



UEFA European Championship (Scotland) Act 2020

2020 asp 1

The Bill for this Act of the Scottish Parliament was passed by the Parliament on 17th December 2019 and received Royal Assent on 23rd January 2020

An Act of the Scottish Parliament to make provision in relation to the Union of European Football Associations European Championship that is to be held, in part, in Glasgow in 2020.

Introductory

1 Meaning of key terms

(1) In this Act—

the “Championship” means the Union of European Football Associations (UEFA) European Championship that is to be held, in part, in Glasgow ^{F1} ...,

[^{F2}the “Championship period” means the period of not more than 42 days, and ending not later than 31 December 2022, specified in regulations made by the Scottish Ministers,]

a “Championship ticket” means any ticket, card, electronic device or other thing which entitles an individual to attend an event which is held as part of the Championship (whether or not held in Scotland),

an “event zone” means any one of—

- (a) the Hampden Park zone,
- (b) the George Square zone,
- (c) the Merchant City zone,

as defined in regulations made by the Scottish Ministers.

(2) Other terms and expressions used in this Act are set out in section 34.

Textual Amendments

- F1** Words in s. 1 repealed (27.5.2020) by [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), s. 16(1), [sch. 4 para. 1\(2\)\(a\)](#) (with s. 9)

Changes to legislation: UEFA European Championship (Scotland) Act 2020 is up to date with all changes known to be in force on or before 03 July 2021. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F2 Words in s. 1 substituted (27.5.2020) by [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), s. 16(1), [sch. 4 para. 1\(2\)\(b\)](#) (with s. 9)

Modifications etc. (not altering text)

C1 [S. 1\(1\)](#) modified (temp.) (31.5.2021 for the Championship period which ends on 11.7.2021) by [The UEFA European Championship \(Scotland\) Act 2020 \(Championship Period and Transitory Provision etc.\) Regulations 2021 \(S.S.I. 2021/207\)](#), regs. 1(1), 2, 3

Commencement Information

I1 S. 1 in force at 9.3.2020 by [S.S.I. 2020/49](#), reg. 2, [sch.](#)

Ticket touting

2 Ban on ticket touting

- (1) It is an offence to tout a Championship ticket (“the touting offence”).
- (2) A person touts a Championship ticket if the person does any act falling within subsection (3)—
 - (a) in relation to the sale, or proposed sale, of a Championship ticket for an amount exceeding the ticket's face value, or
 - (b) with a view to making a profit.
- (3) Acts which fall within this subsection are—
 - (a) selling a Championship ticket,
 - (b) offering to sell a Championship ticket,
 - (c) exposing a Championship ticket for sale,
 - (d) advertising that a Championship ticket is available for purchase,
 - (e) making a Championship ticket available for sale by another person, and
 - (f) giving away (or offering to give away) a Championship ticket on condition that the person given the ticket pays a booking fee or other charge or acquires some other goods or services.
- (4) The touting offence does not apply in relation to any act by UEFA in relation to the sale, or proposed sale, of a Championship ticket which—
 - (a) falls within subsection (3), and
 - (b) is not done for an amount exceeding the ticket's face value.
- (5) This section applies to acts done in or outwith Scotland.
- (6) The amount payable for a Championship ticket is to be treated as including—
 - (a) the amount of any booking fee or other charge imposed as a condition of sale,
 - (b) the amount payable for any other goods or services which are to be acquired as a condition of sale, and
 - (c) the market value of any goods or services received in exchange for the ticket.
- (7) The reference in subsection (2)(b) to making a profit is, where the act is done by a person other than the person disposing of the ticket, to be read as a reference to assisting the person disposing of the ticket to make or attempt to make a profit.

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Commencement Information

I2 S. 2 in force at 10.7.2020 by S.S.I. 2020/189, reg. 2, sch.

3 Exception for charity auctions

- (1) The touting offence does not apply in relation to the sale of a Championship ticket in an auction conducted—
- (a) by a charity, or
 - (b) by a person other than a charity, provided that the proceeds of the ticket's sale are given to a charity.
- (2) In subsection (1), “charity” means—
- (a) a body which is registered in the Scottish Charity Register, or
 - (b) a body which—
 - (i) is established under the law of [^{F3}any territory outwith Scotland,]
 - (ii) is managed or controlled wholly or mainly outwith Scotland, and
 - (iii) meets [^{F4}either the condition set out in subsection (3) or the condition set out in subsection (4)] .
- [^{F5}(3) This condition is that the body is registered in a register corresponding to the Scottish Charity Register.
- (4) This condition is that, if there is no such register in the territory where the body is established—
- (a) the body’s purposes consist only of one or more of the charitable purposes set out in section 7(2) of the Charities and Trustee Investment (Scotland) Act 2005, and
 - (b) the body provides public benefit within the meaning given by section 8 of that Act.]

