

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 website platforms 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 resell tickets through secondary ticket website platforms, to raise awareness of the CMA's expectations of business sellers.² 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 business sellers

The CMA expects the following from business sellers:

- To provide information about the actual **face value** of the ticket.
- 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. This includes, for example, age restrictions and requirements for children to be accompanied by an adult.

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

² You may be considered a business seller if you purchase tickets with the sole intention of re-selling them and/or regularly sell tickets and/or derive an income from ticket sales.

- To inform buyers that **they are a trader** (ie to not represent themselves as consumers) and provide their details to buyers (including identity and geographic address).

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 (even when selling through an online platform or marketplace). 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.

To assist you with complying with the CMA's expectations and your legal obligations, the undertakings obtained by the CMA, and referred to above, will mean that, in relation to the four main secondary ticketing website platforms, they should all now allow you to:

- make sure that tickets are only listed together if they are seated together,
- provide important information about restrictions applicable to a ticket, and
- provide the actual face value of a ticket

We are also strongly encouraging websites to provide business sellers with the facility to tell consumers that they are a business and then to provide their details (including identity and geographic address).³

Our guidance to you

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.⁴ To the extent that any individual secondary ticketing website or broker does not enable you to comply with your legal obligations, you should take appropriate action to ensure that you are in compliance with the law, including using an alternative platform or method to re-sell tickets that enables you to comply with your legal obligations. Moreover, we strongly recommend that you take action to ensure that the information you provide to buyers meets the CMA's expectations on an ongoing basis, and you keep up to date with

³ You should note that, in addition to the undertakings, the CMA has also written to a number of other secondary ticketing websites and brokers to set out our expectations of them.

⁴ You may also wish to refer to the CMA's [Published Guidance](#), [TSI Business Companion](#) and [BIS guidance](#) on CCRs.

changes in the law. A failure to do so, could result in enforcement by either the CMA⁵ or Trading Standards Services,⁶ which could lead to civil and/or criminal action.

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 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
Project Manager

⁵ [CMA Prioritisation Principles](#).

⁶ In that regard, we have copied this letter to your local Trading Standards Service, (DETINI in Northern Ireland if applicable), for their information.

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