

Sporting Events Bill [HL]

[AS AMENDED ON REPORT]

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[AS AMENDED ON REPORT]

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TO

Make provision for enabling a common set of legislative provisions to be applied to major sporting events held in the United Kingdom; to confer power to provide financial assistance in relation to sporting events held in England, Scotland or Northern Ireland; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART 1

SPORTING EVENTS FRAMEWORK

Application of sporting events framework

1 Sporting events framework

- (1) This Part enables a common set of legislative provisions to be applied to certain sporting events which are held in the United Kingdom. 5
- (2) The provisions that may be applied are—
 - (a) Schedule 1 (“the ticket touting provisions”),
 - (b) Schedule 2 (“the advertising provisions”),
 - (c) Schedule 3 (“the trading provisions”), 10
 - (d) Schedule 4 (“the unauthorised association provisions”), and
 - (e) Schedule 5 (“the transport provisions”).
- (3) In this Part—
 - (a) the Schedules mentioned in subsection (2) are referred to collectively as “the sporting events framework”, and 15
 - (b) each of the Schedules mentioned in that subsection is a “part” of that framework.
- (4) The sporting events framework has effect in relation to a sporting event only if, and to the extent that, it is applied to the event by regulations under section 2. 20

2 Application of framework to major sporting events

- (1) An appropriate national authority may by regulations apply one or more of the following parts of the sporting events framework to a sporting event—
 - (a) the ticket touting provisions;
 - (b) the advertising provisions; 5
 - (c) the trading provisions.
- (2) The Secretary of State may by regulations apply either or both of the following parts of the sporting events framework to a sporting event—
 - (a) the unauthorised association provisions;
 - (b) the transport provisions. 10
- (3) An appropriate national authority may make regulations under this section only if it appears to the authority that each of the framework conditions is met (see section 3).
- (4) Regulations under this section may specify events (whether sporting or otherwise) which are to be treated for the purposes of this Part as forming part of the sporting event in relation to which the regulations are made. 15
- (5) An event may be so specified only if it is held in connection with the sporting event.
- (6) Regulations under this section are subject to—
 - (a) the affirmative resolution procedure, or 20
 - (b) the made affirmative resolution procedure, if the regulations contain a statement by the appropriate national authority making them that the authority considers it necessary for the regulations to be made urgently.
- (7) In this Part— 25

“appropriate national authority” means—

 - (a) the Secretary of State, or
 - (b) a devolved authority;

“devolved authority” means—

 - (a) the Scottish Ministers, 30
 - (b) the Welsh Ministers, or
 - (c) a Northern Ireland department.

3 Framework conditions

- (1) The “framework conditions”, in relation to a sporting event, consist of the following two conditions. 35
- (2) The first condition is that the sporting event is to be held wholly or partly in the United Kingdom.
- (3) The second condition is that—
 - (a) the sporting event meets the requirements in subsection (4), or

- (b) holding the sporting event in the United Kingdom is likely to facilitate other sporting events which meet those requirements being held in the United Kingdom.
- (4) The requirements are –
 - (a) that the event is likely to be of significant international or national interest, 5
 - (b) that the sporting event organiser has asked for the sporting events framework to be applied, and
 - (c) that the event is likely to bring social or economic benefits to the United Kingdom or a part of it. 10
- (5) The following matters (amongst others) may be taken into account in determining for the purposes of subsection (4) whether a sporting event is likely to be of significant international interest –
 - (a) the scale and reputation of the event;
 - (b) the number of persons the authority expects to come to the event from outside the United Kingdom; 15
 - (c) the amount of media coverage the authority expects the event to receive outside the United Kingdom.

4 Restrictions on application of framework

- (1) Before making regulations under section 2(1) in relation to a sporting event, the Secretary of State must obtain the consent of a devolved authority so far as the regulations contain provision which would be within devolved competence in relation to the authority. 20
- (2) A devolved authority may make regulations under section 2(1) in relation to a sporting event only if – 25
 - (a) the condition in subsection (3) is met, and
 - (b) in the case of regulations made under section 2(1)(a) (ticket touting regulations), the condition in subsection (4) is also met.
- (3) The condition in this subsection is that the regulations contain only provision which is within devolved competence in relation to the devolved authority. 30
- (4) The condition in this subsection is that –
 - (a) in the case of regulations made by the Scottish Ministers, the sporting event (or any part of it) takes place in Scotland;
 - (b) in the case of regulations made by the Welsh Ministers, the sporting event (or any part of it) takes place in Wales; 35
 - (c) in the case of the regulations made by a Northern Ireland department, the sporting event (or any part of it) takes place in Northern Ireland.

Ticket touting

5 Ticket touting regulations

- (1) This section and sections 6 and 7 apply in relation to regulations under section 2(1) which apply the ticket touting provisions to a sporting event.
- (2) The regulations must specify – 5
 - (a) the period during which the ticket touting provisions apply in relation to the sporting event;
 - (b) the part (or parts) of the United Kingdom in relation to which the ticket touting provisions apply to the sporting event.
- (3) The regulations may provide that either or both of the following do not apply to the sporting event – 10
 - (a) paragraph 2 of Schedule 1 (extra-territorial application);
 - (b) Part 2 of Schedule 1 (financial penalties).

6 Persons granting ticketing authorisations

- (1) The regulations must designate one or more persons to grant authorisations under paragraph 3 of Schedule 1 (“ticketing authorisations”) in relation to the sporting event. 15
- (2) A person may be designated by virtue of subsection (1) only if they are –
 - (a) the person making the regulations, or
 - (b) any other person considered suitable to grant ticketing authorisations in relation to the sporting event. 20
- (3) Where the regulations designate a person of the kind mentioned in subsection (2)(b), the designation may be subject to conditions.
- (4) Conditions imposed by virtue of subsection (3) may, in particular, require the person to – 25
 - (a) maintain a register containing information about ticketing authorisations granted by the person in relation to the sporting event;
 - (b) arrange for any such register to be made available to the public.

7 Exceptions to the ticket touting offence

- (1) The regulations may specify in relation to the sporting event descriptions of activities in relation to which the ticket touting offence does not apply. 30
- (2) Descriptions of activities specified by virtue of subsection (1) may, in particular, include activities carried out by, or on behalf of, a specified person or specified description of person (including, for example, activities carried out by charities for charitable purposes). 35
- (3) For other exceptions, see –
 - (a) paragraph 1(5) of Schedule 1 (exception for designated authorising person);

- (b) section 19 (exceptions for internet service providers).

Advertising

8 Advertising regulations

- (1) This section and sections 9 and 10 apply in relation to regulations under section 2(1) which apply the advertising provisions to a sporting event. 5
- (2) The regulations must specify in relation to the sporting event –
 - (a) places, or descriptions of places, that are to be restricted advertising zones in relation to the sporting event, and
 - (b) periods during which the advertising provisions apply in relation to each of those places. 10
- (3) A place, or description of place, may be specified in accordance with subsection (2)(a) only if the following two conditions are met.
- (4) The first condition is that the place –
 - (a) is to be used for the sporting event,
 - (b) is otherwise to be used in connection with the sporting event, or 15
 - (c) is in the vicinity of a place, or description of a place, of the kind mentioned in paragraph (a) or (b).
- (5) The second condition is that –
 - (a) if the regulations are made by the Scottish Ministers, the place is located only in Scotland; 20
 - (b) if the regulations are made by the Welsh Ministers, the place is located only in Wales;
 - (c) if the regulations are made by a Northern Ireland department, the place is located only in Northern Ireland.
- (6) A period specified in accordance with subsection (2)(b) must – 25
 - (a) begin no earlier than 10 days before the day on which the sporting event begins, and
 - (b) end no later than 5 days after the day on which the sporting event ends.
- (7) The regulations may make provision as to when a person is, or is not, to be treated for the purposes of the advertising provisions as doing something in, or as being in, a restricted advertising zone in relation to the sporting event. 30
- (8) The regulations may –
 - (a) make further provision about the giving of fixed penalty notices under Part 2 of Schedule 2 in relation to the sporting event; 35
 - (b) provide for that Part not to apply to the sporting event.
- (9) The further provision mentioned in subsection (8)(a) may, in particular, relate to –
 - (a) the form and content of a fixed penalty notice;

- (b) the methods by which a fixed penalty may be paid in pursuance of a fixed penalty notice;
 - (c) matters that must be taken into account in determining any amount specified in a fixed penalty notice by virtue of paragraph 3(3)(b) of Schedule 2 (higher amount of fixed penalty). 5
- (10) References in this section to a “place” include Crown land.

9 Persons granting advertising authorisations

- (1) The regulations may designate one or more persons to grant authorisations under paragraph 2 of Schedule 2 (“advertising authorisations”) in relation to the sporting event. 10
- (2) A person may be designated by virtue of subsection (1) only if they are—
 - (a) the person making the regulations, or
 - (b) any other person considered suitable to grant advertising authorisations in relation to the sporting event.
- (3) Where the regulations designate a person of the kind mentioned in subsection (2)(b), the designation may be subject to conditions. 15
- (4) Conditions imposed by virtue of subsection (3) may, in particular, require the person to—
 - (a) maintain a register containing information about advertising authorisations granted by the person in relation to the sporting event; 20
 - (b) arrange for any such register to be made available to the public;
 - (c) provide reports to the appropriate national authority making the regulations about advertising authorisations granted by the person in relation to the sporting event.

10 Exceptions to the advertising offence 25

- (1) The regulations may specify in relation to the sporting event descriptions of activities in relation to which the advertising offence does not apply.
- (2) Descriptions of activities specified by virtue of subsection (1) may, in particular, refer to activities—
 - (a) carried out for a specified purpose; 30
 - (b) carried out in a specified place or specified description of place;
 - (c) carried out by a specified person or specified description of person;
 - (d) carried out in a specified way;
 - (e) complying with any enactment relating to the control of advertising.
- (3) The activities mentioned in subsection (2)(a) may, among other things, include advertising wholly or partly carried out for the purpose of promoting charities or services provided by charities. 35
- (4) The activities mentioned in subsection (2)(c) may, among other things, include advertising carried out by, or on behalf of, a person designated by the

- regulations to grant advertising authorisations in relation to the sporting event.
- (5) The activities mentioned in subsection (2)(d) may, among other things, include advertising communicated by means of a mobile telephone or any other electronic communications device. 5
- (6) Before making regulations which contain the provision mentioned in subsection (1), the appropriate national authority making the regulations must consult—
- (a) the local authority for each area which includes a place that is to be a restricted advertising zone in relation to the sporting event; 10
 - (b) any other person the appropriate national authority considers it appropriate to consult.
- (7) For other exceptions, see section 19 (exceptions for internet service providers).
- (8) In this section—
- “electronic communications device” means any device that is capable of receiving information by electronic means; 15
 - “enactment” includes—
 - (a) an enactment contained in subordinate legislation (as defined in section 21 of the Interpretation Act 1978);
 - (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament; 20
 - (c) an enactment contained in, or in an instrument made under, a Measure or Act of Senedd Cymru;
 - (d) an enactment contained in, or in an instrument made under, Northern Ireland legislation; 25
 - “restricted advertising zone” means a place specified or described in the regulations as required by section 8(2)(a).

