



5 August 2010

COMPPS' RESPONSE TO REVIEW INTO TICKET SCALPING, TICKET-ONSELLING AND CONSUMERS

Introduction:

There are five major aspects to the COMPPS' submission;

- we are opposed to scalping and profiteering;
- we are not opposed to authorised onselling of tickets;
- we are not opposed to onselling of tickets at face value where there is a valid reason for onselling;
- we seek and support legislation that is consistent, effective, simple and national;
- we are interested in being involved in discussions concerning an industry-wide solution to deal with scalping.

The care and attention that is taken by the sports in devising their ticketing strategies should not be underestimated. It is a key part of the strategic framework of each sport. We seek to ensure that tickets are affordable, accessible, competitive in price with other similar sports and entertainment events, and provide great value for money for purchasers, many of whom attend several of the events that are provided by the sports.

In some cases, the major strategic driver is not to maximise revenue. The collateral benefits of having a large and enthusiastic crowd flows through to areas such as sponsor satisfaction, merchandise sales, providing a great television spectacle and growing sustainable long-term supporters of the game. Affordable, highly discounted family tickets issued by several of the sports are the best example of this. Each of the sports sets its ticket prices so that it attracts a broad spectrum of supporters.

The emphasis on **optimising attendance** means that in many cases, the sports charge less than they would if they sought to **maximise revenue**.



1. We are opposed to Scalping and Profiteering:

The COMPPS members are opposed to the practice of ticket scalping or profiteering in which unauthorised third parties lawfully purchase tickets that are in short supply with the intention of onselling them to the public at prices that are highly inflated.

We are aware of the argument that scalpers are responding to market forces - scalpers buy tickets at below market value and onsell them at their true market value, thereby providing a service to those members of the public who are prepared to pay inflated prices.

We disagree with this argument.

If a purchaser is faced with the option of buying a ticket at face value or paying three or four times that price, the choice is obvious.

Attachment A shows examples of tickets from AFL, CA, TA and ARU being offered to the public at prices that far exceed the face value of the tickets. The ticket for the AFL Grand Final is being offered at a cost of \$1,299.00. This is a breach of the Major Sporting Events Act 2009 (Vic) under which the AFL Grand Final is a declared event. These tickets are not yet on sale and will be offered for sale in September at \$270.00. The ticket for the second day of the Ashes Test in Sydney on 4 January 2011 is offered for sale at \$350.00. These tickets are currently for sale on ticketek.com for \$130.00. The ticket for the Australian Open Tennis Men's Final is offered for sale at a cost of \$1,200.00 which is more than 3 times the public sale price. Tickets for this event are not yet on sale to the public. The ticket for the Bledisloe Cup match is being offered at a cost of \$350.00. This ticket offered through Ticketek is \$164.00.

Sports could adopt the same philosophy and issue tickets at the highest prices that the market can bear, thereby seeking to maximise revenue. This would deter scalpers because it would reduce their profit margins. Sports could also withhold tickets and enter the secondary market at a time that allowed them to charge a multiple of the face value because tickets were in short supply.

For example, Netball Australia conducts the Trans-Tasman Netball League. This year for the final in Adelaide, there was a clear expectation that demand would exceed supply and the event was sold to capacity with attendance of 9,000. Netball Australia could have withheld 500 tickets from sale through its agency and offered them for sale at a multiple of the face value through eBay or a similar facility.

The other sports have similar opportunities for marquee matches that are not caught by the provisions of the existing legislation.

From the sports' perspective, scalping has several negative impacts.

- a) It is a breach of the contract between the original purchaser and the sport;
- b) It takes advantage of and negates the impact of the strategic imperative of seeking to provide affordable tickets for major events for a broad range of Australians;
- c) Where large blocks of tickets are acquired by scalpers, tickets become unaffordable for many potential supporters;
- d) Where tickets are onsold in breach of the terms of the ticket and cancelled by the sport in order to enforce its rights, the purchaser is unhappy and the sport suffers reputational damage. Meanwhile, the scalper still achieves his or her objective of making a significant profit on the transaction;
- e) It increases the risk of counterfeiting;
- f) It impinges on event safety and security by reducing the ability of the sports to monitor and deter the attendance of undesirable individuals or groups.

COMPPS members have sought to reduce the incidence of scalping and profiteering. This has involved cancellation of tickets, litigation, enhanced ticket terms and conditions, and increased sophistication in the way in which tickets are marketed to the public.

