



An Roinn Fiontar,
Trádála agus Fostaíochta
Department of Enterprise,
Trade and Employment

Post-Enactment Report

Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021

July 2022

Dáil Éireann Standing Order 197
Seanad Éireann Standing Order 168

Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021

Purpose of the Act

The Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021 came into force on 31 July 2021.

The purpose of the Act is to protect consumer rights and promote fairer access to tickets for cultural, entertainment, recreational and sporting events. The Act bans the resale of tickets to live events, matches and concerts in designated venues and for designated events, at a price above the original sale price, with an exemption for amateur sports clubs and registered charities for fundraising purposes. It requires certain information to be provided where either a primary ticket seller or secondary ticket seller sells or advertises for sale, tickets or ticket packages for such events.

Scope of the Act

The Act provides that a venue operator or an event organiser may apply to the Minister to have a venue or event designated, thus prohibiting the sale of tickets above the original sale price in a “designated venue” or at a “designated event”. The Act primarily provides for venues with a capacity to host 1,000 persons or more. However, the Minister may designate a venue with a capacity to host fewer than 1000 persons if, after consultation with the venue operator, he is satisfied that the venue will hold events which may give rise to the secondary sale of tickets or ticket packages for a price exceeding the original price. The Minister may also refuse an application or revoke a designation.

The Act provides that a contract term shall be void if it purports to exclude or limit the transfer or sale of a ticket or ticket package for a price not exceeding the original sale price.

The Act exempts charitable organisations and amateur sports clubs, where the sale of a ticket or ticket package has been approved by an event organiser, and the proceeds of the sale are used only for the purpose of funding the activities of the charitable organisation or sports group.

The Act gives effect, in relation to ticket sales, to specific provisions of Directive 2000/31/EC on certain legal aspects of information society services, in particular electronic commerce, in the internal market.

Policy Objectives

The application of the Act is limited to those events that give rise to significant demand or where it would otherwise be in the public interest to prohibit above original price resale.

1. Promote fairer access to tickets for cultural, entertainment, recreational and sporting events

Prior to this Act coming into force, consumers would regularly see tickets for events being sold out in a matter of minutes, only to then see the same tickets being offered for sale on secondary ticket markets for prices far exceeding their original price.

The Act prohibits the sale, or the advertising the sale, of a ticket or ticket package for cultural, entertainment, recreational and sporting events by a secondary ticket seller above the original sale price, such that -

- when a venue is designated under the Act, the prohibition applies to all events held at that venue.
- when an event is designated under the Act, the prohibition applies to that specific event.

While previous monitoring of the secondary ticket market suggested that above original price resale of tickets accounted for a small proportion of events, such resales generally occurred for high-demand events. The designation of venues and events safeguards consumers by ensuring that the original price for a ticket is the maximum price a consumer is required to pay irrespective of when or where the ticket is bought. This in turn leads to more tickets being available to genuine consumers as the option for secondary ticket sellers to buy up tickets and offer the same ticket for resale at higher prices is restricted.

2. Information requirements for primary and secondary ticket sellers

The Act requires that a primary ticket seller does not sell/advertise for sale, a ticket/ticket package for an event in a designated venue or a designated event without

providing information that the ticket/ticket package is for such an event and that its sale for a price exceeding the original sale price is prohibited.

The Act requires a secondary ticket seller, when advertising or offering a ticket/ticket package for sale on the secondary ticket market, to provide information on the original sale price of the ticket and the location of the seat or standing area to which, the ticket entitles the holder to gain admission.

These information requirements provide consumers with knowledge and assurance concerning the validity and price of their ticket.

3. Exemption for charitable organisations and amateur sports clubs

An exemption applies to the sale/advertising for sale of a ticket/ticket package by or on behalf of a charitable organisation or an amateur sports club where its sale has been approved by an event organiser and the proceeds of the sale are used only to fund the activities of the charitable organisation or sports club.

4. Register

The Act provides that the Minister will establish and maintain a register of designated events and venues and will make it publicly available. The Register for Designation of Venues and Events is updated as required and is available on the [Department's website](#) (please see Appendix 1 for the most up-to-date data).