Trading

11 Trading regulations

- (1) This section and sections 12 and 13 apply in relation to regulations under section 2(1) which apply the trading provisions to a sporting event. 30
- (2) The regulations must specify—
- (a) places, or descriptions of places, that are to be restricted trading zones in relation to the sporting event, and
 - (b) periods during which the trading provisions apply in relation to each of those places. 35
- (3) A place, or description of place, may be specified in accordance with subsection (2)(a) only if the following two conditions are met.
- (4) The first condition is that the place—
- (a) is to be used for the sporting event, 40

- (b) is otherwise to be used in connection with the sporting event, or
 - (c) is in the vicinity of a place, or description of a place, of the kind mentioned in paragraph (a) or (b).
- (5) The second condition is that—
 - (a) if the regulations are made by the Scottish Ministers, the place is located only in Scotland; 5
 - (b) if the regulations are made by the Welsh Ministers, the place is located only in Wales;
 - (c) if the regulations are made by a Northern Ireland department, the place is located only in Northern Ireland. 10
- (6) A period specified in accordance with subsection (2)(b) must—
 - (a) begin no earlier than 10 days before the day on which the sporting event begins, and
 - (b) end no later than 5 days after the day on which the sporting event ends. 15
- (7) The regulations may make provision in relation to the sporting event as to when a person is, or is not, to be treated for the purposes of the trading provisions as doing something in, or as being in, any part of a restricted trading zone.
- (8) The regulations may— 20
 - (a) make further provision about the giving of fixed penalty notices under Part 2 of Schedule 3 in relation to the sporting event, or
 - (b) provide for that Part not to apply to the sporting event.
- (9) The further provision mentioned in subsection (8)(a) may, in particular, relate to— 25
 - (a) the form and content of a fixed penalty notice;
 - (b) the methods by which a fixed penalty may be paid in pursuance of a fixed penalty notice;
 - (c) matters that must be taken into account in determining any amount specified in a fixed penalty notice by virtue of paragraph 4(3)(b) of Schedule 3 (higher amount of fixed penalty). 30
- (10) References in this section to a “place” include Crown land.

12 Persons granting trading authorisations

- (1) The regulations may designate one or more persons to grant authorisations under paragraph 2 of Schedule 3 (“trading authorisations”) in relation to the sporting event. 35
- (2) A person may be designated by virtue of subsection (1) only if they are—
 - (a) the person making the regulations, or
 - (b) any other person considered suitable to grant trading authorisations in relation to the sporting event. 40

- (3) Where the regulations designate a person of the kind mentioned in subsection (2)(b), the designation may be subject to conditions.
- (4) Conditions imposed by virtue of subsection (3) may, in particular, require the person to—
 - (a) maintain a register containing information about trading authorisations granted by the person in relation to the sporting event; 5
 - (b) arrange for any such register to be made available to the public;
 - (c) provide reports to the appropriate national authority making the regulations about trading authorisations granted by the person in relation to the sporting event. 10

13 Exceptions to the trading offence

- (1) The regulations may specify in relation to the sporting event descriptions of activities in relation to which the trading offence does not apply.
- (2) Descriptions of activities specified by virtue of subsection (1) may, in particular, refer to activities— 15
 - (a) carried out in relation to products or services of a specified description;
 - (b) carried out in, or in relation to, a specified place or specified description of place;
 - (c) carried out by, or on behalf of, a specified person or specified description of person; 20
 - (d) directed at a specified person or specified description of person;
 - (e) carried out in a specified way.
- (3) The activities mentioned in subsection (2)(a) may, among other things, include— 25
 - (a) providing a public service, facility or amenity;
 - (b) providing a transport service;
 - (c) selling, or providing services relating to, motor vehicles.
- (4) The activities mentioned in subsection (2)(b) may, among other things, include activities carried out by a person designated by the regulations to grant trading authorisations in relation to the sporting event. 30
- (5) Before making regulations which contain the provision mentioned in subsection (1), the appropriate national authority making the regulations must consult—
 - (a) the local authority for each area that includes a place that is to be a restricted trading zone in relation to the sporting event, and 35
 - (b) any other person the appropriate national authority considers it appropriate to consult.
- (6) For other exceptions, see—
 - (a) paragraph 3 of Schedule 3 (premises adjoining a highway);
 - (b) section 19 (exceptions for internet service providers). 40

- (7) In this section, “restricted trading zone” means a place specified or described in the regulations as required by section 11(2)(a).

Unauthorised association

14 Unauthorised association regulations

- (1) This section and sections 15 and 16 apply in relation to regulations under section 2(2) which apply the unauthorised association provisions to a sporting event. 5
- (2) The regulations must specify –
- (a) the period during which the unauthorised association provisions apply in relation to the sporting event, and 10
 - (b) the date that is the relevant protection date for the purposes of paragraph 3 of Schedule 4 in relation to the sporting event (and that date may be a date before the date on which the regulations are made).
- (3) The regulations must designate one or more persons to enforce the prohibition on unauthorised association in relation to the sporting event. 15
- (4) Designation by virtue of subsection (3) may be subject to conditions (including, in particular, conditions requiring that functions exercisable by virtue of a person being so designated be exercised in compliance with any directions given by the Secretary of State).
- (5) The regulations may – 20
- (a) make provision as to what is, or is not, to be treated as the use of a representation in relation to the sporting event;
 - (b) specify words or expressions, or combinations of words or expressions, the use of which must be taken into account in determining whether the prohibition on unauthorised association has been breached in relation to the sporting event; 25
 - (c) provide examples of an association between the sporting event and a person providing goods or services (in addition to the examples set out in paragraph 1(2) of Schedule 4).
- (6) In subsection (5), “use”, in relation to a representation, is to be read in accordance with paragraph 1(3) of Schedule 4. 30

15 Persons granting association authorisations

- (1) The regulations must designate one or more persons to grant authorisations under paragraph 2 of Schedule 4 (“association authorisations”) in relation to the sporting event. 35
- (2) A person may be designated by virtue of subsection (1) only if they are –
- (a) the Secretary of State, or
 - (b) any other person considered suitable to grant association authorisations in relation to the sporting event.

- (3) Where the regulations designate a person of the kind mentioned in subsection (2)(b), the designation may be subject to conditions.
- (4) Conditions imposed by virtue of subsection (3) may, in particular, require the person to—
 - (a) maintain a register containing information about association authorisations granted by the person in relation to the sporting event; 5
 - (b) arrange for any such register to be made available to the public.

16 Exceptions to the prohibition on unauthorised association

- (1) The regulations may specify in relation to the sporting event descriptions of activities in relation to which the prohibition on unauthorised association does not apply. 10
- (2) Descriptions of activities specified by virtue of subsection (1) may, in particular, include activities carried out by, or on behalf of, a specified person or specified description of person.
- (3) For other exceptions, see— 15
 - (a) paragraph 3 of Schedule 4 (exceptions to prohibition);
 - (b) section 19 (exceptions for internet service providers).

Transport

17 Transport regulations

- (1) Regulations under section 2(2) which apply the transport provisions to a sporting event may designate one or more local traffic authorities for the purposes of paragraph 3 of Schedule 5 (concurrent exercise of powers of a designated local transport authority). 20
- (2) The regulations may designate a local traffic authority by virtue of this section only if the authority consents to the designation. 25
- (3) In this section “local traffic authority” has the meaning given by paragraph 5(2) of Schedule 5.

Enforcement

18 Enforcement of offences

- (1) An offence under this Part may be enforced in relation to a sporting event by an enforcement authority. 30
- (2) Each of the following is an enforcement authority for the purposes of this Part—
 - (a) a local weights and measures authority in Great Britain;
 - (b) the Department for the Economy in Northern Ireland; 35

- (c) in the case of the ticket touting offence, the Competition and Markets Authority;
 - (d) any other public authority designated to enforce an offence under this Part in relation to a sporting event by regulations made under section 2(1) applying the offence to the event. 5
- (3) For investigatory and enforcement powers available to an enforcement authority in relation to an offence under this Part, see Schedule 5 to the Consumer Rights Act 2015.
- (4) Schedule 6 contains further provision about the investigatory and enforcement powers which are available to an enforcement authority in relation to an offence under this Part. 10
- (5) See also Part 3 of the Digital Markets, Competition and Consumers Act 2024 for further enforcement powers available to an enforcement authority in relation to the ticket touting offence.
- (6) Regulations under section 2(1) applying part of the sporting events framework to a sporting event may make provision for securing that any power exercisable by virtue of subsection (1) in relation to a sporting event may be exercised only if specified conditions are met. 15
- (7) Nothing in this section authorises an enforcement authority to bring proceedings in Scotland for an offence. 20
- (8) A local weights and measures authority in England or Wales may exercise a power conferred by this Part in a part of England or Wales that is outside that authority's area.
- (9) A local weights and measures authority in Scotland may exercise a power conferred by this Part in a part of Scotland that is outside that authority's area. 25
- (10) In this section “public authority” means a person who exercises functions of a public nature.

Supplementary and general

19 Exceptions for internet service providers 30

- (1) An internet service provider does not engage in prohibited conduct by –
 - (a) providing access to a communication network, or
 - (b) transmitting, in a communication network, information provided by a user, if the provider does not –
 - (i) initiate the transmission, 35
 - (ii) select the recipient of the transmission, or
 - (iii) select or modify the information contained in the transmission.
- (2) The references in subsection (1) to providing access to, or transmitting information in, a communication network include storing the information transmitted so far as the storage – 40

- (a) is automatic, intermediate and temporary,
 - (b) is solely for the purpose of carrying out the transmission in the network, and
 - (c) is for no longer than is reasonably necessary for the transmission.
- (3) An internet service provider does not engage in prohibited conduct by storing information provided by a user for transmission in a communication network if the first and second conditions are met. 5
- (4) The first condition is that the storage of the information –
 - (a) is automatic, intermediate and temporary, and
 - (b) is solely for the purpose of making more efficient the onward transmission of the information to other users at their request. 10
- (5) The second condition is that the internet service provider –
 - (a) does not modify the information,
 - (b) complies with any conditions attached to having access to the information, and 15
 - (c) upon knowing of a matter within subsection (6), promptly removes the information or disables access to it.
- (6) The matters within this subsection are –
 - (a) that the information at the initial source of the transmission has been removed from the communication network, 20
 - (b) that access to it has been disabled, or
 - (c) that a court or administrative authority has ordered the removal from the network of, or the disablement of access to, the information.
- (7) An internet service provider does not engage in prohibited conduct by storing information provided by a user if – 25
 - (a) when the information was provided, the provider did not know that its provision was prohibited conduct, and
 - (b) upon knowing that the provision of the information is prohibited conduct, the provider promptly removed the information or disabled access to it. 30
- (8) Subsection (7) does not apply if the user is acting under the authority or control of the internet service provider.
- (9) In this section –
 - “internet service” has the meaning given by section 228 of the Online Safety Act 2023 (and section 204(1) of that Act applies); 35
 - “internet service provider” means a provider of –
 - (a) an internet service, or
 - (b) a service that provides access to the internet;
 - “prohibited conduct” means conduct which constitutes –
 - (a) the ticket touting offence; 40
 - (b) the advertising offence;
 - (c) the trading offence;

- (d) a breach of the prohibition on unauthorised association;
 “user”, in relation to an internet service provider, means a user of a service provided by the internet service provider.