Online sales have increased the difficulty for the sports in attempting to minimise scalping. The use of online sites and auction websites has provided a simpler mechanism and wider markets for scalpers to engage in their unauthorised activities.

Technological advances that provide different ways of issuing tickets and regulating admission to events are welcomed and will be implemented as and when they are available and their use is appropriate.

The COMPPS members will continue to oppose scalping and profiteering. COMPPS urge CCAAC to implement means to stop the practice of ticket scalping or profiteering.

2. We are not opposed to authorised onselling of tickets to the public through an authorised ticketing agency:

Sports have contractual arrangements under which tickets are provided to authorised third-parties who are entitled to onsell them as part of an agreed package in accordance with the terms and conditions outlined on the ticket for the purposes of corporate, travel,

accommodation and supporter hospitality. This provides a significant revenue stream to the sports in addition to the value of the ticket.

These authorised agencies are entitled by the terms of their contract to purchase tickets and provide additional benefits to create a package deal. It provides a service for supporters who seek an enhanced level of service at events.

3. We are not opposed to onselling of tickets at face value where there is a valid reason for onselling;

We recognise that circumstances will change so that a bona fide purchaser who intended to use a ticket, is no longer able to do so and seeks to sell that ticket. This might arise because of illness, work commitments or the failure of a favoured team or player to qualify.

COMPPS members do not oppose onselling in these circumstances. We believe however that such tickets should be sold at face value and through an authorised ticket-seller or alternatively, via a system that is created to facilitate this form of onselling.

4. We seek and support legislation that is consistent, effective, specific, simple and national.

We note the legislative provisions of the Trade Practices Act and the respective Acts of Victoria and Queensland and the differing legislative approaches that have been taken in different states.

The fragmented legislative framework dealing with this issue exacerbates the scalping problem as each COMPPS member organisation regularly conducts events in more than one state. The lack of nationally consistent regulations, makes the enforcement of the sporting organisations rights more complex as they have to deal with different regulatory bodies and varying legal and legislative requirements.

Our experience is that enforcement of our rights against scalpers who are gouging the market is cumbersome, expensive and difficult. It is often not cost effective to take action. The sports have a high level of frustration from not being able to enforce the terms and conditions on their tickets without supporting legislation that creates a specific offence of ticket scalping and profiteering.

COMPPS seeks a nationally enforceable approach that provides specific provisions that make it an offence to offer for sale tickets for sporting events at a price above face value

without the authority of the event owner/operator.

We welcome the introduction of the Australian Consumer Law and respectfully suggest that this Act may be an opportunity to enact effective legislation to deal with this issue.

5. We are interested in being involved in discussions concerning an industry-wide solution to deal with scalping.

As the major sporting stakeholder in relation to scalping, the COMPPS Members are supportive in principle of the formation of an industry wide solution to regulate this aspect of sport.

COMPPS appreciates the opportunity to make a submission to CCAAC.

For and on behalf of the members of COMPPS.



Malcolm Speed
Executive Director

Attachment A

Extracts from ticketing websites

Australian Football League

Cricket Australia

Tennis Australia

Australian Rugby Union

Australian Football League Grand Final

Ticketfinders.com.au - The Sold Out Specialists For Events - 2010 AFL Grand Final Tickets

3/08/10 2:44 PM

FINDER'S Sport tickets, Music tickets & Arts tickets

Search for a ticket here...

3 August 2010

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2010 AFL Grand Final Tickets

Available tickets

Ticket Information	Venue	Seating	Price	Quantity	Action
2010 AFL Grand Final Tickets Event date: 2009/08/09 Start time: 14:30:00	MCG	Category A Seats	\$1,200.00	<input type="button" value="Buy ticket"/>	
2010 AFL Grand Final Tickets Event date: 2009/08/09 Start time: 14:30:00	MCG	Category B Seats	\$1,100.00	<input type="button" value="Buy ticket"/>	

Are the tickets you are looking for not listed on our website? [Click here](#) to submit a request for your tickets of choice.

Featured tickets

Sport tickets
Music tickets
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Need assistance?

Can't find what you're looking for?
Contact one of friendly and helpful customer support agents.
Call +61 3 9 2334 6464
Our centre opening hours are 9am - 5pm (EST)
1300 3888 13 to email us

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Testimonials

Ticketfinders.com.au
Rock! We never thought we'd get tickets for Billy Elliot, but they came through [Click here](#) for more.

