *The sale of lottery tickets may not commence before it has been demonstrated that the prizes are acquired or a security approved by the Gaming Authority has been established ensuring that the necessary means are available.*
7. *Advertising may not cover more than 50 % of a lottery ticket.*
8. *Lottery tickets must not be sold below the actual prize.*
9. *Sales of lottery tickets may not be carried out by children under the age of 15 years.*
10. *Postponement of the draw of a post-draw lottery can only be allowed in special circumstances.*
11. *The draw of a post-drawn lottery shall be conducted by the Gaming Authority or other public authority as decided by the Ministry.*
12. *The results of the draw of a post-drawn lottery shall be published in one or more public media.*
13. *Exact accounts and documentation that the prizes have been given to the winners shall be sent to the Gaming Authority within a set deadline.*

*Lottery permits granted pursuant to this Section before [date of entry into force of this Regulation] will apply until they expire and on the same conditions as specified in that permit.*

New § 7 shall read:

*§ 7. Lotteries where the operator performs the draw*

*The Gaming Authority may grant up to five permits with a duration of seven years to humanitarian and socially beneficial organisations to hold a lottery where a private operator undertakes the draw.*

*The Gaming Authority shall grant the available permits by a random draw following a public announcement. A permit may only be granted to the main office or national office of the organisation. An organisation may participate in each draw with one application and may not be granted more than one permit simultaneously. In order to participate in the draw, the following conditions must be fulfilled:*

1. *The organisation must have international activities which amount to at least 50 % of the total recorded expenses of the organization. In addition, the organizations must have recorded expenses for international activities which amount to at least 20 million NOK.*
2. *The lottery cannot be expected to lead to problems in the form of gambling addiction.*
3. *At least 50 % of the turnover, after deduction of prizes, shall be destined for humanitarian and socially beneficial organisations who have been granted a permit pursuant to this Section,*
4. *The turnover of the lottery must not exceed 300 million NOK per year,*
5. *The operator of the lottery must have satisfactory financial security for the prizes and have satisfactory equity.*
6. *The operator of the lottery must document, by approval from an authorised test-lab within the EEA, that the lottery is secured against misuse and manipulation.*

*The Gaming Authority decides whether an application fulfils the conditions of the preceding paragraph. If a decision of the Gaming Authority pursuant to this Section is appealed, all appeals shall be decided by the Lottery Appeals Board before the random draw may be carried out. The result of the random draw may not be appealed.*

*The Gaming Authority shall, when announcing the availability of lottery permits, decide on a deadline for the applications and make public how the assessment of the risk for problems in the form of gambling addiction, as referred to in the second paragraph no. 2 and the assessment of financial security and equity, as referred to in the second paragraph no. 5 shall be carried out, as well as conditions as to the level of authorisation of the test-lab. The Gaming Authority may take into account assessments carried out in other EEA States. All agreements between the organisations and the operator must be attached to the application.*

*The Gaming Authority may revoke a permit before it expires if the lottery has adverse effects on society or public health or if any of the conditions for the permit are not fulfilled.*

*Lottery permits granted pursuant to this Section before [date of entry into force of this Regulation] will apply until they expire and on the same conditions as specified in that permit.*

New § 7a shall read:

*§7 a. Marketing rules for lotteries with permits pursuant to § 6 and § 7*

*Lotteries with permits pursuant to § 6 and § 7 may not use more than 15 % of the allowed turnover, after deduction of prizes, on marketing. The marketing of the lotteries shall not:*

*a) be misleading or provide insufficient information,*

*b) be directed towards persons under the age of 18 years or other vulnerable groups,*

*c) use persons under the age of 18 years as part of the marketing,*

*d) when using well-known persons in their marketing, indicate that the participation in games or lotteries has contributed to their success,*

*e) encourage players to cover losses from games or lotteries by participating again in the game or lottery,*

*f) use direct marketing towards physical persons without the recipients preceding consent,*

*g) have a content so that it appears that participation in a game or lottery is the solution to financial problems, or*

*h) be unreasonably intrusive or aggressive. When assessing whether the marketing is unreasonably intrusive or aggressive, account shall be taken of the form, content, use of sounds, pictures, animations or other live pictures, and the context otherwise.*

*The provisions of the first paragraph shall apply to all forms of marketing, both paid and unpaid, and in all channels, including blogs and social media.*

§ 8 (Repealed by regulation 21 Dec 2000 no. 1366 (entered into force 1 January 2001).)

§ 9 Lotteries by way of slot machines are not allowed

Games of chance using a wheel of fortune, raffle or other fascilities that are designed to do a continious series of draws in a short time, may have a maximum prize of kr. 1 000 and the stake must not exceed 10 NOK. A fee of 10 NOK shall be paid to the Government for each machine pr. day.

§ 10 This regulation enters into force 24. February 1995.