
STATUTORY INSTRUMENTS

1994 No. 3248

CONSUMER PROTECTION

The Price Indications (Resale of Tickets) Regulations 1994

Made - - - - *14th December 1994*
Laid before Parliament *15th December 1994*
Coming into force - - *20th February 1995*

The Secretary of State, in exercise of the powers conferred on him by section 26 of the Consumer Protection Act 1987(1), having, in pursuance of subsection (1) of that section, consulted the Director General of Fair Trading and such other persons as he considers it appropriate to consult, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Price Indications (Resale of Tickets) Regulations 1994 and shall come into force on 20th February 1995.

Interpretation

2. In these Regulations —

“ticket” means a card, badge or document giving to its holder —

- (a) the right of admission to a place of entertainment; or
- (b) the said right of admission to a place of entertainment and the right to use a seat or space in such a place

and the fact that those rights are subject to the condition that the holder may be refused admission to or may be removed from the place of entertainment shall not cause it to be treated as other than a ticket; and

“entertainment” includes any gathering, amusement, exhibition, performance, game, sport or trial of skill or other similar event.

Scope of application

3.—(1) Subject to paragraph (3) below, the provisions of these Regulations have effect when a person to whom paragraph (2) below applies gives to consumers, in the course of business, an

(1) 1987 c. 43.

indication of the price at which a ticket, or a ticket in combination with another element, is or will be available (“a price indication”).

(2) This paragraph applies to any person save for the holder or promoter of the entertainment to which the ticket relates or a person acting on behalf of such holder or promoter who is prepared or may be prepared to supply a ticket by way of resale.

(3) These Regulations do not apply where a person gives a price indication in relation to a package to which the Package Travel, Package Holidays and Package Tours Regulations 1992(2) apply.

Price indication information

4. Where a person gives a price indication, the following information shall be given to consumers —

- (a) the price (if any) and any other detail which appears on the ticket which relates to or affects the rights conferred or to be conferred on the holder of the ticket (including the location of the seat or space) and which has been caused to be placed thereon by the holder or promoter of the entertainment to which the ticket relates; and
- (b) the location of the seat or space (if any) which the holder of the ticket will have the right to use and any features of such seat or space which would adversely affect the holder’s use or enjoyment of it and which are known or could reasonably be expected to be known to the person giving the price indication.

Requirements relating to price indication information

5.—(1) The information required to be given by regulation 4 above shall be given before the person who gives a price indication enters into any contract with a consumer under which the ticket is to be supplied.

(2) Except in cases where the contract to supply the ticket by way of resale is concluded by telephone, the information required to be given by regulation 4(a) above shall be given in writing.

(3) The requirement of paragraph (2) of this regulation shall be deemed to be satisfied if the consumer is shown the ticket in accordance with paragraph (1) above and in such a manner that the details appearing on the ticket are visible by and legible to the consumer.

Manner of giving price indication information

6. The information required to be given by regulation 4 need not be given in the same manner as the price indication but —

- (a) if the information is given orally, it shall be given audibly and in a manner that is comprehensible to the consumer, and
- (b) if it is given in writing, it shall be given clearly, prominently and legibly

and in any case the information shall be given in such a way that it comes to the attention of the consumer before he enters into any contract under which the ticket is to be supplied to him.

Price indication information to be accurate

7. Any information which is given pursuant to the requirements of regulation 4 above shall be accurate.

Offences and defences

8.—(1) Any contravention of a requirement of these Regulations shall constitute a criminal offence punishable —

- (a) on conviction on indictment, by a fine; or
- (b) on summary conviction, by a fine not exceeding the statutory maximum.

(2) In relation to an offence under this regulation —

- (a) section 24(2) of the Act (defence that indication was not contained in an advertisement) shall apply as it applies to an offence under subsection (1) or (2) of section 20 of the Act;
- (b) section 39 of the Act (defence of due diligence) shall apply as it applies to an offence mentioned in subsection (5) of that section; and
- (c) subsection (1) of section 40 of the Act (liability of persons other than principal offender) shall apply as it applies to an offence mentioned in section 39(5) of the Act and subsections (2) and (3) of the said section 40 shall apply as they apply to an offence under the Act.

(3) In this regulation, “the Act” means the Consumer Protection Act 1987.

14th December 1994

Ferrers
Minister of State,
Department of Trade and Industry

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations regulate the manner in which a person who is or may be prepared to resell tickets by way of business gives consumers an indication as to the price at which the ticket is, or would be, available (regulation 3).

The Regulations apply to a ticket which gives its holder the right of admission to a place of entertainment and, if appropriate, the right to use a seat or space (regulation 2). They define “entertainment” to include any gathering, amusement, exhibition, performance, game, sport or trial of skill and other similar events (regulation 2).

The Regulations require the following information to be given to consumers —

- (a) the price and any detail which appears on the ticket which relates to or affects the rights conferred or to be conferred on the holder of the ticket which has been caused to be placed on it by the holder or promoter of the entertainment to which the ticket relates (including the location of any seat or space); and
- (b) the location of the seat or space (if any) and any features of such which would adversely affect the holder’s use or enjoyment and which are known, or could reasonably be expected to be known, to the reseller (regulation 4).

The information must be given before a contract is concluded and, except in the case of contracts concluded by telephone, any details appearing on a ticket must be given in writing (a provision is included for the latter requirement to be satisfied by showing the ticket) (regulation 5).

Information, if given orally, must be given audibly and in a manner that is comprehensible to the consumer and, if given in writing, must be given clearly, prominently and legibly (regulation 6). Information must be accurate (regulation 7).

Criminal penalties are provided for breach of the Regulations (regulation 8).

A compliance cost assessment is available, copies of which have been placed in the libraries of both Houses of Parliament. Copies are also available from the Consumer Affairs Division of the Department of Trade and Industry, Room 320, 10-18 Victoria Street, London, SW1H 0NN.