

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Budget Estimates
2017 - 2018

Division/Agency: Australian Competition and Consumer Commission
Question No: 56
Topic: Ticket scalping
Reference: Written
Senator: Ketter, Chris

Question:

What resources does the ACCC have available to devote to enforcing consumer laws in the area of ticket scalping including the referral from Choice, and what plans does the Government have to address this problem?

Answer:

Ticket scalping and reselling is not illegal under State or Commonwealth legislation but there are certain restraints in some jurisdictions and in relation to certain events.

The ACCC is unable to take any action in relation to ticket reselling unless a breach of the *Competition and Consumer Act 2010* or the Australian Consumer Law (ACL) can be established. Concerns may arise under the ACL in certain circumstances including where resellers do not make it clear that it is a reseller rather than the primary seller or where resellers mislead consumers as to the price of tickets including through the incremental disclosure of fees or charges not included in headline prices (referred to as drip pricing).

Any questions relating to policy options for addressing ticket scalping should be directed to the Treasury.