



STATUTORY INSTRUMENTS.

S.I. No. 399 of 2021

SALE OF TICKETS (CULTURAL, ENTERTAINMENT, RECREATIONAL
AND SPORTING EVENTS) ACT 2021 (DESIGNATION OF VENUES AND
EVENTS) REGULATIONS 2021

SALE OF TICKETS (CULTURAL, ENTERTAINMENT, RECREATIONAL AND SPORTING EVENTS) ACT 2021 (DESIGNATION OF VENUES AND EVENTS) REGULATIONS 2021

I, LEO VARADKAR, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 4, 7 and 9 of the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021 (No. 21 of 2021), hereby make the following regulations:

1. (1) These Regulations may be cited as the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021 (Designation of Venues and Events) Regulations 2021.
(2) These Regulations shall come into operation on the 31st day of July 2021.
2. In these Regulations, “Act of 2021” means the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021 (No. 21 of 2021).
3. The form set out in Schedule 1 is prescribed for the purposes of section 7 of the Act of 2021.
4. The form set out in Schedule 2 is prescribed for the purposes of section 9 of the Act of 2021.

SCHEDULE 1

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

Application for Designation of a Venue

Part One

Details of applicant

A venue operator may apply for the designation of a venue where the requirements of section 7(1) of the Act are met. Note one.

An application for the designation of a venue must comply with the requirements of section 7(2) of the Act. Note two.

Applicants are asked to complete all Parts of this form and, unless otherwise stated, to do so in BLOCK CAPITALS.

Name of Applicant:

Address of Applicant:

Address 1:

Address 2:

Town:

County:

Country:

Postcode/Eircode:

Telephone Number:

E-mail address:

Website:

Do you own, manage or are otherwise responsible for the operation of the venue?

Yes

No

Are you acting for, or on behalf of, an owner, a manager or a person otherwise responsible for the operation of the venue?

Yes

No

Please state, as applicable, your relation (a) to the venue, or (b) to the owner, manager, or other person responsible for the operation of the venue for whom, or on whose behalf, you are acting:

Part Two

Details of venue and statement of applicant

Section 7(1) of the Act provides that a venue applicant may apply for the designation of a venue if (a) the venue has the capacity to hold 1,000 persons or more and (b) the venue applicant is of the reasonable opinion that the venue will hold events which may give rise to the sale of tickets or ticket packages by a secondary ticket seller for a price exceeding the original sale price.

Name of Venue:

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Address of Venue:

Address 1:

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Address 2:

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Town:

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County:

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Eircode:

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Telephone Number:

E-mail address:

Website:

Capacity of venue

Please indicate in the box below the capacity of the venue which is the subject of this application for designation.

Capacity of the venue:

Statement of reasonable opinion of applicant

I am of the reasonable opinion that events taking place in the venue which is the subject of this application may give rise to the sale of tickets or ticket packages for a price exceeding the original sale price.

Please state the basis for this opinion.

DECLARATION

I, the undersigned, declare that the information provided in this application is true and complete.

**Name of applicant (in
BLOCK CAPITALS):**

Signature of applicant:

(handwritten or electronic
signature is acceptable)

Date:

D	D	M	M	Y	Y
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**Please tick this box if you consent to the notice of designation being sent by
electronic means:**

The Minister for Enterprise, Trade and Employment will notify venue operators whose applications for designation have been approved. Note three.

Venues that have been designated will be placed on a public register of designated venues. Note four.

Venue operators are asked to inform the Department of Enterprise, Trade and Employment of any changes to the information provided in the application for designation that arise after the notification of the designation.

Please keep a copy of this form for your own records.

NOTES ON COMPLETION OF FORM

General Before completing this form, applicants are advised to familiarise themselves with the Act, in particular the provisions of Part 2 on the designation of venues and events.

A link to the Act is available at www.irishstatutebook.gov.ie.

Note one Section 7(1) of the Act provides that a venue operator may apply to the Minister for Enterprise, Trade and Employment to have one or more venues designated for the purposes of the Act if –

- (a) the venue has the capacity to hold 1,000 persons or more, and
- (b) the venue operator is of the reasonable opinion that the venue will hold events which may give rise to the sale of tickets or ticket packages by a secondary ticket seller for a price exceeding the original sale price.

