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From:  
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*Chair*

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4 September 2024

Dear Jonathan and Lisa

Thank you for your letter of 30 August in relation to the sale of live event tickets, and particularly the resale of tickets on the secondary market. Since then, we have also become aware of concerns arising from the sale of Oasis tickets through primary ticket operators, including Ticketmaster, on 31 August. We deal with each of these points in turn below.

### ***Secondary tickets***

The CMA has dedicated significant resources and made extensive use of its existing powers to protect people seeking to buy tickets from resellers online. This has helped to ensure that consumers receive key information – such as warnings about resale restrictions – when buying tickets.

The CMA's enforcement has secured significant changes to the information that secondary ticket sites gather and display. For example, in November 2018 the CMA secured a court order against ticket reseller [viagogo](#), which required it to overhaul its business practices. However, we remain concerned about:

- Professional resellers bulk-buying tickets – through fraudulent or other unlawful means – which secondary ticket platforms then allow them to list for resale at inflated prices; and

- Professional resellers listing tickets which they do not have (sometimes known as speculative selling) or listing tickets with incorrect information about the tickets or themselves – which the platforms fail to prevent.

These ongoing concerns are not easily tackled under the existing regulatory framework. The CMA therefore [published](#) recommendations for legislative and regulatory changes in 2021 to address the sector's ongoing issues, to which the previous government responded in 2023. We do not think they can be tackled effectively by the CMA using its existing toolkit.

While the CMA's new enforcement powers under the Digital Markets, Competition and Consumers Act 2024 will provide additional tools when they come into force, they do not address the significant barriers to effective enforcement that we previously identified.

We therefore welcome the government's proposals to consult on measures to provide stronger protections to consumers in this sector. We see this as an important opportunity to tackle the longstanding challenges in the secondary ticket market, and secure a better deal for fans. As we discussed at our meeting with Jonathan on 20 August, we will provide full support to your officials as they develop policy proposals in this area. We will also consider carefully the extent to which revisions to CMA guidance could help to address the issues you have outlined, although for the reasons highlighted above, updated guidance alone will be unlikely to improve outcomes.

### ***Primary tickets – Oasis ticket sales on 31 August***

We are aware of widespread concerns regarding the 'primary market' sale of Oasis tickets by Ticketmaster (and possibly other primary ticket sellers) on 31 August. Dynamic pricing – where a business adjusts its prices (upwards and downwards) according to changing market conditions – is not in itself unlawful. However, where businesses use dynamic pricing or other complex pricing systems, they must not mislead customers about their prices, and must be transparent about how prices are set. With this in mind, we are working at pace to establish the precise factual background to the sale of Oasis tickets on 31 August, and we are keeping open all potential options for action. This includes potential enforcement action where we see evidence of possible breaches of consumer protection law. We will update you on any next steps in the coming weeks.

We note reports that the government may include proposals within its forthcoming tickets consultation relating to dynamic pricing in the primary market for event tickets. We stand ready to assist your officials as they develop their policy thinking in this area. Dynamic pricing is used across a range of sectors; it may be facilitated by the development of AI and other digital tools; and, in certain contexts, it can

affect consumers' trust in markets, and their ability to get good deals. Reflecting this, we are exploring any broader competition and consumer issues raised by dynamic pricing, and we look forward to engaging with your officials as our thinking in this area develops.

We will keep you updated on progress regarding these matters and in the meantime will continue to liaise with your officials.

Yours sincerely

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