

**THE
NATIONAL
LOTTERY®
LICENCE
COMPETITION**



**GAMBLING
COMMISSION**

4th National Lottery Licence Competition (“4NLC”)

Recommendations for External Stakeholders

1. Purpose & Approach

It is vital that the competition for the 4th National Lottery licence is fair, open and transparent to ensure the competition appoints the best operator to maximise returns to good causes and achieve the agreed programme objectives.

This document explains the Gambling Commission's expectations for interaction between the 4th National Lottery Licence Competition (4NLC) team and stakeholders with a role relevant to the competition as well as how we expect external stakeholders to interact with potential applicants to the 4NLC. It also sets out recommended protocols for such interactions.

- 1.1. Our overarching principles state that any activities associated with 4NLC should be:
 - transparent;
 - non-discriminatory;
 - avoid distorting competition;
 - include measures to combat fraud, favouritism and corruption; and
 - prevent, identify and remedy any conflict of interest.
- 1.2. The recommendations in this document do not override obligations a stakeholder may have under legislation, including obligations to respond to requests made under the Freedom of Information Act (FOIA). If a stakeholder receives a freedom of information request relating to 4NLC, the stakeholder should notify the 4NLC team of the request and any response given.
- 1.3. The recommendations in this document are valid up until and beyond the conclusion of the 4th National Lottery Licence Competition. Further guidance and formal controls over communications for the competition phase will be set out in the Invitation to Apply (ITA) for the 4th National Lottery Licence Competition.
- 1.4. Where these recommendations apply to potential applicants for the 4th National Lottery Licence, they will be superseded by the rules of the competition once the applicant formally applies to bid.

2. Definitions

- 2.1. **“The Gambling Commission”** is the UK’s independent, statutory body responsible for awarding the licence to run the National Lottery and tasked with regulating it to ensure safe and fair play. Agents, advisors and subcontractors appointed by the Gambling Commission to support the 4th National Lottery Licence Competition are included in this definition.
- 2.2. **“Current National Lottery Licence”** means the existing (third) licence to operate the National Lottery held by Camelot UK Limited and which expires in January 2023.
- 2.3. **“Stakeholder”** means any individual, organisation, business or company who is participating in activity relating to the 4th National Lottery Licence Competition and/or the current National Lottery licence, including potential applicants for the 4th National Lottery Licence.
- 2.4. **“4NLC”** means the 4th National Lottery licence Competition.

3. General recommendations applicable to all stakeholders

- 3.1. Stakeholders should read this document prior to participating in 4NLC activities.
- 3.2. Issues relating to 4NLC should only be referenced or discussed in interactions with the Gambling Commission that are specifically organised for this purpose.
- 3.3. We recommend that stakeholders do not provide unsolicited information to the 4NLC team as any such information may not be taken into account. Information should only be provided when requested, and via the appropriate channels, specified by the Gambling Commission.
- 3.4. If you have any questions regarding the recommendations in this document, please contact the 4NLC team via 4nlcpmo@gamblingcommission.gov.uk.

4. Stakeholders who are potential applicants in the 4NLC

- 4.1. Stakeholders who are engaged in activity that may affect their involvement in the competition shall declare their involvement prior to undertaking any 4NLC-related activity. Declarations should be made to the 4NLC team via 4nlcpmo@gamblingcommission.gov.uk. Prior to submitting a declaration, any such stakeholders would be advised to inform their 4NLC contact prior to doing so.
- 4.2. Stakeholders engaged in the 4NLC should not, when in communication with the Gambling Commission 4NLC team, refer to the provisions or activities of the current National Lottery licence, except where:
 - The Gambling Commission has proactively offered any such information to the stakeholder as part of the 4NLC process; and/or
 - The 4NLC team determines, in accordance with its processes, that the stakeholder has a legitimate query relating to the current National Lottery licence.

5. Stakeholders engaged in the current National Lottery licence

This section applies to stakeholders whose roles relate to the National Lottery including, but not limited to:

- organisations engaged in the distribution of National Lottery funds;
- suppliers to the current National Lottery Licensee, including National Lottery ticket retailers;
- government bodies, including central government departments.

- 5.1. Stakeholders should be even-handed, fair and transparent in dealings with any organisation applying, or considering applying, to take part in the 4NLC.
- 5.2. Stakeholders should not act in a way that gives, or appears to give, any applicant participating in the 4NLC a competitive advantage. If in any doubt, stakeholders should consult the 4NLC team.
- 5.3. Stakeholders should not act in a way that suggests preferential support for any applicant participating in the 4NLC.
- 5.4. These recommendations are not intended to prevent stakeholders from maintaining a constructive working relationship with the current operator of the National Lottery, or helping to facilitate the ongoing success of the National Lottery for the term of the current licence.
- 5.5. Before undertaking any joint activity with the current operator, or responding to requests, stakeholders should be satisfied that the work is not intended to influence 4NLC processes.
- 5.6. In relation to any activity referred to in 5.5, stakeholders should be satisfied that if there was no licence competition pending, the activity in question would still likely have taken place. This does not prevent stakeholders from working with a potential applicant, or applicant, in preparing a joint bid for the 4NLC, provided that in doing so their combined actions do not hinder competition more widely.