Section 2 of the Act provides that “venue operator” means a person who –

- (a) owns or manages a venue or is otherwise responsible for the operation of the venue, or
- (b) a person, including an event organiser, acting for, or on behalf of, a person referred to in paragraph (a).

Note two Section 7(2) of the Act provides that an application for the designation of a venue shall be in writing and in such form as the Minister for Enterprise, Trade and Employment may prescribe and shall include –

- (a) the name, address, e-mail address, telephone number and website address of the applicant,
- (b) the address of the venue, or if the application concerns more than one venue, the address of each of those venues,
- (c) the capacity of the venue, or if the application concerns more than one venue, the capacity of each of the venues, and
- (d) a statement that the venue applicant is of the reasonable opinion that events taking place in the venue, or if the application concerns more than one venue, in each of the venues, may give rise to the sale of tickets or ticket packages by a secondary ticket seller for a price exceeding the original sale price.

Note three Section 7(5) of the Act provides that the Minister for Enterprise, Trade and Employment may –

- (a) designate a venue that has been the subject of an application for designation under section 7(1) of the Act where the Minister is satisfied that the application complies with the conditions specified in that subsection, or
- (b) refuse to designate a venue where the Minister is not so satisfied.

Section 7(7) of the Act provides that where the Minister designates a venue under section 7(5), the Minister shall notify the venue operator in writing of the designation.

Section 7(8) of the Act provides that a notification of a venue designation shall include the reason for the designation and the date on which it will come into effect.

Note four Section 14 of the Act provides that the Minister for Enterprise, Trade and Employment shall establish and maintain a register of designated venues and events and shall publish the register on the internet or in such other manner as the Minister considers appropriate.

Completed and signed forms can be submitted:

A. Electronically (pdf) by e-mail to: conspol@enterprise.gov.ie, or

B. Printed and sent by post to:

Competition and Consumer Policy Section
Department of Enterprise, Trade and Employment
1 Earlsfort Centre
Lower Hatch Street
Dublin 2
D02 PW01

NB: As staff are working remotely at present, scanned copies of forms sent by post should also be sent by e-mail to: conspol@enterprise.gov.ie.

SCHEDULE 2

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

Application for Designation of an Event

Part One

Details of applicant

An event organiser or venue operator may apply for the designation of an event where the requirements of section 9(1) of the Act are met. Note one.

An application for the designation of an event must comply with the requirements of section 9(3) of the Act. Note two

Applicants are asked to complete all Parts of this form and, unless otherwise stated, to do so in BLOCK CAPITALS.

Name of Applicant:

Address of Applicant:

Address 1:

Address 2:

Town:

County:

Country:

Postcode/Eircode:

Telephone Number:

E-mail address:

Website:

Are you the organiser of the event or the operator of the venue where the event is taking place?

Yes	No

Are you acting for, or on behalf of, the organiser of the event or the operator of the venue where the event is taking place?

Yes	No

Please state, as applicable, your relation to (a) the event, (b) the venue where the event is taking place or (c) the venue operator or event organiser on whose behalf you are acting:

Part Two

Details of event and statement of applicant

Section 9(1) of the Act provides that an event applicant may apply for the designation of an event if the event applicant is of the reasonable opinion that the event may give rise to the sale of tickets or ticket packages by a secondary ticket seller for a price exceeding the original sale price.

This Part and the Declaration of the applicant must be completed for each event for which an application for designation is made.

Details of event:

Name of Event:

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Date(s) of Event:

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Description of Event:

A. Is this an event which takes place on an annual basis in the same venue?

Yes No

B. Is this an event which takes place on some other periodic basis in the same venue?

Yes No

If B, please state the periodic basis on which the event takes place.

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Details of venue where event will take place

Name of Venue:

Address of Venue:

Address 1:

Address 2:

Town:

County:

Eircode:

Telephone Number:

E-mail address:

Website:

Statement of reasonable opinion of applicant

I am of the reasonable opinion that the event taking place in the venue which is the subject of this application may give rise to the sale of tickets or ticket packages for a price exceeding the original sale price.

Please state the basis for this opinion.