20 Offences by bodies corporate etc

- (1) Where an offence under this Part committed by a body corporate is proved – 5
- (a) to have been committed with the consent or connivance of a relevant officer of the body corporate, or
 - (b) to be attributable to neglect on the part of an officer of the body corporate,
- the officer (as well as the body corporate) is guilty of the offence and liable to be proceeded against and punished accordingly. 10
- (2) If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member, in connection with the member’s functions of management, as if the member were an officer of the body corporate. 15
- (3) If an offence under this Part committed by a partnership in Scotland is proved –
- (a) to have been committed with the consent or connivance of a partner, or
 - (b) to be attributable to neglect on the partner’s part,
- the partner (as well as the partnership) is guilty of the offence and liable to be proceeded against and punished accordingly. 20
- (4) If a body corporate, or partnership in Scotland, commits the ticket touting offence by virtue of paragraph 2 of Schedule 1 (ticket touting offence: extra-territorial application), subsections (1) to (3) apply only in respect of a person who is a UK person. 25
- (5) Any penalty imposed by a court in Scotland on a body corporate or partnership in Scotland on conviction of an offence under this Part is to be recoverable by civil diligence in accordance with section 221 of the Criminal Procedure (Scotland) Act 1995. 30
- (6) In this section –
- “officer”, in relation to a body corporate, means –
 - (a) a director, manager, secretary or other similar officer of the body;
 - (b) any person purporting to act in such a capacity; - “partner” includes any person purporting to act in that capacity.
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21 Maximum penalty amounts

- (1) An appropriate national authority may by regulations modify the amounts mentioned in –
- (a) paragraph 3(3) of Schedule 2;
- 40

- (b) paragraph 4(3) of Schedule 3.
- (2) An amount modified under subsection (1) must not exceed £1,000.
- (3) Before making regulations under subsection (1), the Secretary of State must obtain the consent of a devolved authority if the regulations contain provision which would be within devolved competence in relation to that authority. 5
- (4) Regulations made by a devolved authority under subsection (1) may contain only provision which is within devolved competence in relation to that authority.
- (5) The Secretary of State may by regulations amend a relevant amount for the purpose of reflecting changes in the value of money. 10
- (6) “Relevant amount” means an amount for the time being mentioned in –
 - (a) subsection (2);
 - (b) paragraph 4(2) of Schedule 1;
 - (c) paragraph 3(3) of Schedule 2;
 - (d) paragraph 4(3) of Schedule 3. 15
- (7) The reference to “modify” in subsection (1), in relation to regulations made by the Secretary of State under that subsection, includes amend.
- (8) Regulations under this section are subject to the negative resolution procedure.

22 Guidance etc

- (1) Regulations under section 2 which apply the advertising provisions or the trading provisions to a sporting event must include provision for guidance or other information to be provided about the application of those provisions to the sporting event by virtue of the regulations. 20
- (2) Regulations under section 2 which apply any other part of the sporting events framework to a sporting event may include provision for guidance or other information to be provided about the application of that part of the framework to the sporting event by virtue of the regulations. 25
- (3) Regulations made by virtue of subsection (1) or (2) –
 - (a) may require persons of a specified description to provide the guidance or other information; 30
 - (b) may require the guidance or other information to address such matters, and be provided in accordance with such requirements, as may be provided for in the regulations;
 - (c) may require the guidance or other information to be provided to persons of a specified description. 35

23 Consequential amendments

- (1) Schedule 5 to the Consumer Rights Act 2015 (investigatory powers etc) is amended as follows.

- (2) In paragraph 3 (domestic enforcers), in sub-paragraph (1)–
- (a) in paragraph (j), the words from “to whom” to the end become sub-paragraph (i) of that paragraph;
 - (b) at the end of that sub-paragraph insert “, or
 - (ii) who is designated by regulations made by virtue of section 18(2)(d) of the Sporting Events Act 2026.” 5
- (3) In paragraph 10 (duties and powers to which Schedule 5 applies), at the appropriate place insert “section 18(1) of the Sporting Events Act 2026;”.
- (4) The Digital Markets, Competition and Consumers Act 2024 is amended as follows. 10
- (5) In Part 1 of Schedule 15 (consumer protection enactments), insert at the appropriate place –
- | | | |
|--|---|----|
| “Paragraph 1 of Schedule 1 to the Sporting Events Act 2026 | (1) The following public designated enforcers –
(a) the CMA;
(b) every local weights and measures authority in Great Britain;
(c) the Department for the Economy in Northern Ireland.” | 15 |
|--|---|----|
-
- (6) In Schedule 16 (direct enforcement enactments), insert at the appropriate place – 20
- | | | |
|---------------------------|----------------------------|--|
| “Sporting Events Act 2026 | Paragraph 1 of Schedule 1” | |
|---------------------------|----------------------------|--|

24 Interpretation

- (1) In this Part –
- “advertising” means anything done wholly or partly for the purpose of promoting a product, service or business to the public; 25
 - “advertising licence” means a licence permitting the carrying out of advertising (other than an authorisation granted under paragraph 2 of Schedule 2);
 - “the advertising offence” means the offence under paragraph 1 of Schedule 2; 30
 - “the advertising provisions” has the meaning given in section 1(2)(b);
 - “appropriate national authority” has the meaning given in section 2(7);
 - “building” includes any part of a building;
 - “business” includes a trade, craft or profession; 35
 - “charity” –
 - (a) in relation to England and Wales, has the meaning given in section 1(1) of the Charities Act 2011;

- (b) in relation to Scotland, means a body entered in the Scottish Charity Register, (see section 3 of the Charities and Trustee Investment (Scotland) Act 2005) (asp 10));
- (c) in relation to Northern Ireland, has the meaning given in section 1(1) of the Charities Act (Northern Ireland) 2008 (c. 12 (N.I.)), and includes an institution treated as such a charity for the purposes of that Act by virtue of the Charities Act 2008 (Transitional Provision) Order (Northern Ireland) 2013 (S.R. (N.I.) 2013 No. 211), 5
- and, in relation to such a charity, body or institution, “charitable purpose” has the meaning given in the relevant Act; 10
- “Crown interest” means any of the following –
 - (a) an interest belonging to His Majesty in right of the Crown;
 - (b) an interest belonging to a United Kingdom government department or held in trust for His Majesty for the purposes of a United Kingdom government department; 15
- “Crown land” means any land or building in which there is a Crown interest or a Duchy interest; 10
- “devolved authority” has the meaning given in section 2(7);
- “document” includes information recorded in any form; 20
- “Duchy interest” means an interest belonging to His Majesty in right of the Duchy of Lancaster or belonging to the Duchy of Cornwall;
- “enforcement authority” has the meaning given in section 18(2);
- “goods” includes their packaging;
- “licence” includes any kind of consent, certificate, permission or authority (by whatever name); 25
- “local authority” means –
 - (a) in relation to England –
 - (i) a county council;
 - (ii) a London borough council; 30
 - (iii) the Common Council of the City of London (in its capacity as a local authority);
 - (iv) the Sub-Treasurer of the Inner Temple;
 - (v) the Under Treasurer of the Middle Temple;
 - (vi) the Council of the Isles of Scilly; 35
 - (b) in relation to Wales, a county council or a county borough council;
 - (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;
 - (d) in relation to Northern Ireland, a district council; 40
- “local traffic authority” has the meaning given by section 121A of the Road Traffic Regulation Act 1984;
- “motor vehicle” has the same meaning as in the Road Traffic Act 1988 (see section 185(1) of that Act);
- “part”, in relation to the United Kingdom, means – 45

- (a) England;
 - (b) Scotland;
 - (c) Wales;
 - (d) Northern Ireland;
- “product” includes – 5
- (a) any substance;
 - (b) any animal or plant;
- “the prohibition on unauthorised association” means the prohibition in paragraph 1 of Schedule 4;
- “the public” includes a section of the public; 10
- “specified”, in relation to regulations made under this Part, means specified in the regulations;
- “the ticket touting offence” means the offence under paragraph 1 of Schedule 1;
- “the ticket touting provisions” has the meaning given in section 1(2)(a); 15
- “trading activity” has the meaning given in paragraph 1(2) of Schedule 3;
- “trading licence” means a licence permitting the carrying out of a trading activity (other than an authorisation granted under paragraph 2 of Schedule 3); 20
- “the trading offence” means the offence under paragraph 1 of Schedule 3;
- “the trading provisions” has the meaning given in section 1(2)(c);
- “the transport provisions” has the meaning given in section 1(2)(e);
- “UK national” means – 25
- (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen;
 - (b) a person who is a British subject under the British Nationality Act 1981;
 - (c) a British protected person within the meaning of that Act; 30
- “UK person” means –
- (a) a UK national;
 - (b) an individual habitually resident in the United Kingdom;
 - (c) a body incorporated under the law of a part of the United Kingdom; 35
 - (d) a partnership in Scotland;
- “the unauthorised association provisions” has the meaning given in section 1(2)(d).
- (2) References in this Part to a “sporting event” include any opening or closing ceremony of the event. 40
- (3) For the purposes of this Part, provision is “within devolved competence” –
- (a) in relation to the Scottish Ministers, if it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;

- (b) in relation to the Welsh Ministers, if it would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006); 5
- (c) in relation to a Northern Ireland department, if it –
 - (i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and
 - (ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998. 10

PART 2

FINANCIAL ASSISTANCE FOR SPORTING EVENTS 15

25 Power to give financial assistance

- (1) The appropriate national authority may give financial assistance to any person –
 - (a) for the purpose of supporting a sporting event that takes place wholly or partly in a relevant part of the United Kingdom; 20
 - (b) for any other purpose connected to, or arising from, such an event.
- (2) In the case of a sporting event that takes place partly in a relevant part of the United Kingdom, the power under subsection (1) may be exercised only –
 - (a) for the purpose of supporting the part of the sporting event that takes place in that part of the United Kingdom; 25
 - (b) for any other purpose connected to, or arising from, that part of the sporting event.
- (3) Financial assistance under subsection (1) may be given –
 - (a) by way of grants, loans, guarantees or indemnities or in any other form; 30
 - (b) subject to conditions (which may include conditions about repayment with or without interest or other return);
 - (c) under a contract.
- (4) The power under subsection (1) is in addition to (and does not limit or replace) any other power of the appropriate national authority to give financial assistance. 35
- (5) In this section –
 - “the appropriate national authority” means –
 - (a) in relation to England, the Secretary of State;
 - (b) in relation to Scotland, the Scottish Ministers; 40
 - (c) in relation to Northern Ireland, a Northern Ireland department;

“relevant part of the United Kingdom” means –

- (a) England, where the appropriate national authority is the Secretary of State;
- (b) Scotland, where the appropriate national authority is the Scottish Ministers;
- (c) Northern Ireland, where the appropriate national authority is a Northern Ireland department.

