



department for  
**culture, media  
and sport**

# Consultation on Ticketing and Ticket Touting 19 February - 15 May 2009: Summary of Responses and Government Response

February 2010

Our aim is to improve the quality of life for all through cultural and sporting activities, support the pursuit of excellence, and champion the tourism, creative and leisure industries.

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## Section 1: Introduction

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We were very pleased with the response we had to our consultation on ticketing and ticket touting and are grateful to all who took the trouble to respond. It is valuable to have the professional, considered views from those large and small organisations involved in ticketing cultural and sporting events across the country: but we were especially pleased to have had such a good response from members of the public, who, after all, are the ones who support these important sectors by attending gigs, festivals, shows and sporting events. Without them none of these industries would survive.

At the House of Commons Select Committee hearings in 2007 we heard the views of the various players in the ticketing industry. Our consultation again solicited the industry's views in this changing market: but we gave particular emphasis to receiving the views of the ticket-buying public.

Having taken all this into account, we have decided that the best way forward is to encourage a strong, self-regulated primary market, but one that recognises the need for a healthy and safe secondary market.

We welcome the already evident change in the primary ticketing industry, where there has been a shift to understanding and acceptance of the secondary market. This brings the industry more into line with the views of the public who broadly favour a healthy secondary market, and provides greater opportunities for acquiring tickets to popular events.

We also welcome the moves made by sports bodies to facilitate the acquisition or exchange of tickets for fans. Premier League football clubs continue to expand authorised ticket exchange schemes, and the England and Wales Cricket Board have provided an official ticket exchange service that they themselves control, thus ensuring a healthy and available secondary market for fans. We warmly welcome these innovations and we would like to see further firm action by sporting and major events to continue this process.

However, we also look to a strongly self-regulated primary market to continue to improve the lot of the ticket buying public. Specifically, we look forward, in the near future, to industry guidelines and codes of practice, as are being produced by industry umbrella organisations such as the Society of Ticket Agents and Retailers (STAR). The Government will support any initiatives that improve the way the public can acquire tickets, be it through primary sellers or through a legitimate and healthy secondary market.

We look to that market to act responsibly and in the interests of the public: and we especially urge secondary sellers to show respect and restraint when considering sales for certain charity events and those events where there is free admission. We naturally want to ensure that the secondary market provides the strongest possible safeguards for the public and the Government will, if necessary, act to improve these.

In fact, we will want to ensure that improvements continue to be made across the board. The Government will continue to assess the position. While we prefer that the industry takes its own measures to ensure the public receives the best possible service, we will not rule out taking action if the industry fails to do this.

**Gerry Sutcliffe**

**Minister for Sport, January 2010**

## Section 2: The Consultation

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Prior to, during and after the three month consultation period (19 February to 15 May 2009), we visited or had meetings with key stakeholders with ticketing interests.

The consultation questions (complete list at **Annex B**) covered four main areas:

- Principles for primary sellers;
- Secondary sales;
- Better consumer information and service (including new ticket return/exchange facilities for football tickets); and
- Events of outstanding national significance.

Around 100 responses from the public were received via the online questionnaire. A list of the 45 organisations who responded electronically and in writing is at **Annex A**.

Most organisations responding to the consultation had already submitted similar evidence to the House of Commons, Culture, Media and Sport Committee on Ticket Touting in 2007 (report published 10 January 2008<sup>1</sup>). But the Select Committee hearing was industry oriented and we wanted to hear views from members of the public as well.

Some of the views expressed were backed up by our own research<sup>2</sup> on the ticketing market where it overlapped with the consultation.

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<sup>1</sup>

<http://www.publications.parliament.uk/pa/cm200708/cmselect/cmcmds/202/202.htm>

<sup>2</sup> [www.dcms.gov.uk](http://www.dcms.gov.uk)

# Section 3: Summary of Responses to the Consultation

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## Introduction

Around 100 responses from the public were received via the online questionnaire. A list of the 45 organisations who responded electronically and in writing is at **Annex A**. The consultation questions are at **Annex B**.