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Ticket Finders are independent ticket brokers. Ticket Finders are in no way affiliated with Tickster, Tickstermate, MyTicket or any other box office of the professional bodies or organisers of the events shown on the website [www.ticketfinders.com.au](#).
Prices will be above face value on many of our tickets. Please telephone us if you would like to know the face value.

<http://www.ticketfinders.com.au/sport/AFL2010Tickets/1762>

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Cricket Australia Ashes Test 2011

Ticketfinders.com.au - The Sold Out Specialists For Events - 5th 3 mobile Ashes Test Australia v England (Day 2) Tickets

3/08/10 2:35 PM

FINDERS SPORT TICKETS, MUSIC TICKETS & ARTS TICKETS

Search for a ticket here...

3 August 2010

Home Sport Tickets Music Tickets Arts Tickets Help Shopping Cart

5th 3 mobile Ashes Test Australia v England (Day 2) Tickets

Available tickets

Ticket Information	Venue	Seating	Price	Quantity	Action
5th 3 mobile Ashes Test Australia v England (Day 2) Tickets	Sydney Cricket Ground	Category A Seats	\$200.00	1 0	Buy ticket
Event date: 4/08/2010 Start time: 09:30:00					
5th 3 mobile Ashes Test Australia v England (Day 2) Tickets	Sydney Cricket Ground	Category B Seats	\$200.00	1 0	Buy ticket
Event date: 4/08/2010 Start time: 09:30:00					

Are the tickets you are looking for not listed on our website? [Click here](#) to submit a request for your tickets of choice.

Need assistance?

Can't find what you're looking for?
Contact one of
Ticketfinders' friendly and
helpful customer support team:
Call +61 2 8344 8444
Our centre opening hours are
9:00am - 5:00pm AEST.
[Click here](#) to email us.

Newsletter sign up

Enter your email address here.
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Submit your email address

Testimonials

Ticketfinders.com.au
Rock! We never
thought we'd get tickets
for Billy Elliot, but they
came through. Click
here for more.

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Ticket Finders are independent ticket brokers. Ticket Finders are in no way affiliated with Tickster, Ticketmaster,票务网 or any other box office of the professional bodies or organisers of the events shown on the website. [www.ticketfinders.com.au](#)

Prices will be above face value on many of our tickets. Please telephone us if you would like to know the face value.

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AUSTRALIA VS ENGLAND - FIFTH VODAFONE ASHES TEST

TICKET DISPATCH - IMPORTANT
No tickets will be dispatched until further notice. Currently it is estimated ticket printing will commence in mid September 2010, however please check this page for further updates and confirmation of printing dates.

Customers who purchase tickets via the internet or call centre can choose the required delivery method and once printing has commenced letters will be mailed where applicable. Customers who purchase tickets at a Ticketer Agency during the period of sale can choose to collect their tickets from a Ticketer City Box Office Agency once printing has commenced to collect their tickets. [Ticketek FAQ](#) for a list of Ticketer Agencies.

CRICKET AUSTRALIA TICKET LIMIT POLICY:
A maximum of five (5) tickets may be purchased within the following conditions:
• one person in any one transaction; AND
• one day of purchase.
i.e. If you purchase 5 tickets for a single day of cricket, you are not entitled to purchase any additional tickets for that day of cricket.

Any customer found to be over this limit will have their tickets cancelled. Ticketer will contact these persons to notify them of the ticket limit breach before the cancellation occurs.

Enquiries for bookings of 10 or more in the one instance need to go through the relevant group department. Please refer to the information on the right of this page.

2010/2011 International Cricket Season
The Ashes is one of the most anticipated matches in cricket and this instance will be Australia's first if they win the Ashes. The Ashes from England. We have now entered sporting history making mode.

SCALPING NOTICE: Tickets that are purchased from unauthorised third parties, or are sold in a premium, will be considered and therefore will not be returned back to the event. In accordance with the 2010/11 Codes, Australian Competition and Consumer Act 2010.

[View FAQ](#) for further information.

