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Lord Stevenson of Balmacara
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17th July 2019

Dear Wulf,

Birmingham Commonwealth Games Bill - Ticket Touting Offence

I am grateful for your contributions to the debate at Committee Stage on 9 July. As Viscount Younger promised during the discussion on the proposed amendments to the ticket touting provision, I am writing to set out the circumstances in which people may pass on tickets for Games events to family and friends without falling foul of the touting offence.

Our intention with the touting provision at Clause 9 is to ensure that it is targeted at the areas of greatest harm, and does not penalise people who, for good reason, want or need to pass on their tickets informally at face value or less. I should say that we envisage such people would also have the option to use the authorised resale/exchange facility which we expect the Organising Committee to put in place as part of their ticketing strategy.

We have set out in the Bill that the offence is committed in three circumstances. These are (i) where the tickets are passed on in a public place, including at face value or below (to capture any activity near Games locations which could harm the visitor experience and integrity of the Games); (ii) where the activity takes place in the course of a business, again including at face value or below (to capture activity by professional traders); and (iii) where the intention is for any person to make a profit from the sale of the ticket (to ensure that people, whether or not they are professional traders, don't exploit the Games for financial gain).

As I mentioned in the debate, the offence does not, therefore, cover activity to pass on tickets informally at face value or less, unless this is carried out in a public place, which poses the greatest risk to the visitor experience and integrity around Games locations.

I hope I have helped to clarify this aspect of the touting offence.

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I am copying this letter to those who spoke at the Committee debate or Second Reading, and to those who attended the all Peers meeting on the Bill, and I will place a copy in the Libraries of both Houses.

Yours ever

Henry

Lord Ashton of Hyde
Parliamentary Under Secretary of State