DECLARATION

I, the undersigned, declare that the information provided in this application is true and complete.

**Name of applicant (in
BLOCK CAPITALS):**

**Signature of applicant:
(handwritten or electronic
signature is acceptable)**

Date:

D	D	M	M	Y	Y
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**Please tick this box if you consent to the notice of designation being sent by
electronic means:**

The Minister for Enterprise, Trade and Employment will notify event applicants whose applications for designation have been approved. Note three.

Events that have been designated will be placed on a public register of designated events. Note four.

Event applicants are asked to inform the Department of Enterprise, Trade and Employment of any changes to the information provided in the application for designation that arise after the notification of the designation.

Please keep a copy of this form for your own records.

NOTES ON COMPLETION OF FORM

General Before completing this form, applicants are advised to familiarise themselves with the Act, in particular the provisions of Part 2 on the designation of venues and events.

A link to the Act is available at www.irishstatutebook.ie.

Note one Section 9(1) of the Act provides that an event organiser or venue operator may apply to the Minister for Enterprise, Trade and Employment to have an event designated for the purposes of this Act if, having regard to the nature of the event, the applicant is of the reasonable opinion that the event may give rise to the sale of tickets or ticket packages for that event by a secondary ticket seller for a price exceeding the original sale price.

Section 2 of the Act provides that “event organiser”, in relation to an event, means a person who—

- (a) is responsible for staging, organising or managing the event, or
- (b) a person, acting for, or on behalf of, a person referred to in paragraph (a);

Section 2 of the Act also provides that “venue operator” means a person who –

- (a) owns or manages a venue or is otherwise responsible for the operation of the venue, or
- (b) a person, including an event organiser, acting for, or on behalf of, a person referred to in paragraph (a).

Note two Section 9(3) of the Act provides that an application for the designation of an event shall be in writing and in such form as the Minister for Enterprise, Trade and Employment may prescribe and shall include—

- (a) the name, address, e-mail address, telephone number and website address of the event applicant,
- (b) details (including the proposed date or dates concerned) of the event and the address of the venue where the event, the subject of the application, will take place, and
- (c) a statement that the event applicant is of the reasonable opinion that the event, the subject of the application, may give rise to the sale of tickets or ticket packages for that event by a secondary ticket seller for a price exceeding the original sale price.

Note three Section 9(6) of the Act provides that the Minister for Enterprise, Trade and Employment may –

- (a) designate an event which has been the subject of an application under section 9(1) where he or she is satisfied of the matters specified in that subsection, or
- (b) subject to section 10(1), refuse to designate an event which has been the subject of an application under section 9(1) where he or she is not so satisfied.

Section 9(8) of the Act provides that where the Minister designates an event under section 9(6), the Minister shall notify the event organiser or venue operator in writing of the designation.

Section 9(9) of the Act provides that a notification of an event designation shall include the reason for the designation and the date on which it will come into effect.

Note four Section 14 of the Act provides that the Minister for Enterprise, Trade and Employment shall establish and maintain a register of designated venues and events and shall publish the register on the internet or in such other manner as the Minister considers appropriate.

Completed and signed forms can be submitted:

A. Electronically (pdf) by e-mail to: conspol@enterprise.gov.ie, or

B. Printed and sent by post to:

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 Department of Enterprise, Trade and Employment
 1 Earlsfort Centre
 Lower Hatch Street
 Dublin 2
 D02 PW01

NB:As staff are working remotely at present, scanned copies of forms sent by post should also be sent by e-mail to: conspol@enterprise.gov.ie.



GIVEN under my Official Seal,
28 July, 2021.

LEO VARADKAR,
Minister for Enterprise, Trade and Employment..

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

These Regulations set out the requirements for a venue operator or an event organiser who may wish to apply for designation of a venue(s) or an event under Sections 7 and 9 of the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021, (No. 21 of 2021).

The Act, at sections 7 and 9, provide that a venue operator or an event organiser respectively may apply to the Minister for Enterprise, Trade and Employment for designation of a venue(s) or an event where the relevant conditions are met. These provisions also specify how an application should be made and what it should contain.

These Regulations set out these requirements in separate application forms for designation of a venue(s) and designation of an event, at Schedules 1 and 2 respectively.

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