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PART 3

FINAL PROVISIONS

26 Power to make consequential provision

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- (1) The Secretary of State may by regulations make provision that is consequential on this Act.
- (2) Regulations under this section may amend, repeal or revoke provision made by or under an Act passed –
 - (a) before this Act, or
 - (b) later in the same session of Parliament as this Act.
- (3) Regulations under this section are subject to the affirmative resolution procedure if they amend or repeal provision made by an Act.
- (4) Otherwise, regulations under this section are subject to the negative resolution procedure.

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27 Regulations

- (1) A power to make regulations under this Act includes power to –
 - (a) make consequential, supplementary, incidental, transitional or saving provision;
 - (b) make different provision for different purposes or areas;
 - (c) confer functions on a person (including functions involving the exercise of a discretion).
- (2) Regulations made under this Act by the Secretary of State are to be made by statutory instrument.
- (3) Regulations made under this Act by the Welsh Ministers are to be made by Welsh statutory instrument (see section 37A of the Legislation (Wales) Act 2019 (anaw 4)).
- (4) For regulations made under this Act by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) (definition of “Scottish statutory instrument”).
- (5) Any power of a Northern Ireland department to make regulations under this Act is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

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- (6) Where regulations under this Act are “subject to the affirmative resolution procedure”, the regulations –
 - (a) if they are to be made by the Secretary of State, may not be made unless a draft of the statutory instrument containing them has been laid before, and approved by a resolution of, each House of Parliament; 5
 - (b) if they are to be made by the Welsh Ministers, are subject to the Senedd approval procedure (see section 37C of the Legislation (Wales) Act 2019 (anaw 4));
 - (c) if they are to be made by the Scottish Ministers, are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)); 10
 - (d) if they are to be made by a Northern Ireland department, may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (7) Where regulations under this Act are “subject to the negative resolution procedure” – 15
 - (a) if the regulations are made by the Secretary of State, the statutory instrument containing them is subject to annulment in pursuance of a resolution of either House of Parliament;
 - (b) if the regulations are made by the Welsh Ministers, they are subject to the Senedd annulment procedure (see section 37E of the Legislation (Wales) Act 2019 (anaw 4)); 20
 - (c) if the regulations are made by the Scottish Ministers, they are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)); 25
 - (d) if the regulations are made by a Northern Ireland department, they are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)) as if they were a statutory instrument within the meaning of that Act.
- (8) Where regulations under this Act are “subject to the made affirmative resolution procedure” – 30
 - (a) if the regulations are made by the Secretary of State –
 - (i) the statutory instrument containing them must be laid before Parliament as soon as reasonably practicable after being made, and 35
 - (ii) the regulations cease to have effect at the end of the period of 40 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of each House of Parliament;
 - (b) if the regulations are made by the Welsh Ministers – 40
 - (i) they are subject to the Senedd confirmation procedure (see section 37D of the Legislation (Wales) Act 2019), and
 - (ii) they cease to have effect at the end of the period of 40 days beginning with the day on which the regulations are made unless, during that period, the regulations are confirmed by a resolution of the Senedd; 45

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- (c) if the regulations are made by the Scottish Ministers—
 - (i) section 30 of the Interpretation and Legislative Reform (Scotland) Act 2010 does not apply to the regulations,
 - (ii) the Scottish statutory instrument containing them must be laid before the Scottish Parliament as soon as reasonably practicable after being made, and 5
 - (iii) the regulations cease to have effect at the end of the period of 40 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of the Scottish Parliament; 10
 - (d) if the regulations are made by a Northern Ireland department—
 - (i) they must be laid before the Northern Ireland Assembly as soon as reasonably practicable after being made, and
 - (ii) they cease to have effect at the end of the period of 40 days beginning with the day on which they are made unless, during that period, the regulations are approved by a resolution of the Assembly. 15
 - (9) In calculating the period of 40 days—
 - (a) in the case of regulations made by the Secretary of State, no account is to be taken of any time during which— 20
 - (i) Parliament is dissolved or prorogued, or
 - (ii) either House of Parliament is adjourned for more than four days;
 - (b) in the case of regulations made by the Welsh Ministers, no account is to be taken of any time during which the Senedd is— 25
 - (i) dissolved, or
 - (ii) in recess for more than four days;
 - (c) in the case of regulations made by the Scottish Ministers, no account is to be taken of any time during which the Scottish Parliament is— 30
 - (i) dissolved, or
 - (ii) in recess for more than four days;
 - (d) in the case of regulations made by a Northern Ireland department, no account is to be taken of any time during which the Northern Ireland Assembly is— 35
 - (i) dissolved,
 - (ii) in recess for more than 4 days, or
 - (iii) adjourned for more than 6 days.
 - (10) If regulations cease to have effect as a result of subsection (8) that does not—
 - (a) affect the validity of anything previously done under the regulations, or 40
 - (b) prevent the making of new regulations.
 - (11) Any provision that may be made in regulations under this Act subject to the negative resolution procedure may be made in regulations subject to the affirmative resolution procedure or the made affirmative resolution procedure.

- (12) If a draft of a statutory instrument containing regulations under this Act made by the Secretary of State would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.

28 Extent

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- (1) This Act extends to England and Wales, Scotland and Northern Ireland, subject to subsection (2).
- (2) Any amendment made by this Act has the same extent as the provision amended.

29 Commencement

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This Act comes into force at the end of the period of two months beginning with the day on which it is passed.

30 Short title

This Act may be cited as the Sporting Events Act 2026.

SCHEDULES

SCHEDULE 1

Section 1(2)(a)

TICKET TOUTING PROVISIONS

PART 1

TICKET TOUTING OFFENCE

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Ticket touting offence

- 1 (1) It is an offence for a person to tout an event ticket in the relevant area at any time during the specified period.
- (2) A person “touts” an event ticket if the person carries out an unauthorised ticketing activity – 10
 - (a) in a public place,
 - (b) in the course of a business, or
 - (c) with a view to any person making a profit.
- (3) The following are “ticketing activities” – 15
 - (a) selling an event ticket;
 - (b) offering to sell an event ticket;
 - (c) exposing for sale an event ticket;
 - (d) advertising that an event ticket is available for purchase.
- (4) A ticketing activity is “unauthorised” if it is carried out otherwise than in accordance with an authorisation granted under paragraph 3. 20
- (5) An offence under this paragraph cannot be committed by a designated authorising person.
- (6) A person guilty of an offence under this paragraph is liable – 25
 - (a) on summary conviction in England and Wales, to a fine;
 - (b) on summary conviction in Northern Ireland, to a fine not exceeding £50,000.
- (7) A person guilty of an offence under this paragraph in Scotland is liable –
 - (a) on summary conviction, to a fine not exceeding £20,000;
 - (b) on conviction on indictment, to a fine.
- (8) See also paragraph 2 which provides for when certain persons commit an offence under this paragraph in relation to activities carried out outside the relevant area. 30
- (9) This paragraph and paragraph 2 are subject to – 35
 - (a) exceptions contained in regulations made by virtue of section 7 in relation to the sporting event (power to provide for further exceptions);

- (b) section 19 (exceptions for internet service providers).
- (10) For the purposes of this paragraph—
 - (a) references to an event ticket are to anything that is or purports to be a ticket to the sporting event including, in the case of a sporting event consisting of two or more sporting events, any of those events; 5
 - (b) the reference to carrying out an activity “in a public place” includes carrying out an activity by communicating to the public by means of an internet service;
 - (c) a reference to the sale of an event ticket includes a reference to the giving of an event ticket to a person who pays, or agrees to pay, for other goods or services; and the reference to “advertising that an event ticket is available for purchase” is to be read accordingly. 10

Ticket touting offence: extra-territorial application

- 2 (1) A UK person commits an offence under paragraph 1 if the person carries out an activity outside the relevant area which, if carried out in that area, would constitute an offence under that paragraph. 15
- (2) A non-UK person commits an offence under paragraph 1 if—
 - (a) the person carries out an activity outside the relevant area which, if carried out in that area, would constitute an offence under that paragraph, 20
 - (b) the activity is carried out in the course of a business, and
 - (c) the UK connection condition is met.
- (3) The UK connection condition is met if—
 - (a) the person carries on business in the United Kingdom, or
 - (b) the activity the person carries out is, by any means or to any extent, directed to persons in the United Kingdom. 25
- (4) Where a person commits an offence under paragraph 1 by virtue of this paragraph, proceedings for the offence may be taken, and the offence may for incidental purposes be treated as having been committed, in the relevant area. 30
- (5) In the application of sub-paragraph (4) to Scotland, proceedings before the sheriff against a person may be taken—
 - (a) in the sheriff court district in which the person is apprehended or in custody, or
 - (b) in such sheriff court district as the Lord Advocate may determine. 35
- (6) In sub-paragraph (5) “sheriff court district” is to be read in accordance with the Criminal Procedure (Scotland) Act 1995 (see section 307(1) of that Act).
- (7) In this paragraph “non-UK person” means a person other than a UK person.

Authorised ticketing activities

- 3 (1) A designated authorising person may authorise a person to carry out ticketing activities.
- (2) An authorisation granted under this paragraph may –
- (a) be granted in respect of a person or a description of person; 5
 - (b) be subject to conditions;
 - (c) be varied or revoked.
- (3) In determining whether or not to grant an authorisation under this paragraph, the designated authorising person may have regard to, among other things, any agreements entered into (whether by the appropriate national authority or another person) for the purposes of the sporting event. 10
- (4) An authorisation granted under this paragraph must be in writing.

PART 2

FINANCIAL PENALTIES

Power to impose financial penalties 15

- 4 (1) A relevant enforcement authority may impose a financial penalty on a person if satisfied beyond reasonable doubt that the person has committed an offence under paragraph 1 in relation to the sporting event.
- (2) The amount of the financial penalty is to be determined by the authority imposing it, but must not be more than £20,000. 20
- (3) In determining the amount of the penalty, the authority must have regard to the following matters –
- (a) whether the person has previously been convicted of an offence under paragraph 1 (whether or not in relation to the sporting event);
 - (b) whether a financial penalty has previously been imposed on the person under this paragraph (whether or not in relation to the sporting event); 25
 - (c) the degree of harm which the authority considers has, or may have, been caused by the conduct;
 - (d) the extent to which the authority considers the person may have gained a financial benefit as a result of the conduct; 30
 - (e) the extent to which the penalty would have a deterrent effect.
- (4) Only one financial penalty may be imposed in respect of the same conduct.
- (5) No financial penalty may be imposed in respect of any conduct if –
- (a) the person has been convicted of an offence under paragraph 1 in respect of the same conduct, 35
 - (b) criminal proceedings for an offence under paragraph 1 in respect of the same conduct have been instituted against the person and the proceedings have not been concluded, or

- (c) criminal proceedings for an offence under paragraph 1 in respect of the same conduct have been concluded and the person has not been convicted.
- (6) A person may not be convicted of an offence under paragraph 1 if a financial penalty has been imposed under this paragraph in respect of the same conduct. 5
- (7) A “relevant enforcement authority” means an enforcement authority of the kind mentioned in section 18(2)(a), (b) or (c).

