



Ticket on-selling and scalping

Organisers of sporting and entertainment events authorise certain agencies to sell tickets to their events. When unauthorised people on-sell tickets, sometimes for an inflated price, it can greatly disadvantage consumers.

The growth of online trading sites has made ticket on-selling easier for unauthorised resellers. As a result, ticket on-selling has become a popular way for people to source tickets who miss out on purchasing from an official outlet.

Unauthorised resellers who obtain large quantities of tickets exploit the one-off nature of events and make it harder for everyone else to attend. By making tickets harder to come by, it pushes up the cost in both price and effort.

While ticket on-selling is not illegal in Australia, there are risks associated with buying from unauthorised resellers. There are a number of things to consider as a consumer and as an event organiser to ensure these risks are kept to a minimum.

Risks to consumers

Buying a ticket through an unauthorised reseller carries a significant amount of risk. Resellers may be registered businesses but consumers may not get the same terms and conditions they could if buying tickets through the official seller.

There are risks that a consumer:

- will pay significantly more than what an authorised seller is charging;
- won't receive a refund if an event is cancelled; or
- may lose their money and the opportunity to attend the event if the tickets are not delivered or the tickets are counterfeit.

If an event is cancelled, the organisers may only refund original buyers and will often pay the funds directly onto their credit card or into their bank account.

This leaves the decision to pass on the refund up to the seller.

If a consumer buys a counterfeit ticket, they may not know they have done so until they arrive at the event and are refused entry.

Some ticket on-sellers will scan, print and sell more than one copy of the same ticket even though only one will be valid. In both these instances it is very difficult to track down the seller and recover any costs.

Even in the case that the ticket is otherwise legitimate, if the terms and conditions prevent on-selling the event organiser may refuse to honour the ticket.

Some event organisers will request identification to match the name on the ticket when entering the event.

Protection for consumers

Buying from an unauthorised reseller may cause issues and buying privately does not give the same protection if there are issues with the ticket.

It is recommended that you use an authorised agency to purchase tickets. Always check all options and see whether tickets are available from the primary ticket seller first. If you do purchase from an unauthorised reseller try to utilise Australian businesses where possible as this makes it easier to enforce your rights.

Before you buy carefully check the terms and conditions as restrictions may apply to tickets that are resold. Some primary sellers do not allow the resale of tickets and take steps to cancel these should they become aware of their resale.

The Australian Consumer Law (ACL) requires that a seller must:

- provide tickets that are fit for purpose and match their description;
- advertise the full price and include all fees, plus the minimum postage costs, if known by the seller at the time;

- provide a receipt; and
- not mislead in any way.

The Public Trading Local Law 2005 also prevents the selling of goods or services, including ticket scalping and on-selling, in public areas within the City of Perth without a trading permit.

Consumers can reduce the risk associated with buying tickets and safe-guard themselves by following these tips:

- find out from the event organiser who the authorised sellers are;
- check WA ScamNet (www.scamnet.wa.gov.au);
- check the terms and conditions of the ticket before purchasing;
- never give out too many personal details online, including birthdates;
- only use secure payment methods and consider using a credit card which usually has added protections of its own; and
- always ask for a receipt and save all transaction records.

What can organisers do to protect their events from scalpers?

Event organisers can use a number of different measures to prevent or reduce scalping of their tickets, including:

- placing limits on the number of tickets one person can purchase;
- using extra security to verify that it is a person, not a computer, buying the tickets;
- requiring names be printed on tickets and checked against ID at events;
- using electronic ticketing and including a barcode to be scanned at the event;
- requiring the credit card that was used in the purchase be presented at events; and
- staggering the release of tickets.

If things go wrong

If a ticket is purchased from an unauthorised reseller and is rejected by the venue, doesn't arrive or the event is cancelled, Consumer Protection recommends that you contact the business first to discuss the problem and try to resolve the complaint directly.

If payment was made using a credit card a dispute may be lodged with the card provider. If the tickets were purchased using PayPal, contact their Resolution Centre and see if there are any protections offered through your PayPal Buyer Protection program by visiting www.paypal-australia.com.au/security or phoning 1800 073 263.

If the outcomes from the steps above are unsatisfactory - you still have rights under the Australian Consumer Law and you can make complaint to Consumer Protection. See forms.commerce.wa.gov.au/consumer-protection/complaint

Phone the Consumer Protection Advice Line on 1300 304 054 or email consumer@dmirs.wa.gov.au to find out more.

Department of Mines, Industry Regulation and Safety

Consumer Protection:

1300 304 054

Consumer Protection
Gordon Stephenson House
Level 2, 140 William Street
Western Australia 6000
Website: www.dmirs.wa.gov.au
Email: consumer@dmirs.wa.gov.au

Regional Offices

Goldfields/Esperance	(08) 9026 3250
Great Southern	(08) 9842 8366
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Mid-West	(08) 9920 9800
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