

These notes relate to the UEFA European Championship (Scotland) Act 2020 (asp 1) which received Royal Assent on 23 January 2020

UEFA EUROPEAN CHAMPIONSHIP (SCOTLAND) ACT 2020

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Offences

Section 30: Penalties

66. This section sets out the penalties associated with each of the Championship offences. The level of penalties, apart from that associated with the offence of obstructing an enforcement officer, replicate those for similar offences in the Glasgow Commonwealth Games Act 2008.
67. Subsection (1) makes a person convicted of a ticket touting or obstruction offence liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).
68. Subsection (2) makes a person convicted of a trading offence or an advertising offence liable on conviction on indictment to an unlimited fine or on summary conviction to a fine not exceeding £20,000.

Section 31: Individual culpability where offending by an organisation

69. By virtue of subsections (1) and (2) of this section, where an offence is committed under the Act by a company, partnership or other body, and is proved to have been committed with the consent or the connivance of a “relevant individual” or an individual acting as such, or because of any neglect by the “relevant individual”, that individual, as well as the body corporate, partnership or other unincorporated association, will be guilty of the offence and liable to punishment.
70. Subsection (3) defines a “responsible individual” in relation to a company as a director, manager, secretary or other similar officer (i.e. with managerial responsibility for the body under company law), or a member (where the affairs of the body are managed by its members). In relation to a limited liability partnership, it is a member; in relation to other kinds of partnership, a partner; and in relation to any other body or association, it is a person who is concerned with the management or control of that body or association.