Notice of intention to impose financial penalty

- 5 (1) Before imposing a financial penalty on a person under paragraph 4, a relevant enforcement authority must give the person a notice (a “notice of intention”) stating that the authority proposes to do so. 10
- (2) The notice of intention must be given before the end of the period of 12 months beginning with the first day on which the authority has sufficient evidence that the person has committed an offence under paragraph 1. 15
- (3) The notice of intention must set out—
 - (a) the amount of the proposed financial penalty,
 - (b) the reasons for proposing to impose the financial penalty, and
 - (c) information about the right to make representations under paragraph 6. 20

Right to make representations

- 6 (1) A person who is given a notice of intention may make written representations to the relevant enforcement authority which gave the notice about the proposal to impose a financial penalty.
- (2) Any representations must be made within the period of 28 days beginning with the day after that on which the notice of intention was given to the person. 25

Final notice

- 7 (1) After the end of the period mentioned in paragraph 6(2) the relevant enforcement authority must— 30
 - (a) decide whether to impose a financial penalty on the person, and
 - (b) if it decides to do so, decide the amount of the penalty.
- (2) If the authority decides to impose a financial penalty on the person, it must give a notice to the person (a “final notice”) imposing that penalty.
- (3) The final notice must require the penalty to be paid within the period of 28 days beginning with the day after that on which the notice was given. 35
- (4) The final notice must set out—
 - (a) the amount of the financial penalty (which may be less than the amount specified in the notice of intention, but cannot be more),

- (b) the reasons for imposing the penalty,
- (c) information about how to pay the penalty,
- (d) the period for payment of the penalty,
- (e) information about rights of appeal, and
- (f) the consequences of failure to comply with the notice. 5

Withdrawal or amendment of notice

- 8 (1) The relevant enforcement authority may at any time –
- (a) withdraw a notice of intention or final notice, or
 - (b) reduce an amount specified in a notice of intention or final notice.
- (2) The power in sub-paragraph (1) is to be exercised by giving notice to the person on whom the notice was given. 10

Appeals

- 9 (1) A person to whom a final notice is given may appeal against –
- (a) the decision to impose the penalty;
 - (b) the amount of the penalty. 15
- (2) The appeal may be made –
- (a) in England and Wales, to the First-tier Tribunal;
 - (b) in Scotland, to the sheriff;
 - (c) in Northern Ireland, to a county court.
- (3) An appeal under this paragraph must be made within the period of 28 days beginning with the day after that on which the final notice is given to the person. 20
- (4) If a person appeals under this paragraph, the final notice is suspended until the appeal is finally determined, withdrawn or abandoned.
- (5) An appeal under this paragraph – 25
- (a) is to be a re-hearing of the relevant enforcement authority's decision, but
 - (b) may be determined having regard to matters of which the authority was unaware.
- (6) On an appeal under this paragraph the First-tier Tribunal or the court may quash, confirm or vary the final notice. 30
- (7) The final notice may not be varied under sub-paragraph (6) so as to make it impose a financial penalty of a greater amount than the relevant enforcement authority could have imposed.

Recovery of financial penalty 35

- 10 (1) This paragraph applies if a person fails to pay the whole or any part of a financial penalty which has been imposed on a person in accordance with this Schedule.

- (2) In England and Wales the relevant enforcement authority which imposed the penalty may recover the penalty or part on the order of the county court as if it were payable under an order of that court.
- (3) In Scotland the penalty may be enforced in the same manner as an extract registered decree arbitral bearing a warrant for execution issued by the sheriff of any sheriffdom in Scotland. 5
- (4) In Northern Ireland the authority which imposed the financial penalty may recover the penalty or part on the order of a county court as if it were payable under an order of that court.
- (5) In any proceedings relating to a financial penalty, a certificate that – 10
 - (a) purports to be signed by or on behalf of the person with responsibility for the financial affairs of the authority which imposed the penalty, and
 - (b) states that payment of the financial penalty was, or was not, received by a date specified in the certificate, 15is evidence of the facts stated.

Proceeds of financial penalties

- 11 Where a relevant enforcement authority imposes a financial penalty under paragraph 4, it may use the proceeds for the purposes of any of its functions. 20

PART 3

INTERPRETATION

- 12 (1) In the application of this Schedule to a sporting event by regulations under section 2(1), references to –
 - (a) the appropriate national authority, are to the appropriate national authority which made the regulations; 25
 - (b) a designated authorising person, are to a person designated by the regulations as required by section 6(1);
 - (c) the relevant area, are to the part (or parts) of the United Kingdom specified in the regulations as required by section 5(2)(b); 30
 - (d) the specified period, are to the period specified in the regulations as required by section 5(2)(a);
 - (e) the sporting event, are to the sporting event to which this Schedule is applied by the regulations.
- (2) In relation to Scotland, “quash” means reduce. 35

SCHEDULE 2

Section 1(2)(b)

ADVERTISING PROVISIONS

PART 1

ADVERTISING OFFENCE

<i>Advertising offence</i>	5
1 (1) It is an offence for a person— (a) to carry out an advertising activity in a restricted advertising zone at any time during a specified period; (b) to arrange for such an activity to be carried out; (c) to permit the carrying out of such an activity.	
(2) An “advertising activity” means anything done wholly or partly for the purpose of promoting a product, service or business specifically to members of the public— (a) who are in a restricted advertising zone, or (b) who are watching or listening to a broadcast of the sporting event.	10
(3) For the purposes of this paragraph a person does not permit the carrying out of an advertising activity if the person takes all reasonable steps to prevent the activity from being carried out or (as the case may be) continuing.	15
(4) It is not a defence to an offence under this paragraph that the act constituting the offence was carried out in accordance with an advertising licence.	20
(5) A person guilty of an offence under this paragraph is liable— (a) on summary conviction in England and Wales, to a fine; (b) on summary conviction in Northern Ireland, to a fine not exceeding £50,000.	25
(6) A person guilty of an offence under this paragraph in Scotland is liable— (a) on summary conviction, to a fine not exceeding £20,000; (b) on conviction on indictment, to a fine.	30
(7) This paragraph is subject to— (a) paragraph 2 (advertising authorisations); (b) exceptions contained in regulations made by virtue of section 10 in relation to the sporting event (power to provide for further exceptions); (c) section 19 (exceptions for internet service providers).	35

Authorised advertising

- 2 (1) It is not an offence under paragraph 1—

- (a) to carry out advertising activities in accordance with an authorisation granted by a designated authorising person under this paragraph, or
 - (b) to arrange for, or permit, such advertising to be carried out in accordance with such an authorisation. 5
- (2) An authorisation granted under this paragraph may –
 - (a) be granted in respect of a person or a description of person;
 - (b) be granted by reference to the nature, purpose or circumstances of the advertising;
 - (c) be subject to conditions; 10
 - (d) be varied or revoked.
- (3) Conditions imposed under sub-paragraph (2)(c) may, for example –
 - (a) specify places where advertising activities may, or may not, be carried out;
 - (b) specify periods during which advertising activities may, or may not, be carried out; 15
 - (c) require steps to be taken for a particular purpose, including –
 - (i) protecting the safety of any person;
 - (ii) preventing or reducing congestion, litter or noise;
 - (d) require a person in respect of whom an authorisation is granted to produce evidence of the authorisation on request; 20
 - (e) be inconsistent with, or more onerous than, the conditions of any advertising licence.
- (4) The following matters (amongst others) may be taken into account in determining whether or not to grant an authorisation under this paragraph – 25
 - (a) any agreements entered into (whether by the appropriate national authority or another person) for the purposes of the sporting event;
 - (b) any existing advertising licences.
- (5) An authorisation granted under this paragraph must be in writing. 30
- (6) In this paragraph, “advertising activity” has the same meaning as in paragraph 1(2).

PART 2

FIXED PENALTY NOTICES

Power to give fixed penalty notice 35

- 3 (1) An enforcement authority may give a fixed penalty notice to a person the authority has reason to believe has committed the advertising offence in relation to the sporting event.

-
- (2) A fixed penalty notice is a notice giving the person to whom it is given the opportunity to discharge any liability to conviction for the offence by payment of a fixed penalty within the relevant period.
- (3) The amount of a fixed penalty payable in pursuance of a fixed penalty notice is— 5
- (a) £200, or
- (b) such higher amount of not more than £300 as is specified in the notice.
- (4) The relevant period is the period of 14 days beginning with the date on which the fixed penalty notice is given. 10
- (5) A fixed penalty notice must explain— 15
- (a) why the enforcement authority has reason to believe the person has committed the offence;
- (b) the effect of sub-paragraph (6);
- (c) when and how payment of the fixed penalty may be made.
- (6) Where a fixed penalty notice has been given to a person in respect of conduct constituting the advertising offence— 20
- (a) no proceedings may be brought for the offence in respect of that conduct before the end of the relevant period, and
- (b) the person may not be convicted of the offence in respect of that conduct if the person pays— 25
- (i) the full amount of the fixed penalty before the end of the relevant period, or
- (ii) 50% of that amount before the end of the period of 7 days beginning with the date on which the relevant period starts.
- (7) In any proceedings relating to a fixed penalty notice, a certificate that— 30
- (a) purports to be signed by or on behalf of the person with responsibility for the financial affairs of the enforcement authority which gave the notice, and
- (b) states that payment of the fixed penalty was, or was not, received by a date specified in the certificate,
- is evidence of the facts stated.
- (8) An enforcement authority may use the proceeds of a fixed penalty for the purposes of any of its functions.
- Requirement to provide name and address* 35
- 4 (1) An enforcement authority may require a person to provide their name and address for the purpose of facilitating the giving of a fixed penalty notice to the person under paragraph 3.
- (2) It is an offence for a person to— 40
- (a) fail to provide their name and address when required to do so under sub-paragraph (1), or

- (b) knowingly give false or inaccurate information in response to such a requirement.
- (3) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

PART 3

5

INTERPRETATION

- 5 In the application of this Schedule to a sporting event by regulations under section 2(1), references to –
- (a) the appropriate national authority, are to the appropriate national authority which made the regulations; 10
 - (b) a designated authorising person, are to a person designated by the regulations by virtue of section 9(1);
 - (c) a restricted advertising zone, are to a place specified or described in the regulations as required by section 8(2)(a);
 - (d) a specified period, are to a period specified in the regulations as required by section 8(2)(b); 15
 - (e) the sporting event, are to the sporting event to which this Schedule is applied by the regulations.