The availability of the Register facilitates consumers who wish to buy a ticket for a designated event to be aware that the ticket being sold should be at the original sale price. The Register also makes the task of monitoring and enforcing the legislation more effective because designation applies to either the particular events or to the venues contained in the Register.

5. Enforcement of the Act

Enforcement of the provisions of the Act falls within the remit of An Garda Síochána. A range of powers are available to the Gardai, including powers of entry and search and of examination, seizure and retention of evidence. A person who obstructs or interferes with a member of the Gardai or a person who refuses or gives a false name and address, is guilty of an offence. A conviction under the Act may include fines up to €100,000 and/or imprisonment for a term not exceeding two years. Summary proceedings for an offence

under this Act can be brought at any time within two years from the date on which the offence was alleged to have been committed.

Operation of the Act

The Act was fully commenced on 31 July 2021. The enactment has resulted in extensive coverage in print, broadcast and social media. Media coverage on the designation of larger venues, such as the Aviva Stadium, Croke Park and 3Arena, helped to publicise the benefits of the Act to event goers as well as event organisers and other venue operators.

Commencement of the Act coincided with the ongoing Covid-19 restrictions on live entertainment and hospitality. It also meant that the offices of many venue operators and event organisers were either closed or operating at reduced capacity. This initially resulted in a slow uptake in designation applications being made but as Covid-19 restrictions were eased, there was a marked increase in applications being submitted for designation of venues and events.

Engagement with venues with a capacity of over 1,000 took place at both Departmental and Ministerial level, outlining the key objectives of the Act and the benefits of being designated. This proactive approach resulted in the majority of venues seeking designation, with the recognition that this would best serve their own customer base.

To date, the following designations have been granted (see Appendix 1 – the Register of Designations) -

Venues designated: 27

Events designated: 42

The designation process has worked well since its inception, with no delays being encountered, and resulting in positive feedback received from venue operators and event organisers.

So far, no enforcement actions have been taken under the Act.

At a recent meeting with officials who are considering introducing similar legislation in the UK, Irish officials shared the learnings of implementing such legislation. Industry stakeholders were also in attendance and one Irish online platform representative

stated that the Act appeared to be working well in curbing above face value secondary ticket sales on online platforms. The representative was also confident that, while the Act might lead to increased street touting, the Gardaí would be well placed to deal with this as they were generally present outside major sporting events and concerts.

This is a positive endorsement of the operation of the Act and means that the objectives of the Act are being met whereby genuine fans can attend events at affordable prices.

APPENDIX 1 Register of Designated Venues and Events¹

VENUE			
Name	Location	Designated with effect	Designation revoked with effect
Thomond Park	Limerick	1 October 2021	
Musgrave Park	Cork	1 October 2021	
University Concert Hall	Limerick	1 October 2021	
Vicar Street	Dublin	22 October 2021	
Live At The Marquee	Cork	22 October 2021	
New Stadium DAC (t/a Aviva Stadium)	Dublin	28 October 2021	
3Olympia Theatre	Dublin	03 November 2021	
3Arena	Dublin	03 November 2021	
Tallaght Stadium	Dublin	03 November 2021	
Bord Gais Energy Theatre	Dublin	04 November 2021	
Gaiety Theatre	Dublin	04 November 2021	
Croke Park	Dublin	05 November 2021	
National Concert Hall	Dublin	19 November 2021	

¹ Accurate as of 7th July 2022

The Sportsground	Galway	19 November 2021	
Semple Stadium	Tipperary	19 November 2021	
Royal Dublin Society	Dublin	19 November 2021	
Royal Hospital Kilmainham	Dublin	26 November 2021	
Fairview Park	Dublin	11 February 2022	
St. Anne's Park	Dublin	11 February 2022	
Lime Tree Theatre	Limerick	02 March 2022	
Black Box Theatre	Galway	04 March 2022	
Town Hall Theatre	Galway	04 March 2022	
Glór	Clare	22 March 2022	
Whelan's	Dublin	15 April 2022	
Liberty Hall Theatre	Dublin	20 May 2022	
The Workmans Club	Dublin	17 June 2022	
Heineken Big Top – Galway International Arts Festival	Galway	17 June 2022	