Responses were more or less as predicted. Most organisations responding to the consultation had already submitted similar evidence to the House of Commons, Culture, Media and Sport Committee on Ticket Touting in 2007 - report published 10 January 2008<sup>3</sup>. Organisations' responses were also consistent with views expressed in our discussions with them. Again, public views were consistent with Departmental correspondence we had been receiving and 'blogs' that arose on websites hosted by the media in response to the consultation launch on 19 February. Some of the views expressed were backed up by our own research on the ticketing market where it overlapped with the consultation.

## New principles for primary sales

Opinion was divided on questions posed throughout most of the consultation but there was near unanimous agreement that new and tighter principles for primary sales and distribution of tickets were needed to improve consumer access to events and to help ensure safer and fairer distribution. One responder thought there were so many variables that a code of principles would not be practical. One promoter commented that "the ticketing market is complex and resists apparently simple solutions."

Measures supported included named tickets, bar coded tickets, paperless tickets, easier exchanges/returns and returns that included refund of the booking fee. But there were also concerns: on grounds of the increased complexity of obtaining tickets,

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<http://www.publications.parliament.uk/pa/cm200708/cmselect/cmcmds/202/202.htm>.

resulting in longer queuing times and the difficulty for fans to pass tickets to family members or friends; and where measures were being used, effectively, to limit transfer of tickets and thereby block secondary sales. There was low support for the staggered release of tickets and for the issue of tickets at higher or variable prices, including auction of some of them through primary distribution channels.

Measures considered practical depended on the size of the organisation concerned, resources available, objectives for the event and marketing considerations, including cost. There was criticism of how little the consultation paper had to say about the size of corporate allocations relative to the secondary market and concern was expressed at the extent of this practice. One consumer called for greater allocation of tickets to fans with a history of support and less for corporate hospitality 'as this leads to reduced atmosphere at events when the corporates arrive late, leave early and are away eating.'

There was a suggestion that there should be authorised resale windows provided by event organisers to enable fans to resell tickets much closer to the event. Another comment was that more convenient release times for tickets, such as weekends and lunchtimes, could be found. One consumer pointed out that the majority of sales began on a Friday morning when most people were at work – by Saturday the best tickets were sold, often to reappear on the secondary market. Another consumer thought if you had 'between one and three unwanted tickets for whatever reason, you should be entitled to sell them for whatever you can get for them' – but they objected to people who 'buy up hoards of tickets, cause a scarcity, and ramp up the price, in order to profiteer.'

Concern was also expressed at the growing trend of charging premium prices for the best tickets in a venue. This was partly a response to the growth of online ticket touting where consumers had demonstrated a willingness to pay a premium. Promoters responded by securing some of that revenue for the artist through the issue of premium tickets through authorised agents while remaining sensitive to fans' needs. As one promoter put it: "...event promoters should agree a code of practice on marketing premium tickets to ensure consumers are not inadvertently misled."

A secondary seller commented that "the only universally-accepted philosophy seems to be that event organisers and promoters should be free to do whatever they wish. A notable example, for instance, is the practice of 'back-filling' whereby for an in-demand event – unbeknownst to the consumer – the worst tickets are sold first. This means that the keenest fans of a particular event, the ones most likely to buy tickets first, are penalised."

### *STAR and code of principles*

There were mixed responses concerning the management and development by the Society of Ticket Agents and Retailers (STAR) of a code of principles for the events and ticketing industry. There was uncertainty whether the code would be extended to

secondary sellers. Ticketmaster (a STAR member) was clear that the code 'should be revised to encompass secondary market players as well.' As well as support for STAR's role in producing a new code, there were concerns about its size and effectiveness and how representative this mainly theatre focussed body was of the industry as a whole. While some of the primary sellers in STAR also acted for sports bodies they did not set the ticketing policies for sports or promoters. There were suggestions that STAR act in conjunction with other appropriate bodies such as the Concert Promoters Association and CCPR (Central Council of Physical Recreation). A theatre promoter commented, "It is run by ticket sellers and ticket agents when surely it needs to be run by the venues and promoters as they are the ones who own the tickets?"