SCHEDULE 3

Section 1(2)(c)

TRADING PROVISIONS

20

PART 1

TRADING OFFENCE

Trading offence

- 1 (1) It is an offence for a person –
- (a) to carry out a trading activity in a relevant public part of a restricted trading zone at any time during a specified period; 25
 - (b) to arrange for such an activity to be carried out;
 - (c) to permit the carrying out of such an activity.
- (2) “Trading activity” means any of the following activities –
- (a) selling a product, or offering or exposing a product for sale; 30
 - (b) providing a service, or offering to provide a service, for gain or reward;
 - (c) providing public entertainment for gain or reward;
 - (d) appealing for money or other property (whether for charitable or other purposes), with the exception of begging. 35

-
- (3) A “relevant public part” of a restricted trading zone means any of the following places so far as they are located in that zone—
- (a) a highway;
 - (b) a building to which the public have access and which is—
 - (i) used for the sporting event, 5
 - (ii) generally used for the parking of motor vehicles, or
 - (iii) generally used as a transport hub;
 - (c) a place, other than a building, to which the public have access.
- (4) A person carries out an activity in a relevant public part of a restricted trading zone if, at the time the activity is carried out— 10
- (a) that person is in a relevant public part of a restricted trading zone, or
 - (b) any person to whom the activity is directed is in such a place.
- (5) It is not a defence to an offence under this paragraph that the act constituting the offence was carried out in accordance with a trading licence. 15
- (6) A person guilty of an offence under this paragraph is liable—
- (a) on summary conviction in England and Wales, to a fine;
 - (b) on summary conviction in Northern Ireland, to a fine not exceeding £50,000.
- (7) A person guilty of an offence under this paragraph in Scotland is liable— 20
- (a) on summary conviction, to a fine not exceeding £20,000;
 - (b) on conviction on indictment, to a fine.
- (8) This paragraph is subject to—
- (a) paragraph 2 (trading authorisations);
 - (b) paragraph 3 (premises adjoining the highway); 25
 - (c) exceptions contained in regulations made by virtue of section 13 in relation to the sporting event (power to provide for further exceptions);
 - (d) section 19 (exceptions for internet service providers).
- (9) For the purposes of this paragraph— 30
- (a) a person does not permit the carrying out of a trading activity if the person takes all reasonable steps to prevent the activity from being carried out or (as the case may be) continuing;
 - (b) a person is to be treated as doing something for gain or reward whether it is done for the person’s own gain or reward or for that of another person. 35
- (10) In this paragraph, “transport hub” means—
- (a) a bus or coach station,
 - (b) a railway station, or
 - (c) a tramway station. 40

Authorised trading

- 2 (1) It is not an offence under paragraph 1 –
- (a) to carry out a trading activity in accordance with an authorisation granted by a designated authorising person under this paragraph, or 5
 - (b) to arrange for, or permit, such trading to be carried out in accordance with such an authorisation.
- (2) An authorisation granted under this paragraph may –
- (a) be granted in respect of a person or a description of person;
 - (b) be granted by reference to the nature, purpose or circumstances of the trading activities; 10
 - (c) be subject to conditions;
 - (d) be varied or revoked.
- (3) Conditions imposed by virtue of sub-paragraph (2)(c) may, for example –
- (a) specify places where trading activities may, or may not, be carried out; 15
 - (b) specify periods during which trading activities may, or may not, be carried out;
 - (c) require steps to be taken for a particular purpose, including –
 - (i) protecting the safety of any person; 20
 - (ii) preventing or reducing congestion, litter or noise;
 - (d) require a person in respect of whom an authorisation is granted to produce evidence of the authorisation on request;
 - (e) be inconsistent with, or more onerous than, the conditions of any trading licence. 25
- (4) In determining whether or not to grant an authorisation under this paragraph, a designated authorising person –
- (a) must have regard to any existing trading licences, and
 - (b) may have regard to –
 - (i) any agreements entered into (whether by the appropriate national authority or another person) for the purposes of the sporting event, and 30
 - (ii) any other matters that the person considers relevant.
- (5) An authorisation granted under this paragraph must be in writing.

Exceptions for premises adjoining a highway 35

- 3 (1) Paragraph 1(1) does not apply in relation to the following trading activities –
- (a) selling a product, or offering or exposing a product for sale, to a person who is in premises adjoining a highway;
 - (b) providing, or offering to provide, a service to such a person; 40

- (c) providing a service that consists of doing something in relation to premises adjoining a highway (including, among other things, delivering an item to such premises);
 - (d) appealing for money or other property from a person who is in premises adjoining a highway. 5
- (2) Except where the regulations provide otherwise in relation to the sporting event, paragraph 1(1) does not apply in relation to a trading activity which is carried out from premises adjoining a highway if the premises are generally used for the carrying out of that activity. 10

PART 2

FIXED PENALTY NOTICES

Power to give fixed penalty notice

- 4 (1) An enforcement authority may give a fixed penalty notice to a person the authority has reason to believe has committed the trading offence in relation to the sporting event. 15
- (2) A fixed penalty notice is a notice giving the person to whom it is given the opportunity to discharge any liability to conviction for the offence to which it relates by payment of a fixed penalty within the relevant period.
- (3) The amount of a fixed penalty payable in pursuance of a fixed penalty notice is— 20
- (a) £200, or
 - (b) such higher amount of not more than £300 as is specified in the notice.
- (4) The relevant period is the period of 14 days beginning with the date on which the fixed penalty notice is given. 25
- (5) A fixed penalty notice must explain— 30
- (a) why the enforcement authority has reason to believe the person has committed the offence;
 - (b) the effect of sub-paragraph (6);
 - (c) when and how payment of the fixed penalty may be made.
- (6) Where a fixed penalty notice has been given to a person in respect of conduct constituting the trading offence— 35
- (a) no proceedings may be instituted for the offence in respect of that conduct before the end of the relevant period, and
 - (b) the person may not be convicted of the offence in respect of that conduct if the person pays— 40
 - (i) the full amount of the fixed penalty before the end of the relevant period, or
 - (ii) 50% of that amount before the end of the period of 7 days beginning with the date on which the relevant period starts.

- (7) In any proceedings relating to a fixed penalty notice, a certificate that—
 - (a) purports to be signed by or on behalf of the person with responsibility for the financial affairs of the enforcement authority which gave the notice, and
 - (b) states that payment of the fixed penalty was, or was not, received by a date specified in the certificate,is evidence of the facts stated. 5
- (8) An enforcement authority may use the proceeds of a fixed penalty for the purposes of any of its functions. 25

Requirement to provide name and address 10

- 5 (1) An enforcement authority may require a person to provide their name and address for the purpose of facilitating the giving of a fixed penalty notice to the person under paragraph 4.
- (2) It is an offence for a person to—
 - (a) fail to provide their name and address when required to do so under sub-paragraph (1), or
 - (b) knowingly give false or inaccurate information in response to such a requirement. 15
- (3) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 3 on the standard scale. 20

PART 3

INTERPRETATION

- 6 (1) In the application of this Schedule to a sporting event by regulations under section 2(1), references to—
 - (a) the appropriate national authority, are to the appropriate national authority which made the regulations; 25
 - (b) a designated authorising person, are to a person designated by the regulations by virtue of section 12(1);
 - (c) the regulations, are to regulations applying this Schedule to the sporting event; 30
 - (d) a restricted trading zone, are to a place specified or described in the regulations as required by section 11(2)(a);
 - (e) a specified period, are to a period specified in the regulations as required by section 11(2)(b);
 - (f) the sporting event, are to the sporting event to which this Schedule is applied by the regulations. 35
- (2) In relation to Scotland, “highway” means a road within the meaning of the Roads (Scotland) Act 1984 (see section 151(1) of that Act).

SCHEDULE 4

Section 1(2)(d)

UNAUTHORISED ASSOCIATION PROVISIONS

Unauthorised association prohibition

- 1 (1) A person acting in the course of a business may not, at any time during the specified period, engage in the unauthorised use of a representation (of any kind) in a manner likely to suggest to the public that there is an association between the sporting event and— 5
 - (a) goods or services, or
 - (b) a person providing goods or services.
- (2) The following are examples of an association between a sporting event and a person providing goods or services— 10
 - (a) a contractual relationship;
 - (b) a commercial relationship;
 - (c) a corporate or structural connection;
 - (d) the provision of financial or other assistance. 15
- (3) “Use” of a representation includes, among other things—
 - (a) applying a representation to goods or documents;
 - (b) selling, offering, or exposing for sale goods that bear a representation;
 - (c) importing or exporting goods that bear a representation; 20
 - (d) providing or offering services by reference to a representation;
 - (e) promoting goods or services by reference to a representation.
- (4) Use of a representation is “unauthorised” if the use is otherwise than in accordance with an authorisation granted under paragraph 2.
- (5) A breach of sub-paragraph (1) is to be treated as though it were an infringement of a property right of a designated enforcer. 25
- (6) A court may on the application of a designated enforcer—
 - (a) grant any relief that is available in respect of the infringement of a property right (whether by way of damages, injunction, accounts or otherwise); 30
 - (b) make an order under paragraph 4(4) in respect of any infringing goods or documents held by any person in the course of a business.
- (7) “Infringing goods or documents” means—
 - (a) goods or documents that bear a representation in breach of sub-paragraph (1), or 35
 - (b) things that have been specifically designed or adapted to produce such goods or documents.
- (8) Sub-paragraph (9) applies where—
 - (a) an application was made before the relevant commencement date for the registration of— 40

- (i) a trade mark under the Trade Marks Act 1994, or
 - (ii) a design under the Registered Designs Act 1949, and
- (b) the application remains to be determined on the bringing of an application under sub-paragraph (6) in relation to the use of a representation that involves the use of a trade mark or design. 5
- (9) The court may not grant relief, or make an order under paragraph 4(4), in relation to the use of the trade mark or design before the determination of the application mentioned in sub-paragraph (8)(a).
- (10) This paragraph is subject to—
 - (a) paragraph 3 (exceptions to prohibition on unauthorised association); 10
 - (b) exceptions contained in regulations made by virtue of section 16 in relation to the sporting event (power to provide for further exceptions);
 - (c) section 19 (exceptions for internet service providers).
- (11) In this paragraph, “court” means— 15
 - (a) in England and Wales, the High Court,
 - (b) in Scotland, the Court of Session or the Sheriff Court, and
 - (c) in Northern Ireland, the High Court or the county court.

Authorised association

- 2 (1) A designated authorising person may authorise a person to use a representation in the manner described in paragraph 1(1). 20
- (2) An authorisation granted under this paragraph may—
 - (a) be granted in respect of a person or a description of person;
 - (b) be granted in respect of a description of representation;
 - (c) be subject to conditions; 25
 - (d) be varied or revoked.
- (3) In determining whether or not to grant an authorisation under this paragraph, the designated authorising person may have regard to, among other things, any agreements entered into (whether by the Secretary of State or another person) for the purposes of the sporting event. 30
- (4) An authorisation granted under this paragraph must be in writing.

