

FROM THE OFFICE OF THE JUSTICE MINISTER



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Christine Darrah
Clerk to the Committee for Justice
Room 242
Parliament Buildings
Ballymiscaw
Stormont, Belfast
BT4 3XX

12 May 2020

Dear Christine,

PROPOSED LEGISLATIVE CONSENT MOTION – BIRMINGHAM COMMONWEALTH GAMES BILL

The Committee agreed to consider the proposed Legislative Consent Motion for relevant provisions in the Birmingham Commonwealth Games Bill as a written briefing in the first instance. Having reviewed the papers provided, the Committee has identified one issue on which clarification is requested, namely the position of the Department for the Economy (DfE) in light of its responsibility for enforcement matters – your letter of 7 May 2020 refers.

Engagement with the Department for the Economy

The Westminster Department for Culture, Media and Sport (DCMS) engaged directly with DfE in terms of the proposal for provisions controlling the sale of tickets in the Bill to be enforced by DfE in Northern Ireland.

DfE responded to advise that it noted the intention to use the enforcement and investigatory powers contained in the Consumer Rights Act 2015 (CRA) in relation to the offences in the Bill and advised that an LCM had previously been passed by the Assembly to allow the provisions in the CRA dealing with devolved matters to extend to

Northern Ireland, which included powers to allow DfE to enforce offences relating to secondary ticketing.

DfE accepted that there was a consumer protection dimension to the proposal and confirmed with DCMS they had no difficulty with DfE taking up the enforcement role for the sale of tickets for the Birmingham Commonwealth Games in Northern Ireland. In doing so, they did not express any concerns with the proposed offence and penalty.

Executive Consideration

In parallel with seeking the views of the Committee, the Minister of Justice also sought the agreement of the Executive to the extension to Northern Ireland of the ticket touting provisions of the Bill to and to the tabling of an appropriate LCM in the Assembly.

Both the Department for Communities and the Department for the Economy supported the Minister's Executive paper without any additional comment.

The Executive subsequently considered the matter at its meeting of 2 March 2020 and agreed to the extension of the provisions to Northern Ireland for the creation of a new offence to prohibit the unauthorised sale or resale of Games tickets, which carries a penalty on summary conviction in Northern Ireland to a fine not exceeding £50,000; and the tabling of an LCM.

You will wish to bring this matter to the attention of the Justice Committee.

Departmental Assembly Liaison Officer



**NORTHERN IRELAND
ASSEMBLY
COMMITTEE FOR JUSTICE**

Departmental Assembly Liaison Officer (DALO)
Department of Justice
Castle Buildings
Stormont Estate Belfast
BT4 3SQ

Dear DALO

7 May 2020

Proposed Legislative Consent Motion – Birmingham Commonwealth Games Bill

At its meeting on 2 April 2020, the Committee for Justice agreed handling arrangements for a number of work items in light of the current exceptional circumstances. The Committee agreed to consider the proposed Legislative Consent Motion for relevant provisions in the Birmingham Commonwealth Games Bill as a written briefing in the first instance.

Having considered the written papers provided, the Committee noted that the Department for Communities did not raise any concern in relation to either the creation of the new offence or the level of the fine. The written briefing advises that there has also been engagement with the Department for the Economy in view of its responsibility for enforcement matters; however, the views of DfE have not been provided. The Committee therefore requests clarification on the position of DfE on the creation of the new offence and the proposed level of fine.

The Committee will consider this matter further when a response has been received.

Yours sincerely

**Christine Darrah
Clerk to the Committee for Justice**