## Secondary sales

### *New regulations*

A range of views was expressed. While most thought it was not inappropriate to introduce new regulations, secondary sellers thought the opposite. A typical comment from the public was that 'tickets on resale sites a few minutes after the primary sale period has started should be banned.' Some consumers, however, wrote on a blog site on the launch date of the consultation that touts had been helpful – 'Getting last minute tickets...from a tout was an unexpected pleasure.' One secondary seller's view was that once a person had bought a ticket it was their property and they should be allowed to sell it if they wished. There was general concern about fraudulent activity but regulatory authorities commented that there were sufficient civil and criminal remedies covering the situation as it is now.

### *Voluntary restriction of ticket resale for events of outstanding national significance*

There was a low response from the public (who were equally divided) on the issue of voluntary restriction of ticket resale for events of outstanding national significance. Overall, there was little appetite for voluntary restraint with most doubting a voluntary scheme would work. One of the consumer organisations thought such events would be difficult to define.

### *Release dates of tickets and staggering quantities sold*

It was felt that there was disadvantage in staggering the sales of tickets, which would increase marketing costs and could serve to confuse fans. It was important that there was transparency so that fans knew exactly what tickets would be released and when. One consumer commented: "If tickets are released too close to the event, while it would make things more difficult for resellers, it would also make things more difficult

for those booking travel, hotels, etc.” Ticket release dates might be tied in with advertising campaigns and promoters and their agents needed the freedom to make their own choices based on market considerations. Some organisations chose to issue their tickets close to the event time to reduce the risk of forgeries.

### *How secondary sales should be carried out*

Information about the actual release date, policy on returns/exchanges and additional costs such as booking fees and postage were all considered important. The following were also important to know: the location and face value of tickets; and terms and conditions (especially whether they were transferable or not, which could prevent admission in some cases). There were suggestions that there should be a cap of around 10-15% on how much people could resell tickets for on top of the face value of tickets. One entertainment organisation thought that “some of the proceeds of secondary ticketing should go back directly to event organisers.” Another organisation thought it “...unfair for third parties to make millions out of concerts when none of the proceeds returns to the people whose artistry creates the event” and suggested that a levy be collected from ticket brokers, who subscribed to the code of practice, which would be distributed to the artists performing the concert. However, it was conceded that this might only work as a safety net and that artists and promoters are increasingly benefitting from premium deals - where the proceeds from the sale of prime position seats at uplifted prices are going to the artists or promoter rather than to a third party broker. One promoter believed “it may be worth examining whether it is possible to declare ‘exclusion zones’ around venues which make it a specific offence to trade tickets on the street.”

“I mainly have experience of street purchase where issues like seat location are not an issue as you can see what you are buying. I do believe that all secondary sellers online should supply details of the original ticket purchase in the event of a cancellation so that a refund can be obtained.”

“I don’t think that ticket touting should be banned they should be replaced with licenced ticket vendors.”

“I do not understand why an automated online service should still charge a booking fee for a ticket I process and print at home myself”

“Transparency and clarity are key – we need more of this but not limits as to who/when/what people should be allowed to buy.”

## Better consumer information and service

### *Role for Government and other organisations*

Nearly all organisations agreed there was a need for better information from Government - also in partnership with the ticketing industry; and from Consumer Direct. But only slightly more members of the public agreed there was more need for Government involvement than were against.

“I have never used Consumer Direct, the OFT or Government to get information regarding event information, as the majority of the time I go directly to the original source to purchase tickets and EXPECT to be given all the relevant information before purchasing any tickets. Although these other resources are obviously available, I do not feel it is their responsibility to provide it. It should be the responsibility of the vendor. If the vendor cannot provide these very basic details, then they should not be trusted in my opinion”

Several respondents suggested that the search engine companies be encouraged to remove from their search engines links to sites identified as fraudulent – “a very common perception is ‘if a site is listed on Google it must be OK.’ “

Other comments included: “...ultimately, it is pretty obvious which sales are legitimate and which are not. Look out for the ripoff prices.”