Exceptions to prohibition on unauthorised association

- 3 (1) Paragraph 1(1) is not breached by—
 - (a) the use of a trade mark, registered under the Trade Marks Act 1994 before the relevant commencement date, for goods or services for which it is registered; 35
 - (b) the use of a design registered under the Registered Designs Act 1949 before the relevant commencement date;
 - (c) the exercise of another intellectual property right subsisting immediately before the relevant commencement date. 40

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- (2) For the purposes of sub-paragraph (1)(a), where subsection (2) of section 35 of the Trade Marks Act 1994 (claim to priority of Convention applications) applies to an application for registration of a trade mark under that Act, the trade mark is to be treated as registered under that Act from the date that is the relevant date for the purposes of paragraph (a) of that subsection. 5
- (3) Paragraph 1(1) is not breached by the use of a representation in any manner by a person acting in the course of a business if—
- (a) immediately before the relevant protection date, the representation was used in that manner for the purposes of activities constituting the business, and 10
 - (b) the representation has continued to be used in that manner for that purpose.
- (4) Paragraph 1(1) is not breached by—
- (a) the use by a person of the person's name or address, 15
 - (b) the use of indications concerning—
 - (i) the kind, quality, quantity, intended purpose, value or geographical origin, or any other characteristic, of goods or services, or
 - (ii) the time of production of goods or of the provision of services, or 20
 - (c) the use of a representation for the purpose of identifying or referring to goods or services as those of a person authorised under paragraph 2,
- provided, in each case, that the use is in accordance with honest practices in industrial or commercial matters. 25
- (5) Paragraph 1(1) is not breached by the use of a representation—
- (a) in a report relating to the sporting event,
 - (b) for the purpose of sharing information about the sporting event,
 - (c) for the purpose of promoting— 30
 - (i) such a report, or
 - (ii) the sharing of such information, or
 - (d) as an incidental inclusion in a literary work, dramatic work, artistic work, sound recording, film or broadcast.
- (6) Any reference in sub-paragraph (5)(d) to— 35
- (a) a report relating to the sporting event, or
 - (b) the sharing of information about the sporting event,
- does not include a reference to material that is published or broadcast for the purpose of promoting something other than the sporting event.
- (7) Terms used in sub-paragraphs (5)(d) and (6) and in Part 1 of the Copyright, Designs and Patents Act 1988 have the same meaning in those provisions as they have in that Part. 40

- (8) Paragraph 1(1) is not breached by the use of a representation in relation to goods (the “current use”) by a person if—
 - (a) the goods bear the representation,
 - (b) they were put on the market in accordance with an authorisation granted under paragraph 2, and 5
 - (c) either—
 - (i) the current use is in accordance with the authorisation, or
 - (ii) if the current use is not in accordance with the authorisation, the person could not reasonably be expected to know that fact. 10
- (9) Paragraph 1(1) is not breached by the use of a representation by—
 - (a) a designated authorising person, or
 - (b) a designated enforcer.

Enforcement of prohibition in relation to goods and documents

- 4 (1) This paragraph applies where a designated enforcer applies to a court for an order under this paragraph in respect of any infringing goods or documents held in the course of a business. 15
- (2) The designated enforcer must—
 - (a) take reasonable steps to identify persons who may have an interest in the goods or documents, and 20
 - (b) give a copy of the application to those persons.
- (3) A person who has an interest in the goods or documents is entitled—
 - (a) to appear in any proceedings before the court which relate to the application, and
 - (b) to appeal against any order made in respect of the goods or documents (whether or not the person appeared in the proceedings in which the order was made). 25
- (4) The court may make any of the following orders—
 - (a) an order that the goods or documents be delivered up to—
 - (i) a designated enforcer, or 30
 - (ii) such other person as the court may direct;
 - (b) an order that the representation be erased, removed or obliterated from the goods or documents;
 - (c) an order that the goods or documents be returned to—
 - (i) the person from whom they were delivered up, or 35
 - (ii) any other person having an interest in them;
 - (d) an order that the goods or documents be forfeited to—
 - (i) a designated enforcer, or
 - (ii) such other person as the court may direct;
 - (e) an order that the goods or documents be destroyed. 40

- (5) No order for the forfeiture or destruction of the goods or documents may be made unless the court is satisfied that no other remedy available would be adequate to compensate the person who made the application or protect their interests.
- (6) No such order may take effect until— 5
 - (a) the end of the period during which notice of an appeal may be given, or
 - (b) if before the end of that period notice of an appeal is given, the final determination or abandonment of the appeal.
- (7) In this paragraph— 10
 - “court” has the meaning given by paragraph 1(11);
 - “infringing goods or documents” has the meaning given by paragraph 1(7).

Interpretation

- 5 (1) In the application of this Schedule to a sporting event by regulations under section 2(2), references to— 15
 - (a) the designated authorising person, are to a person designated by the regulations as required by section 15(1);
 - (b) a designated enforcer, are to a person designated by the regulations as required by section 14(3); 20
 - (c) the relevant commencement date, are to the date on which the regulations come into force;
 - (d) the relevant protection date, are to the date specified in regulations as required by section 14(2)(b);
 - (e) the specified period, are to the period specified in regulations as required by section 14(2)(a); 25
 - (f) the sporting event, are to the sporting event to which this Schedule is applied by the regulations.
- (2) In relation to Scotland— 30
 - (a) “accounts” means count, reckoning and payment;
 - (b) “delivered up” means delivered;
 - (c) “injunction” means interdict.

SCHEDULE 5

Section 1(2)(e)

TRANSPORT PROVISIONS

Transport plans

35

- 1 (1) The Secretary of State may direct a qualifying person to prepare a plan that addresses matters which—
 - (a) relate to transport in one or more areas in England, and

- (b) arise in connection with the sporting event.
- (2) A “qualifying person” means a person who the Secretary of State considers competent to prepare such a plan.
- (3) A person directed under sub-paragraph (1) must –
 - (a) comply with the direction; 5
 - (b) keep the plan under review;
 - (c) if the person considers it appropriate, revise the plan;
 - (d) except in so far as the person considers it undesirable for reasons of security, publish the plan and any revision to it.
- (4) Before preparing or revising the plan, a person directed under sub-paragraph (1) must consult the persons referred to in sub-paragraph (5) (if different from the person so directed). 10
- (5) The persons are –
 - (a) the Secretary of State;
 - (b) in relation to any road likely to be affected by the plan or revision for which a strategic highways company is the traffic authority – 15
 - (i) the strategic highways company which is the traffic authority for the road, and
 - (ii) a local authority in whose area the road is situated;
 - (c) in relation to any other road likely to be affected by the plan or revision – 20
 - (i) the local traffic authority for the road, and
 - (ii) if different, a local authority in whose area the road is situated;
 - (d) any chief officer of police whom the person directed under sub-paragraph (1) considers it appropriate to consult; 25
 - (e) any other person whom the Secretary of State, or the person directed under sub-paragraph (1), considers it appropriate to consult.
- (6) Each local traffic authority for a road affected by the plan must exercise their functions with a view to securing the implementation of the plan. 30
- (7) The requirement in sub-paragraph (4) may be satisfied by consultation undertaken before the direction is given to the person.
- (8) A direction under sub-paragraph (1) –
 - (a) must be in writing, and
 - (b) may be revoked. 35

Temporary prohibition or restriction on roads

- 2 (1) Section 14 of the RTRA 1984 (temporary prohibition or restriction on roads) has effect in relation to a traffic authority for a road in England as if subsection (1)(c) of that section included the following purposes –
 - (a) implementing a transport plan, 40

- (b) facilitating transport services in connection with the sporting event, and
 - (c) facilitating travel by any person for a purpose connected to the sporting event.
- (2) The following do not apply in relation to an order made, or notice issued, under section 14 of the RTRA 1984 by virtue of this paragraph – 5
 - (a) section 15 of the RTRA 1984;
 - (b) regulations 6 and 8(3) of the Road Traffic (Temporary Restrictions) Procedure Regulations 1992 (S.I. 1992/1215).
- (3) An order of the kind mentioned in sub-paragraph (2) – 10
 - (a) may not come into force earlier than 28 days before the day on which the sporting event begins;
 - (b) must cease to have effect no later than 5 days after the day on which the sporting event ends.
- (4) A notice of the kind mentioned in sub-paragraph (2) – 15
 - (a) may not come into force earlier than 21 days before the day on which the sporting event begins;
 - (b) must cease to have effect no later than –
 - (i) 5 days after the day on which the sporting event ends, or
 - (ii) if earlier, 21 days after the day on which the notice comes into force. 20

Concurrent exercise of powers of a designated local traffic authority

- 3 (1) Subject to sub-paragraph (3), a person directed under paragraph 1(1) may make an order, or issue a notice, under section 14 of the RTRA 1984 by virtue of paragraph 2 in respect of a road despite not being the local traffic authority for that road. 25
- (2) Accordingly –
 - (a) the person is to be treated as if they were the local traffic authority for the road for the purposes of making or issuing any such order or notice, and 30
 - (b) any such order or notice is to be treated as though it were made or issued by the local traffic authority for the road.
- (3) The power conferred by sub-paragraph (1) is exercisable only if –
 - (a) the local traffic authority for the road is a designated local traffic authority, and 35
 - (b) the authority has consented to the exercise of the power.
- (4) The duty in section 122 of the RTRA 1984 (exercise of functions by local authorities) applies to a local traffic authority as though the consenting function conferred on the authority by sub-paragraph (3)(b) were conferred by the RTRA 1984. 40

Power to direct a local traffic authority

- 4 (1) The Secretary of State may direct a local traffic authority to make an order, or issue a notice, under section 14 of the RTRA 1984 by virtue of paragraph 2 if –
 - (a) the Secretary of State is satisfied that the making of the order, or issue of the notice, is necessary for a purpose specified in paragraph 2(1), 5
 - (b) the Secretary of State has requested that the authority take the action to be directed, and
 - (c) the authority have failed to take the action before the end of the period of 7 days beginning with the day on which the Secretary of State made the request. 10
- (2) Before making a request under sub-paragraph (1)(b), the Secretary of State must consult –
 - (a) the local traffic authority to which the request would be made, 15
 - (b) if different, the person directed under paragraph 1(1), and
 - (c) any other person whom the Secretary of State considers it appropriate to consult.
- (3) Sub-paragraphs (1)(b) and (c) and (2) do not apply if the Secretary of State is satisfied that, for reasons of urgency, the direction must be given without delay. 20
- (4) If the local traffic authority does not comply with the direction before the end of the period specified in the direction, the Secretary of State may –
 - (a) make the order or issue the notice in place of the authority, and
 - (b) recover from the authority any expenses incurred by the Secretary of State in connection with the making of the order or the issuing of the notice as if they were a debt. 25
- (5) An order made or notice issued by the Secretary of State under sub-paragraph (4)(a) is to be treated as though it were an order made or notice issued by the local traffic authority by virtue of paragraph 2. 30
- (6) A local traffic authority directed under paragraph 1(1) may not be directed under this paragraph to exercise any power conferred on that authority by paragraph 3(1).
- (7) A direction under sub-paragraph (1) –
 - (a) must be in writing, and 35
 - (b) may be revoked.
- (8) A direction under either of the following provisions is of no effect to the extent that it is inconsistent with a direction given under sub-paragraph (1) –
 - (a) section 23A(1) of the Levelling-up and Regeneration Act 2023; 40
 - (b) section 89ZA(1) of the Local Transport Act 2008 as it has effect by virtue of section 104 of the Local Democracy, Economic Development and Construction Act 2009.

