

From: Jennifer West
Project Manager

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Dear Sir/Madam

CMA investigation into the secondary ticketing sector

We are writing to inform you that the Competition and Markets Authority (CMA) has recently concluded an investigation into the secondary ticketing sector. As part of that investigation the CMA has obtained undertakings from the four largest secondary ticketing websites in the UK, which build upon their existing practices and give improved information to buyers about the tickets listed on their sites.¹

The CMA is contacting you, as well as a number of other businesses that either resell tickets, offer ticket brokering services or offer a website platform for reselling tickets, to raise awareness of the CMA's expectations in relation to the resale of tickets, thereby providing guidance to inform your future conduct. For the avoidance of doubt, we have not investigated nor formed a view as to whether your business is in breach of the law, but are writing to provide assistance to you in complying with your legal obligations in the future.

The CMA's expectations regarding the secondary ticketing sector

The CMA expects the following from secondary ticketing website platforms, resellers and brokers:

- To ensure the **prices** at which tickets are listed reflect the price that a consumer will actually pay and that additional delivery charges are prominently displayed up front.²
- To make clear that the listed price may differ from the **face value** of a ticket and to display the actual face value itself.

¹ Further information on that investigation can be found on the CMA's [case page](#).

² The CMA is less likely to have concerns where a business includes all compulsory charges in the upfront price and/or flags with the headline price, and gives information about, compulsory elements of the product or service which have a range of charges.

- To only list **multiple tickets** in a single listing if they are located together (and provide details of the location).
- To provide buyers with **important information about restrictions** on entry or view applicable to a ticket before they place their order. This includes, for example, age restrictions and requirements for children to be accompanied by an adult.
- To provide **contact details** (telephone number, email address).

In addition the CMA expects secondary ticketing website platforms:

- To provide the facility for **sellers to be able to inform/indicate to buyers if they are a trader** and, if so, provide their details to buyers (including identity and geographic address) before they buy.

This reflects the position under the Consumer Protection from Unfair Trading Regulations 2008, which require businesses to give consumers, in a clear, intelligible, unambiguous and timely manner, all the information they need to make informed transactional decisions. In addition, the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 also apply where contracts are concluded online, and require businesses to give consumers important information before they buy.

Additionally, advertising should also comply with the self-regulatory UK Advertising Codes, which are administered by the Advertising Standards Authority (ASA).³

Our guidance to you

The CMA strongly encourages you to review your conduct by reference to the expectations set out above and make any necessary changes to comply with those expectations and your obligations under consumer protection law.⁴ We also strongly recommend that you keep your practices under review to ensure that the information you provide to buyers meets the CMA's expectations into the future, and you keep up to date with changes in the law. A failure to do so could have significant consequences and result in enforcement against you by either the CMA⁵ or Trading Standards Services,⁶ which could ultimately lead to civil and/or criminal action.

³ More information about the UK Advertising Codes can be found on the [Committee of Advertising Practice website](#).

⁴ You may also wish to refer to the CMA's [published guidance](#), the TSI [Business Companion](#), and BIS [guidance on CCRs](#). There may also be legal restrictions on the resale of certain types of ticket in the UK, eg for football matches.

⁵ Please see the CMA [Prioritisation Principles](#).

⁶ In that regard, we have copied this letter to your local Trading Standards Service for their information.

Additionally, you should take particular account of the Consumer Rights Bill, currently at an advanced stage of its passage through Parliament, which includes provisions which, if passed by Parliament, will introduce a new duty on secondary ticket platforms (or facilities as they are described in the Bill) to report criminal activity and will introduce financial penalties for secondary ticketing platforms and sellers who fail to provide information to buyers to about seat location, restrictions and face value. Trading Standards Services in Great Britain and the Department of Enterprise, Trade and Investment in Northern Ireland will be responsible for enforcing these provisions and will have the power to impose financial penalties of up to £5,000 on sellers and secondary ticketing platforms who fail to comply.⁷

Thank you for reading this letter, to which we hope you will give careful consideration and take full account of in your future actions.

Yours faithfully

Jennifer West
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⁷ See further information about the [Consumer Rights Bill](#).