EVENT			
Name	Venue where event held	Designated with effect	Designation revoked with effect
Andy Irvine & Paul Brady	Cork Opera House	8 October 2021	
Oliver Callan	Cork Opera House	8 October 2021	
Imelda May	TLT Theatre, Drogheda	8 October 2021	
Imelda May	Gleneagle INEC Arena, Killarney	8 October 2021	
Ed Sheeran	Croke Park, Dublin	8 October 2021	
Ed Sheeran	Pairc Ui Chaoimh, Cork	8 October 2021	
My Dad Wrote A Porno	Bord Gais Energy Theatre	8 October 2021	
Imelda May	Cork Opera House	8 October 2021	
My Chemical Romance	Royal Hospital Killmainham	8 October 2021	
The Frames	Royal Hospital Killmainham	8 October 2021	
Oliver Callan	Bord Gais Energy Theatre	8 October 2021	
Jason Manford	Cork Opera House	8 October 2021	
10 CC	Cork Opera house	8 October 2021	
Live At The Iveagh Gardens	Iveagh Gardens, Dublin	22 October 2021	
Ed Sheeran	Croke Park, Dublin	22 October 2021	

Vodafone Comedy Festival	Iveagh Gardens, Dublin	22 October 2021	
Ed Sheeran	Páirc Ui Chaoimh, Cork	22 October 2021	
Republic of Ireland v Portugal – FIFA World Cup Qualifier 2022	Aviva Stadium, Dublin	28 October 2021	
Elton John	Páirc Ui Chaoimh, Cork	03 November 2021	
Olivia Rodrigo	Fairview Park, Dublin	15 December 2021	
Longitude Festival 2022	Marlay Park, Dublin	17 December 2021	
Electric Picnic Music and Arts Festival 2022	Stradbally, Laois	17 December 2021	
Sea Sessions Surf and Music Festival	Bundoran Beach Car Park, Donegal	19 January 2022	
The Killers	Malahide Castle and Gardens, Dublin	28 January 2022	
Kodaline	Malahide Castle and Gardens, Dublin	28 January 2022	
Picture This	Malahide Castle and Gardens, Dublin	28 January 2022	
Gerry Cinnamon	Malahide Castle and Gardens, Dublin	28 January 2022	

Dermot Kennedy	Malahide Castle and Gardens, Dublin	28 January 2022	
Lewis Capaldi	Malahide Castle and Gardens, Dublin	28 January 2022	
Guns 'N' Roses	Marlay Park, Dublin	04 February 2022	
Red Hot Chili Peppers	Marlay Park, Dublin	04 February 2022	
Tommy Fleming 30 th Anniversary Tour	Sligo Radisson Hotel, Sligo	17 February 2022	
Tommy Fleming 30 th Anniversary Tour	Theatre Royal, Waterford	17 February 2022	
Tommy Fleming 30 th Anniversary Tour	Gleneagle INEC, Killarney, Kerry	18 February 2022	
Tommy Fleming 30 th Anniversary Tour	TLT Theatre, Drogheda, Louth	18 February 2022	
Tommy Fleming 30 th Anniversary Tour	National Opera House, Wexford	18 February 2022	
Tommy Fleming 30 th Anniversary Tour	Venue Theatre, Ratoath, Meath	18 February 2022	
Tommy Fleming 30 th Anniversary Tour	St. Paul's Church, Waterford	18 February 2022	
Tommy Fleming 30 th Anniversary Tour	Glor Theatre, Ennis, Clare	18 February 2022	
Ed Sheeran	Whelan's, Wexford Street, Dublin	1 April 2022	
Green Day	Marlay Park, Dublin	10 June 2022	

Trinity Summer Series 2022	Trinity College Park, Dublin	28 June 2022	
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