

D R A F T S T A T U T O R Y I N S T R U M E N T S

2017 No.

CONSUMER PROTECTION AND CRIMINAL LAW

The Breaching Limits on Ticket Sales Regulations 2017

Made - - - - - ***

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by section xx of the Digital Economy Act 2017(a).

A draft of the instrument was laid before Parliament in accordance with section xx of that Act, and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Breaching Limits on Ticket Sales Regulations 2017 and come into force on the day after the day on which they are made.

Application

2. These Regulations apply where —

- (a) tickets for a recreational, sporting or cultural event in the United Kingdom are offered for sale;
- (b) a purchase may be made wholly or partly by a process that the purchaser completes using an electronic communications network or an electronic communications service(b); and
- (c) the offer is subject to conditions that limit the number of tickets a purchaser may buy.

Offence

3. A person who uses anything that enables or facilitates completion of any part of a process within regulation 2(b), with intent to obtain tickets in excess of a limit imposed by conditions within regulation 2(c), commits an offence.

4. For the purposes of regulation 3 it does not matter whether the offer is made, or anything is done to obtain tickets, in or outside the United Kingdom.

(a) 2017 c.

(b) Section xx of the Digital Economy Act 2017 provides that “electronic communications network” and “electronic communications service” have the meanings given by section 32 of the Communications Act 2003, c. 21.

Penalty

5.—(1) An offence under these Regulations is triable summarily in England and Wales and Scotland. [Northern Ireland]

(2) A person guilty of an offence under these Regulations is liable –

- (a) in England and Wales, to a fine;
 - (b) in Scotland, to a fine not exceeding £50,000;
 - (c) [in Northern Ireland, to a fine not exceeding the statutory maximum.]

Address
Date

Name
Parliamentary Under Secretary of State
Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations create an offence which applies when: (i) tickets for a recreational, sporting or cultural event in the United Kingdom are offered for sale; (ii) a purchase may be made by a process that the purchaser completes using an electronic communications service or network; and (iii) the offer is subject to conditions limiting the number of tickets a purchaser may buy.

It is a criminal offence for a person to do any act which enables or facilitates completion of any part of the process with intent to obtain tickets in excess of the limit.

The offence is committed whether the offer of tickets is made or anything is done to obtain the tickets, in or outside the United Kingdom.

These Regulations were notified in draft (Notification No. xx on xx 2017) to the European Commission in accordance with Directive 98/34/EC of the European Parliament and of the Council (OJ No L 204, 21.7.98, p 37) which, as amended by Directive 98/48/EC of the same institutions (OJ No L 217, 5.8.98, p 18), lays down a procedure for the provision of information in the field of technical standards and regulations.

An Impact Assessment has not been produced as no, or no significant, impact on the private sector or civil society organisations is foreseen.