“I think consumers, perhaps through the use of an advertising campaign should be made aware that there are unscrupulous operators out there who are clearly out to rip them off.”

### *Information needed*

The following were all considered important when buying tickets:

- that the seller complied with a Government endorsed code of principles;
- that the seller had been granted a 'quality mark';
- how to recognise agents that may not be legitimate or do not have appropriate systems in place to deal with consumer redress;
- precise details of ticket value, seat location and whether there is any restricted view; having a proper returns and exchange policy in place; and
- entitlement to full refund of all monies in the event of cancellation.

Comments from the public included:

- “Incredible (and rising) often hidden, booking and convenience fees”
- “Consumers should simply open their eyes”

A promoter commented:

- “We support the idea of some sort of ‘kite mark’ for ticketing agencies (whether primary or secondary) who have met appropriate standards for transparency and fairness, and who sign up to the code agreed...”

### *How information should be disseminated*

Most thought the event organiser or authorised agent should provide the relevant information, followed by the Office of Fair Trading, consumer organisations, Consumer Direct, and the Government.

### *Avenues for complaint*

Most had complained to the event organiser, authorised agent or the secondary seller with very few complaints going to local trading standards, consumer Direct or Government.

Comments included:

- “It was impossible to get any kind of response from the organisation.”
- “My experience of local trading standards is excellent and would recommend them to be used with any issue of fair trading.”

### **Improved ticket return/exchange facilities for football matches**

There was large support for improved return/exchange facilities for football tickets (both match day tickets and season tickets to improve opportunities of access to fans. Examples of best practice mentioned included those of Arsenal, Aston Villa, Bolton Wanderers, Chelsea (via Viagogo), Manchester United (via Viagogo), Tottenham Hotspur, and Club Wembley.

The Football Authorities (FA, Premier League and Football League) welcomed this proposal, noting that there were already such schemes operating at 13 Premier League Clubs. They felt, however, that exchange schemes were not necessarily appropriate for every football club, given that they are designed for scenarios where matches are sold out. There was unlikely to be demand for such a scheme for those clubs where it was possible on most occasions to buy a ticket on match day. It would also be difficult to build and operate exchange schemes that could cope with the staging of matches at short notice, such as the Football League play-off finals.

The Football Authorities undertook to 'continue to promote where appropriate the further introduction of these schemes and monitor the progress of existing arrangements.'

## **Events of outstanding national significance**

### *Should there be voluntary restraint?*

There was no overwhelming call for this. Around half of the public responses thought there should be some kind of restriction on secondary sales or voluntary restraint. Nearly all the sport organisations agreed (although the much more preferred option was for legislation as for football and the Olympics), while nearly all secondary sellers thought, as they had said previously to the Select Committee, to DCMS and as articulated in the press, that there should be no restraint apart from certain free and charity events. Live entertainment and venues were split on the issue of voluntary restraint.

### *Criteria for determining events of outstanding national significance*

Slightly over half of respondents selected all three of the following criteria:

- The right to host the event in the UK has been won after an international bidding or similar process – e.g., sporting World Cup events;
- The event has particular national resonance determined by its one-off nature (such as 50<sup>th</sup> Anniversary of VE Day in May 1995);
- Free charity events (such as concerts).

Examples given by the public of events that were thought to meet the criteria included: New Year celebrations in Edinburgh; one off, single location events; royal events; international sport in general and major cup finals; Wimbledon; the Olympics; special mega-concerts; Last Night of the Proms; all charity concerts and fund raising shows; historic events and anniversaries of ends of wars.

Sports organisations thought, almost universally, that their own sport should be considered an event of outstanding national significance such as the Wimbledon Tennis Championships; Cricket, Rugby and Football World Cups; and races such as the Grand National, the Derby and Royal Ascot. The following were also considered as meeting the criteria: World Championships where a bidding process had been undertaken; events listed under Part IV of the Broadcasting Act 1996; and other events determined by the Secretary of State. Sports organisations comments included:

- “We feel it is unrealistic to expect a voluntary code to work.”
- “.....the ticket touting legislation that covers football should be extended to other major sporting events. This legislation should include touting on the internet. “

### *Who should decide?*

Most thought an independent panel of experts should decide which events met the chosen criteria, followed by the Secretary of State for Culture, Media and Sport and another individual/group. One suggestion was that the Secretary of State should make the final decision but should take advice from UK Sport Major Events Panel.

