

Response to draft guidance (document reference CMA209con): [LINK](#)

To: Competition & Markets Authority

From: Nuweb Group

Date: 1st September 2025

Context

Nuweb Group is a UK-headquartered, global white-label ticketing platform. While we do not sell tickets directly to the public, our technology powers partners that operate in the UK's live events market. This response is submitted with the knowledge that the venues, promoters, and event organisers who rely on our platform will be directly impacted by the implementation of this guidance. As champions of flexible technology that meets local needs and regulations, whilst offering a fair and transparent consumer experience, we offer this perspective on the practical, real-world consequences of the proposed changes.

Response

The stated aim of the CMA's draft guidance (document reference CMA209con) is to help businesses comply with The Digital Markets, Competition and Consumers Act 2024 (DMCCA) ("The Act"), ensuring "consumers should be given the information they need to make informed decisions, shop around and compare the prices of competing products".

Whilst the objective is laudable, the CMA's guidance adopts a rigid interpretation of the "reasonable calculable" principle in section 230 of The Act. The guidance posits that for a single event ticket, the total price, including any mandatory per-transaction fees, is always reasonably calculable and must be included in the headline price.

This interpretation ignores the unique nature of a per-transaction fee, which is levied once per basket, irrespective of the number of tickets purchased. The CMA's position suggests a fundamental misunderstanding of the operational and consumer-facing challenges posed by the guidance and creates a significant risk of implementing a framework that is not only impractical but is also counterproductive to the

legislative goal of clarity. The high stakes of non-compliance make it imperative that the final guidance is legally sound, operationally viable, and practically workable. The current draft fails that standard.

Drip-pricing vs partitioned pricing

The DMCCA's anti-drip pricing provisions are designed to combat the consumer harm caused by "the prohibited practice of showing consumers an initial headline price for a product which is not a total price" by introducing mandatory charges late in the process. The CMA is correct to identify this as an unfair practice.

However, the draft guidance conflates this deceptive practice with the legitimate and transparent strategy known as partitioned pricing, which the CMA defines as "the practice of providing the component parts of a price without giving the overall total", and it states "will generally be prohibited". While partitioned pricing *can* be used deceptively, when presented clearly and at the beginning of the process, it enhances transparency.

Levying a single fee per transaction is a logical method to cover the fixed cost of distribution. It allows the "face value" of the ticket - the price which is set by the promoter or artist for entry to the event - to remain distinct from the cost of the sales and distribution services. **This separation provides a clear and transparent allocation of what the consumer is paying for: one part for the experience, and another for the services of acquiring the ticket.** Forcing these two distinct cost categories into a single, indivisible price risks obscuring this important distinction.

It is our belief that the established practice within the UK ticketing industry, guided by advertising standards, is a form of transparent partitioned pricing, not deceptive drip pricing.

The resulting paradox

The fundamental flaw in the CMA's proposed implementation is that it forces a fixed, per-transaction component into a linear, per-item display. This creates a mathematical and psychological paradox that is profoundly confusing for the average consumer.

Under the CMA's model, a £50 ticket with a £5 per-transaction fee must be advertised as a £55 ticket. When a consumer adds a second £50 ticket, the total cost is £105, making an *average* price of £52.50 per ticket. A third ticket makes the total £155, and the average £51.67. This creates a non-linear pricing structure, where the average price per unit decreases as the quantity increases - a concept entirely alien to most retail experiences. It contradicts the CMA's goal that a price should be "realistic, meaningful and attainable".

Scenario	# tickets	Model A: Drip pricing	Model B: CMA 'all-in' proposal	Model C: Partitioned model
Setup		Face value: £50	Advertised price: £55	Advertised price: £50 + £5 booking fee
Purchase 1	1	Basket: £50 → Checkout: £55	Basket: £55	Basket: £55
Purchase 2	2	Basket: £100 → Checkout: £105	Basket: £105 (Average £52.50)	Basket: £105
Purchase 3	3	Basket: £150 → Checkout: £155	Basket: £155 (Average £51.67)	Basket: £155
Purchase 4	4	Basket: £200 → Checkout: £205	Basket: £205 (Average £51.25)	Basket: £205
Consumer clarity		Low (deceptive)	Low (confusing)	High (transparent)

This directly undermines a primary objective of the legislation. A consumer attempting to compare a ticket advertised at £55 from one vendor with a ticket at £52 **cannot make a like-for-like comparison without a complex investigation into each seller's pricing model.** This lack of comparability negates the benefits of upfront pricing and creates a market that is less, not more, transparent.

The risk: market distortion

Faced with this consumer confusion, the rational industry response will be to abandon the per-transaction fees and embed this cost into a single, inflated "face value" price for every ticket. This outcome, whilst compliant, would represent a significant step backwards for transparency and competition.

Firstly, it would obscure the true cost structure. A £55 ticket tells the consumer less than a £50 ticket plus a £5 service fee.

Secondly, it would distort market competition. The current model allows ticketing agents to compete on the efficiency of their service via the transaction fee. If all costs are bundled, this crucial point of differentiation is lost, making it harder for smaller, innovative agents to compete. This could lead to greater market consolidation, reduced consumer choice, and, ironically, higher overall prices as competitive pressures diminish.

Recommendations

1. The CMA should amend the draft guidance to explicitly recognise the legitimacy and transparency of the partitioned pricing model for mandatory per-transaction fees. Specifically, the guidance should state that a mandatory per-transaction fee must be presented clearly and prominently alongside the per-ticket price at the first invitation to purchase. This revision aligns with The Act's flexibility for prices that "cannot reasonably be calculated in advance" on a per-unit basis.
2. The CMA should engage in further, targeted dialogue with industry bodies, including the Society of Ticket Agents and Retailers (STAR), to develop a series of worked examples and case studies for inclusion in the final guidance.
3. If the CMA's final guidance retains the requirement to amortise per-transaction fees into a single headline price, it must provide a significantly extended implementation timeline of at least 24 months. This is essential for the fundamental re-engineering of software platforms and the renegotiation of complex pricing agreements with artists and promoters for events already on sale, preventing irreparable harm to the UK's live events sector.

