

# LONDON OLYMPIC GAMES AND PARALYMPIC GAMES ACT 2006

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## EXPLANATORY NOTES

### TRADING

#### *Section 31: Sale of tickets*

71. This section is based on section 166 of the Criminal Justice and Public Order Act 1994 which deals with ticket touting primarily in relation to tickets for football matches. It creates a criminal offence of touting tickets for the 2012 Olympic Games.
72. It will be an offence to sell a ticket (or anything that purports to be a ticket) for an event held as part of the London Olympics or Paralympics in a public place or in the course of a business without the written authorisation of LOCOG. If convicted of such an offence, a person would be liable to a fine up to level 5 on the standard scale (currently £5,000).
73. The definition of “selling a ticket” includes offering to sell a ticket, exposing a ticket for sale, advertising that a ticket is available for purchase and giving (or offering to give) a ticket to someone who is paying for other goods and services. The definition is drafted to include a situation where a ticket is offered as part of a package of other goods because this sort of activity has been used to circumvent ticketing conditions in the past.
74. In *Subsection (2)* the reference to an event held as part of the London Olympics includes non-sporting events and pre-Olympic test events.
75. Under *Subsection (2)(c)*, a person will be treated as acting in the course of a business if they are doing something as a result of which they will make a profit or aim to make a profit.
76. A person (‘the advertiser’) will commit an offence if they advertise that a ticket is available for purchase and if the person making the ticket so available is acting in the course of a business. However, if the only reason the ticket is made available in the course of a business is by reason of subsection 2(c) (that is, that the person makes, or aims to make a profit) and the advertiser did not know or could not reasonably be expected to know that the person offering the ticket for sale was doing so for a profit or with an aim to make a profit then the advertiser will not commit an offence.
77. *Subsections (4) and (5)* provide a defence for internet and other electronic communication service providers of being accessories to a ticket touting offence where they play an unwitting or unknowing role. However, once they become aware that their services are being used for touting tickets contrary to *subsection (1)*, the service provider must withdraw those services in the shortest reasonable time.
78. LOCOG is required to establish a system for granting written authorisations to official ticket sellers. It will be allowed to charge for such authorisations and will be entitled to exercise unfettered discretion in deciding whether or not to authorise vendors.
79. *Subsections (8) to (10)* make necessary amendments so that this provision has the same effect in Scotland as it does in England and Wales.