### *Other comments on proposals for events of outstanding national significance*

From the public:

- “The idea of a special group for outstanding national significance is a nonstarter. All this would create would be arguments about whether or not an event reached this classification or not.”

From consumer and regulatory organisations

- “We believe that it is too difficult to define events of outstanding national significance and that if there were sufficient checks and balances in the market, intervention in relation to specific areas would be unnecessary.”
- “Many touts – especially those who operate from websites based abroad – would be unlikely to adhere to any voluntary restraint.”

From primary sellers:

- “...further regulation, voluntary or not, would serve no practical purpose and would lead to driving secondary ticketing underground...”

Any ban on resale, whether voluntary or not would also require a large amount of enforcement resources, and exacerbate consumer protection problems. This has been clearly shown in the way in which football tickets are still resold despite legislation having been in force for a number of years.”

From promoters, event organisers and venues:

- “...we do not believe that voluntary measures for such events will work.”

From secondary sellers

- “Existing legislation banning the resale of football tickets in the UK has been a failure. It is difficult, therefore, to see how restrictions on the resale of events of ‘outstanding national significance’ would succeed...”
- “...we cannot support a voluntary ban on resale for sporting and cultural events, whether of outstanding national importance or not.”

These responses show no appetite, therefore, for a system of voluntary restraint on the resale of tickets for events of outstanding national significance.

## Section 4: Government Response

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### General Legislation

On careful consideration of the views and evidence presented to us the Government has decided to maintain its existing policy that regulation of the primary and secondary ticketing market must be a last resort.

As stated in the consultation document, we believe that there are strong consumer protection and access issues that need to be balanced against the unfettered operation of market forces. We wish to avoid the use of new legislative measures which could mean greater burdens for the events industry and sanctions against market participants and be against the interests of consumers.

There is already legislation covering fraud and enforcement authorities such as the Trading Standards Services and Metropolitan Police e-crimes Unit will take action where appropriate. The latter, for example, took action this summer against over 100 websites offering football tickets fraudulently<sup>4</sup>. Preventative measures have included the Office of Fair Trading launching a campaign on 10 September 2009 to raise awareness of ticketing scams<sup>5</sup>.

### Events of outstanding national significance

The Government has decided not to go forward with the proposed system of voluntary restraint on the resale of tickets for events of outstanding national significance. The proposed system was described in consultation responses as confusing and unworkable. In any case, secondary sellers were unwilling to support such a scheme

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[http://cms.met.police.uk/news/major\\_operational\\_announcements/illegal\\_football\\_ticket\\_websites\\_shut\\_down](http://cms.met.police.uk/news/major_operational_announcements/illegal_football_ticket_websites_shut_down).

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[http://www.consumerdirect.gov.uk/watch\\_out/Commonscams/ticketscams/index;jsessionid=3627A6B3E14B776A5966165161ED7904](http://www.consumerdirect.gov.uk/watch_out/Commonscams/ticketscams/index;jsessionid=3627A6B3E14B776A5966165161ED7904)

but there was support for agreeing not to resell free tickets such as for charity concerts or memorial events. Such a scheme could be incorporated in the proposed code of principles (see further below).

## **New code of principles/practice**

In our consultation document we said that Government has consistently preferred market-led solutions. We welcome and support, therefore, STAR's (Society of Ticket Agents and Retailers) ongoing work in managing and developing a new Code of Practice in the coming months.

We wish to encourage as many organisations as possible, including both primary and secondary sellers, to sign up to the Code. There may also be scope for a 'kite mark' for those who sign up to the Code, demonstrating they have met appropriate standards.