Textual Amendments

- F3** Words in s. 3(2)(b)(i) substituted (27.5.2020) by Coronavirus (Scotland) (No.2) Act 2020 (asp 10), s. 16(1), sch. 4 para. 1(3)(a) (with s. 9)
- F4** Words in s. 3(2)(b)(iii) substituted (27.5.2020) by Coronavirus (Scotland) (No.2) Act 2020 (asp 10), s. 16(1), sch. 4 para. 1(3)(b) (with s. 9)
- F5** S. 3(3)(4) substituted for s. 3(3) (27.5.2020) by Coronavirus (Scotland) (No.2) Act 2020 (asp 10), s. 16(1), sch. 4 para. 1(3)(c) (with s. 9)

Commencement Information

I3 S. 3 in force at 10.7.2020 by S.S.I. 2020/189, reg. 2, sch.

4 Exception for certain advertisers etc.

A person (“A”) who advertises that a Championship ticket is available for purchase from, or makes a ticket available for sale by, another person (“B”) does not commit a touting offence if—

- (a) the proposed ticket sale would constitute a touting offence only because B intends to—

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- (i) sell the ticket for an amount exceeding the ticket's face value, or
- (ii) make a profit as a result of the sale, and
- (b) A does not, and could not reasonably be expected to, know B's intention.

Commencement Information

I4 S. 4 in force at 10.7.2020 by S.S.I. 2020/189, reg. 2, sch.

5 Provision of electronic facilities

The Scottish Ministers may by regulations specify circumstances in which making facilities available in connection with electronic communications or the storage of data is, or is not, to be capable of constituting a touting offence.

Commencement Information

I5 S. 5 in force at 9.3.2020 by S.S.I. 2020/49, reg. 2, sch.

Street trading etc.

6 Ban on outdoor trading within event zones

- (1) It is an offence to trade within an event zone at a prohibited time (“the trading offence”).
- (2) The trading offence does not apply to trading in a building.
- (3) The Scottish Ministers may by regulations (“the trading regulations”)—
 - (a) exempt types of trading from the trading offence,
 - (b) make such further provision as they consider appropriate in relation to trading within event zones.
- (4) The trading offence does not apply to trading by UEFA (so long as that trading is done in accordance with any conditions imposed by the trading regulations).

Commencement Information

I6 S. 6 in force at 9.3.2020 by S.S.I. 2020/49, reg. 2, sch.

7 Trading activities, places and prohibited times

- (1) An activity is to be treated as trading if it is the sale or offer for sale, in an open public place, of an article or service.
- (2) For example, any of the following acts done in an open public place are to be treated as trading (except as exempted or permitted in the trading regulations by virtue of section 6(3) or 8(1))—
 - (a) selling an article,
 - (b) supplying a service,

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- (c) making an appeal to members of the public to give money or other property (or both) for charitable or other purposes (whether authorised or not under any enactment),
 - (d) providing public entertainment for gain or reward.
- (3) The trading regulations may prescribe, or provide criteria for determining—
- (a) activities which are (or are not) to be treated as trading for the purpose of the trading offence,
 - (b) places or areas within an event zone where the trading offence will not apply,
 - (c) alternative arrangements for existing street traders during the times when the trading offence applies, and
 - (d) times which are prohibited times for the purpose of the trading offence.
- (4) The prohibited times may only be during the Championship period.
- (5) In this Act, an “existing street trader” is any person—
- (a) to whom Glasgow City Council or, as the case may be, the Police Service of Scotland has granted a trading licence, authorising the person to trade at a place in Glasgow City Council's area prior to the date on which this Act receives Royal Assent, and which remains in force on that date, and
 - (b) who would, but for this Act, be entitled to trade within an event zone during the times when the trading offence applies.

Commencement Information

I7 [S. 7](#) in force at 9.3.2020 by [S.S.I. 2020/49, reg. 2, sch.](#)

8 Trading permitted in prescribed circumstances

- (1) The trading regulations may prescribe, or provide criteria for determining, circumstances in which trading which would otherwise constitute a trading offence is permitted.
- (2) Trading may, for example, be permitted by reference to—
- (a) the person who is trading,
 - (b) the nature of the trading,
 - (c) the purpose of the trading, or
 - (d) the application of any profits.

Commencement Information

I8 [S. 8](#) in force at 9.3.2020 by [S.S.I. 2020/49, reg. 2, sch.](#)

9 Existing trading licences

It is not a defence for a person charged with the trading offence that the person has a trading licence, whether granted before or after this section comes into force.