



**AN BILLE CHUN MANGAIRÍ TICÉAD A THOIRMEASC
2005
PROHIBITION OF TICKET TOUTS BILL 2005**

*Mar a tionscnaíodh
As initiated*

ARRANGEMENT OF SECTIONS

Section

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3. Powers of an Garda Síochána.
4. Penalties on conviction.
5. Short title and commencement.



AN BILLE CHUN MANGAIRÍ TICÉAD A THOIRMEASC
2005

PROHIBITION OF TICKET TOUTS BILL 2005

BILL

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entitled

AN ACT TO RENDER IT UNLAWFUL FOR ANY
UNAUTHORISED PERSON TO SELL OR OFFER FOR
SALE TICKETS FOR MAJOR SPORTING, MUSICAL OR
THEATRICAL EVENTS FOR A PRICE IN EXCESS OF
10 THE OFFICIALLY DESIGNATED PRICE.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—For the purpose of this Act—

Interpretation.

15 “a designated price” means the price including any service charge,
designated by an organiser or the organisers of a specified event for
the purchase of a ticket for such event and designated prices shall be
interpreted accordingly;

“service charge” means any booking charge or fee imposed and
printed on the ticket at the time of the initial sale by an authorised
person;

20 “specified event” means any sporting, musical or theatrical event at
which it is reasonable to anticipate more than 500 people will attend;

“ticket” means any document purchased by a person which entitles
such person to gain entrance to and attend at a “specified event”.

25 “unauthorised person” means a person who is not authorised in writ-
ing to sell tickets for a specified event at a designated price or desig-
nated prices by an organiser or the organisers of such event;

30 2.—(1) It is an offence for an unauthorised person to sell, or offer
or expose for sale in any place a ticket for a specified event for a
price in excess of the price officially designated on the ticket by the
organiser or organisers of such event. Offences under this Act.

(2) It is an offence to publish any advertisement for sale by an
unauthorised person of a ticket for a specified event for a price in
excess of the price officially designated on the ticket by the organiser
or organisers of such event.

(3) *Subsections (1) and (2)* shall not apply to the exposing for sale or the offer for sale or the advertisement for sale or the sale of a ticket for a specified event—

(a) by or on behalf of a registered charity for the benefit of such charity, or 5

(b) by or on behalf of a voluntary or community organisation which undertakes voluntary or community work which has been authorised in writing by an organiser or the organisers of the specified event to sell a ticket for such event for a price in excess of the designated price to facilitate the voluntary or community organisation obtaining funds to facilitate it achieving its objective or objectives. 10

Powers of an Garda Síochána.

3.—If a member of an Garda Síochána has reasonable cause for believing that a person is committing or has committed an offence under *section 2(1)*, that member may— 15

(a) arrest without warrant the person who has so behaved, and

(b) for the purpose of making such arrest, enter, if need be by force, and search any place where the member with reasonable cause suspects such person to be, and

(c) confiscate any tickets for a specified event in the possession of the person so arrested or found in any place in which the person is arrested. 20

Penalties on conviction.

4.—A person guilty of an offence under this Act shall be liable in respect of each offence committed on summary conviction to a fine not exceeding €3,000 and/or to a term of imprisonment not exceeding six months. 25

Short title and commencement.

5.—(1) This Act may be cited as the Prohibition of Ticket Touts Act 2005.

(2) This Act comes into operation one month after the date of its passing. 30

publishes such advertisements following the Bill's commencement will commit an offence under the Bill.

Section 2, subsection (3), renders it an offence for an unauthorised person to use a ticket for promotional purposes.

Section 2, subsection (4), exempts from the Bill's provisions the sale of tickets by registered charities or voluntary or community organisations at a price in excess of the designated price where such charity, voluntary, or community organisation has been so authorised to sell the ticket by the organiser or organisers of a specific event.

Section 3 empowers a member of the Garda Síochána who "has reasonable cause for believing that a person is committing or has committed an offence under *section 2(1)* of the Act to (a) arrest that person without warrant, and (b) for the purpose of making such arrest to enter by force and to search for such person in any place where there is a reasonable cause to suspect he or she is, and (c) to confiscate any tickets in the possession of such person.

Section 4 renders a person guilty of an offence under the Bill to a fine not exceeding €3,000 and/or to a term of imprisonment not exceeding six months.

Section 5 contains the short title of the Bill. *Section 5* also contains the commencement provision which states that the Bill will come in to operation one month after its enactment.

An Teachta Séamus Ó Duibhneacháin,
Márta, 2005.