Interpretation

- 5 (1) In the application of this Schedule to a sporting event by regulations under section 2(2) –
- (a) references to the sporting event are to the sporting event to which this Schedule is applied by the regulations; 5
 - (b) references to a designated local traffic authority are to a local traffic authority which is designated by the regulations by virtue of section 17(1).
- (2) In this Schedule –
- “chief officer of police” means – 10
 - (a) the chief constable of a police force maintained under section 2 of the Police Act 1996;
 - (b) the Commissioner of Police of the Metropolis;
 - (c) the Commissioner of Police for the City of London;
 - (d) the Chief Constable of the British Transport Police Force; 15
 - “local traffic authority” has the meaning given by section 121A of the RTRA 1984;
 - “road” means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes;
 - “the RTRA 1984” means the Road Traffic Regulation Act 1984; 20
 - “strategic highways company” means a company appointed under section 1 of the Infrastructure Act 2015;
 - “traffic authority” has the meaning given by section 121A of the RTRA 1984;
 - “transport plan” means a plan which a person is directed to prepare under paragraph 1(1). 25

SCHEDULE 6

Section 18

INVESTIGATORY AND ENFORCEMENT POWERS

Introduction

- 1 In this Schedule – 30
- “the 2015 Act” means the Consumer Rights Act 2015;
 - “officer”, in relation to an enforcement authority, is to be read in accordance with paragraph 7(1) and (2) of Schedule 5 to the 2015 Act, but as if the powers conferred by this Schedule were powers in that Schedule; 35
 - “Part 1 offence” means an offence under Part 1 of this Act.

Conditions for seizure and detention under Schedule 5 to the 2015 Act

- 2 (1) For the purposes of enforcing a Part 1 offence, an officer of an enforcement authority may exercise a power in paragraph 28 or 29 of Schedule 5 to the 2015 Act to seize and detain any goods or documents only if the officer reasonably suspects that it is necessary to do so for the purpose of— 5
 - (a) ending the commission of the offence;
 - (b) preventing the commission of the offence;
 - (c) enabling the goods or documents to be used as evidence in proceedings for the offence.
- (2) Sub-paragraph (1) does not prevent the exercise of the power in relation to any other legislation or notices that are “the enforcer’s legislation” of the authority (within the meaning of paragraph 9 of that Schedule). 10

Additional powers of search and seizure under this Schedule

- 3 (1) This paragraph applies where— 15
 - (a) an officer of an enforcement authority is lawfully in any public place otherwise than in reliance on a power mentioned in sub-paragraph (2), and
 - (b) the officer reasonably suspects that a person has committed, or is about to commit, a Part 1 offence in relation to a sporting event.
- (2) The powers referred to in sub-paragraph (1)(a) are the powers of entry conferred by— 20
 - (a) paragraph 23(1) of Schedule 5 to the 2015 Act, or
 - (b) a warrant under paragraph 32(1) of that Schedule.
- (3) The officer may—
 - (a) search or examine anything which appears to be in the person’s possession or control, and 25
 - (b) seize and detain or remove any item which appears to be in the person’s possession or control.
- (4) The powers conferred by sub-paragraph (3) may not be exercised by an officer of the Competition and Markets Authority. 30
- (5) The officer may seize an item under sub-paragraph (3)(b) only if the officer reasonably suspects that it is necessary to do so for the purpose of—
 - (a) ending the commission of the offence;
 - (b) preventing the commission of the offence;
 - (c) enabling the item to be used as evidence in proceedings for the offence. 35
- 4 Paragraph 31 of Schedule 5 to the 2015 Act (power to break open container etc) applies for the purpose of exercising any power conferred by paragraph 3 of this Schedule as it applies for the purpose of exercising a power in paragraph 28 or 29 of that Schedule. 40

Protections relating to search and seizure under paragraph 3

- 5 (1) Before exercising any power under paragraph 3 in relation to a person, an officer must produce evidence of the officer's identity and authority to the person.
- (2) The officer need not comply with sub-paragraph (1) if it is not reasonably practicable to do so. 5
- 6 (1) An officer seizing any item from a person under paragraph 3(3)(b) must take reasonable steps to –
- (a) inform the person that it has been seized, and
- (b) provide that person with a written record of what has been seized. 10
- (2) In determining the steps to be taken under sub-paragraph (1), an officer exercising a power under this paragraph in England, Wales or Northern Ireland must have regard to any relevant provision about the seizure of property made by –
- (a) where the officer is acting in England or Wales, a code of practice under section 66 of the Police and Criminal Evidence Act 1984; 15
- (b) where the officer is acting in Northern Ireland, a code of practice under Article 65 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)).
- 7 Paragraph 29(6) and (7) of Schedule 5 to the 2015 Act (which prohibits the seizure of legally privileged items) applies in relation to the power conferred by paragraph 3(3)(b) as it applies in relation to the power in paragraph 29 of that Schedule. 20
- 8 Nothing in paragraph 3 or 4 confers any power to search a person.

Retention etc of items seized under paragraph 3 25

- 9 An item seized under paragraph 3 by an officer of an enforcement authority may not be detained –
- (a) for a period of more than 3 months beginning with the day on which it was seized, or
- (b) where the item is reasonably required to be detained for a longer period by the authority for a purpose for which it was seized, for longer than it is required for that purpose. 30
- (For corresponding provision in relation to seizure under paragraph 28 or 29 of Schedule 5 to the 2015 Act, see paragraphs 28(7) and 29(8) of that Schedule.) 35
- 10 The following provisions of Schedule 5 to the 2015 Act apply in relation to items detained as the result of the exercise of the power conferred by paragraph 3 of this Schedule as they apply in relation to goods or documents detained as the result of the exercise of a power in Part 4 of that Schedule – 40
- (a) paragraph 38 (access to seized goods and documents);
- (b) paragraph 40 (appeals against detention of goods and documents).

Disposal of seized items

- 11 (1) This paragraph applies where –
 - (a) an enforcement authority no longer wishes to retain a seized item for any purpose,
 - (b) the period of 3 months beginning with the day on which the item was seized has ended (but see sub-paragraph (4)), and 5
 - (c) reasonable efforts have been made, without success, to find a person entitled to the item, or it is for some other reason impracticable to return the item to a person entitled to it.
- (2) In this paragraph “seized item” means an item seized – 10
 - (a) under paragraph 3 of this Schedule, or
 - (b) in the exercise of a power in paragraph 28 or 29 of Schedule 5 to the 2015 Act for the purpose of enforcing a Part 1 offence in relation to a sporting event.
- (3) The authority may dispose of the item in whatever way the authority considers appropriate. 15
- (4) In the case of a perishable item which no longer has any commercial value, the authority may dispose of the item before the end of the period mentioned in sub-paragraph (1)(b).
- (5) The persons “entitled” to an item for the purposes of this paragraph are – 20
 - (a) the person from whom it was seized;
 - (b) (if different) any person to whom it belongs.

Power under this Schedule to conceal or destroy prohibited advertising

- 12 (1) An officer of an enforcement authority may do anything which the officer considers necessary or expedient to conceal any item which the officer reasonably suspects has been used to commit the advertising offence. 25
This does not affect any power of the officer to seize the item.
- (2) If the officer considers that it is not reasonably practicable to seize or conceal the item, the officer may deface or destroy the item.
- (3) An officer may exercise any power conferred by, or by virtue of, any of paragraphs 23 and 32 to 34(1) of Schedule 5 to the 2015 Act (powers of entry etc) for the purpose of exercising a power conferred by sub-paragraph (1) or (2) above. 30
- (4) Nothing may be concealed under sub-paragraph (1) for any longer than is necessary to prevent the commission of the advertising offence. 35
- (5) But a person does not fail to comply with sub-paragraph (4) if the person took all reasonable steps –
 - (a) to uncover the item as soon as reasonably practicable after the concealment ceased to be necessary for the purpose mentioned in that sub-paragraph, or 40
 - (b) to ensure that any other person was able to do so.

Obstruction of officers etc

- 13 The following provisions of Schedule 5 to the 2015 Act have effect as if the powers conferred by this Schedule were powers in Part 4 of that Schedule –
- (a) paragraph 36(1)(a) (offence of obstruction);
 - (b) paragraph 37 (offence of purporting to act as an officer of an enforcer). 5

Compensation

- 14 (1) A person whose property is damaged in the course of the exercise of a relevant power by an officer of an enforcement authority is entitled to compensation from that authority if – 10
- (a) the exercise of the power was unlawful, or
 - (b) any force used in the exercise of the power was unreasonable.
- (2) In sub-paragraph (1) “relevant power” means –
- (a) a power conferred by this Schedule, or
 - (b) a power conferred by paragraph 28 or 29 of Schedule 5 to the 2015 Act that is exercised for the purpose of enforcing a Part 1 offence. 15
- (3) The amount of compensation payable is the sum of the following amounts –
- (a) an amount equal to –
 - (i) the cost of restoring the property to the condition it was in before the exercise of the power, or 20
 - (ii) if it is impossible or not commercially worthwhile to restore the property to that condition, the cost of replacing it, and
 - (b) the amount of any other loss that is a direct result of the damage to the property.
- (4) Regulations under section 2(1) applying part of the sporting events framework to a sporting event must provide for how disputes about the right to, or amount of, any compensation payable under this paragraph are to be determined in relation to the sporting event. 25
- (5) The provision mentioned in sub-paragraph (4) may, in particular, provide for any such dispute to be determined – 30
- (a) in England and Wales or Northern Ireland, by arbitration, or
 - (b) in Scotland, by a single arbitrator appointed by the parties or, if there is no agreement between the parties as to that appointment, by the sheriff.
- (6) Paragraph 41 of Schedule 5 to the 2015 Act (compensation) does not apply in relation to the exercise of a relevant power of the kind mentioned in sub-paragraph (2)(b). 35
- (7) In this paragraph, references to the exercise of a power include its purported exercise.

Sporting Events Bill [HL]

[AS AMENDED ON REPORT]

A

B I L L

TO

Make provision for enabling a common set of legislative provisions to be applied to major sporting events held in the United Kingdom; to confer power to provide financial assistance in relation to sporting events held in England, Scotland or Northern Ireland; and for connected purposes.

Baroness Twycross

Ordered to be Printed, 15th July 2026.

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