Terms & Conditions

Booking terms:
TICKETEK
Please Note - Booking terms are agreement with my tick ticketek.com.au

Box Office opening terms:
TICKETEK

Venue Information:
Sydney Cricket Ground, NSW

Platinum

Adult	\$130.00
Gold Master Thumper	
Adult	\$110.00
Family (2 Adult + 2 Jnr)	\$274.00
Gold	
Adult	\$110.00
Silver	
Adult	\$90.00
Concession / Pensioner	\$77.00
Juniors (4-15yrs)	\$57.00
Family (2 Adult + 2 Jnr)	\$219.00
Bronze	
Adult	\$80.00
Concession / Pensioner	\$76.00
Juniors (4-15yrs)	\$56.00
Family (2 Adult + 2 Jnr)	\$150.00
Midi Gold Non-Air	
Adult	\$110.00
Family (2 Adult + 2 Jnr)	\$274.00
Midi Silver Non-Air	
Adult	\$90.00
Concession / Pensioner	\$77.00
Juniors (4-15yrs)	\$57.00
Family (2 Adult + 2 Jnr)	\$219.00
Midi Bronze Non-Air	
Adult	\$80.00
Concession / Pensioner	\$76.00
Juniors (4-15yrs)	\$56.00
Family (2 Adult + 2 Jnr)	\$150.00

Tennis Australia Australian Open Men's Final 2011

Ticketfinders.com.au - The Sold Out Specialists For Events - Checkout

8/08/10 2:39 PM

FINDER'S Sport tickets, Music tickets & Arts tickets

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Your shopping cart

Welcome to the checkout section of the ticketfinders.com.au website where you can complete the purchase of your ticket(s).

Please check your ticket details below to ensure they are correct before proceeding.

If you would like to continue shopping for more tickets, please click on the button below. The current items in your shopping cart will still be available when you return unless you close your browser window.

[Continue shopping](#)

Step 1 / Check your cart items & order total

Ticket Details	Date	Time	Venue	Seating	Unit price	Quantity
Australian Open - Finals (8) Tickets	30/01/2011	16:00	Rod Laver Arena	Category A Seats	\$1,200.00	1
					Goods total:	\$1,200.00
Prestige and handling	Platinum Express Post Australia (\$7.00)				Postage total:	\$17.00
Freight charge:					Transaction Fee:	\$3.95
air price inclusion of Sales Tax					Order total:	\$1,222.95

Step 2 / Enter your details

Personal details

First name*	Last name*
Primary phone*	Mobile phone*
Email address*	Confirm email address*

Billing address

Address 1*	Address 2
City*	State/Province/Region*
Postcode*	Country*

Delivery address

Tick this box if your delivery address is the same as your billing address (above)

Address 1*	Address 2
City*	State/Province/Region
Postcode*	Country*

Agreement

By checking this box I agree that I have read and agreed to the Terms of sale and confirm that all of my details entered are correct.*
 Please keep me informed about upcoming hard to find TICKETS.

[I don't have to read the terms & conditions.](#)

Step 3 / Enter your payment details

<https://www.ticketfinders.com.au/Checkout.aspx>

100% ✓
Buyers'保障
[Click here to learn more](#)

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Contact one of many experienced customer support team.
Call +61 (0) 2 8344 6842

Call centre opening hours are 9 AM - 5:00PM AEST
1300 569 111 to email us.

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Book like never thought we'd get tickets for Billy Elliot, but they came through! **Q&A**
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Your purchase is protected by our trusted partners:

Australian Rugby Union
Bledisloe Cup 2010

From the Australian Rugby Union website:

Australia v All Blacks - Tri Nations Tickets (Bledisloe Cup Match 3)

Available tickets

Ticket information	Venue	Seating	Price	Quantity
Australia v All Blacks - Tri Nations Tickets (Bledisloe Cup Match 3) Event date: 11/09/2010 Start time: 19:00:00	Sydney	Category A Seats	\$350.00	<input type="button" value="Buy"/> <input type="button" value="Buy"/> <input type="button" value="Buy"/>
Australia v All Blacks - Tri Nations Tickets (Bledisloe Cup Match 3) Event date: 11/09/2010 Start time: 19:00:00	Sydney	Category B Seats	\$300.00	<input type="button" value="Buy"/> <input type="button" value="Buy"/> <input type="button" value="Buy"/>

(Add item)

Are the tickets you are looking for not listed on our website? [Click here](#) to submit a request for your tickets off plan.

Australia v All Blacks - Tri Nations Tickets in the 2010 Unilever Tri-Nations Tournament. Game ticket off at \$350.00 each.

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