



## Minister for Consumer Affairs

Level 6, 2 Kavanagh Street  
Southbank Victoria 3006  
GPO Box 123  
Melbourne Victoria 3001  
Telephone: (03) 8683 3219  
DX 212559

03 FEB 2014

Our ref: CD/14/22745

Senator Mark Bishop  
Chair  
Senate Economics References Committee  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Senator, *Mark*

### **INQUIRY INTO TICKET SCALPING IN AUSTRALIA**

I refer to your email dated 18 December 2013 to the Hon. Dr. Denis Napthine MP, Premier of Victoria, inviting a submission to the Senate Economics References Committee (the Committee) on the inquiry into ticket scalping in Australia (the Inquiry). The Premier has asked me to respond to your email on behalf of the Victorian Government.

The legislation in Victoria that covers ticket scalping includes the Australian Consumer Law (ACL) and the *Major Sporting Events Act 2009* (the Major Sporting Events Act).

As you know, the ACL is part of the national consumer protection framework that has been applied in all states and territories, including in Victoria under the *Australian Consumer Law and Fair Trading Act 2012*.

While the ACL does not specifically apply to ticket scalping, it prohibits misleading, deceptive and false conduct and representations in trade or commerce, and provides statutory guarantees for goods and services purchased by consumers.

The Major Sporting Events Act was introduced to assist with the safe and efficient staging of major sporting events and thereby contribute to making Victoria an attractive host destination for world class events. Among other matters, the Major Sporting Events Act deals with ticket on-selling.

Under the Major Sporting Events Act, if the Minister for Sport declares a sporting event to be subject to that Act, the event organiser must submit their ticketing scheme to the Minister for approval. Once the ticketing scheme is approved, it is an offence not to comply with the scheme and to on-sell tickets otherwise than as approved by the scheme.

I am advised that the number of issues reported to Consumer Affairs Victoria by consumers and event organisers about ticketing scalping in Victoria is low. This is consistent with the findings of the report in 2010 by the Commonwealth Consumer Affairs Advisory Council entitled *Consumers and the Ticket Market: Ticket on-selling in the Australian market* (available at [www.treasury.gov.au](http://www.treasury.gov.au)). The Advisory Council found that the incidence of unauthorised ticket on-selling in Australia, at that time, was low, and the number of on-sold tickets for popular events was low compared to the total number of tickets sold.

While a formal submission will not be made to the Inquiry, the Victorian Government is happy to assist the Committee with any queries it may have about the laws and issues in Victoria. Ms Marissa Bond, Senior Policy Adviser at Consumer Affairs Victoria, can be contacted on (03) 8684 6035 or [marissa.bond@justice.vic.gov.au](mailto:marissa.bond@justice.vic.gov.au), if further assistance is required.

I trust this information is of assistance, and I look forward to the Committee's report on this matter.

Yours faithfully,

**HON. HEIDI VICTORIA MP**  
**Minister for Consumer Affairs**