Similarly, we would wish those who are not currently members of STAR to sign up to the Code if they felt able to, or, perhaps, adopt a similar code of their own. OFT have produced guidance on OFT approved codes of practice<sup>6</sup>.

It will be for the industry to decide what should be in the new Code or a similar set of principles. Consumer and other views expressed in this consultation and the research (Europe Economics, 14 September 2009) published with the consultation responses should help inform that process.

## **Ticket return/exchange facilities for football matches**

We note the Football Authorities' (FA, Premier League and Football League) comments that there are already such schemes operating at 13 Premier League Clubs and welcome their undertaking to 'continue to promote where appropriate the further introduction of these schemes and monitor the progress of existing arrangements.'

While we accept that it may not be practicable to extend such schemes to all clubs, we will be looking to see increased take up.

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<sup>6</sup> [http://www.of.gov.uk/shared\\_of/Approvedcodesofpractice/oft390.pdf](http://www.of.gov.uk/shared_of/Approvedcodesofpractice/oft390.pdf)

## Better consumer information and service

Government considers that the industry itself is best placed and has the necessary expertise to provide day-to-day consumer information. The point of contact for detailed information about events will, as ever, be the venue itself, box office or website.

Government and/or regulatory authorities such as Trading Standards, the Office of Fair Trading and Consumer Direct will continue to keep consumers informed of their rights and warn them about ticket scams and any other harmful activities. The Office of Fair Trading, for example, launched its 'Just Tick It' campaign<sup>7</sup> on 10 September 2009, warning consumers about fraudulent ticket websites and Consumer Direct has provided further advice<sup>8</sup> on scam ticket websites.

In the first instance, consumer complaints should be addressed to the ticket agent or venue responsible for providing tickets. Complaints should be dealt with in accordance with the organisation's Code of Practice (OFT approved codes should operate to a higher standard of customer protection than the law requires).

It should also be mentioned that consumers themselves are describing their ticketing experiences on the Internet. This activity provides useful feedback on the performance of the industry, warnings about websites that are suspect and advice on the availability of tickets.

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<sup>7</sup> <http://www.offt.gov.uk/news/press/2009/112-09>

<sup>8</sup> [www.consumerdirect.gov.uk/ticketscams](http://www.consumerdirect.gov.uk/ticketscams)

# Annex A

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## List of organisations who submitted written responses

Advertising Standards Authority  
AEG Live  
All England Lawn Tennis Club  
AKA Promotions Ltd  
Ascot Racecourse Ltd  
Association of Secondary Ticket Agents (ASTA)  
Banchory Music  
Bristol Ticket Shop  
CCPR (Central Council of Physical Recreation)  
Concert Promoters Association Ltd  
Consumer Focus  
Delfont Mackintosh Theatres  
eBay  
England and Wales Cricket Board (ECB)  
Festival Republic  
Football Association/Premier League/Football League  
Football Safety Officers Association  
G4S Security Solutions  
Glasgow's Concert Halls  
Live Nation  
Local Authorities Coordinators of Regulatory Services  
London Trading Standards Authorities (LoTSA)  
Music Managers Forum  
Needtickets.com  
The O2, Commercial Protection Unit  
The Racecourse Association Ltd, Ascot  
Resale Rights Society  
Royal Shakespeare Company

Rugby Football League  
Rugby Football Union  
Scarlet Mist  
Seatwave  
Society of London Theatre  
South Yorkshire Police  
Society of Ticket Agents and Retailers (STAR)  
Ticketmaster  
Theatremonkey  
The Ticket Factory  
Trading Standards Institute  
University of Salford  
University of Winchester  
Viagogo  
Walsall Football Club  
Wembley Arena  
Wolverhampton City Council, Civic Halls

# Annex B

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## Questions from Chapter 5 of Consultation Document

You are invited to comment on any aspect of the consultation document. However, the Government would particularly like answers to the questions below, which address the key areas set out in this paper.

### Question 1. Principles for primary sellers

Most events sell some tickets direct to the public (at box offices, in person, via the telephone or over the internet). Tickets sold through primary distribution channels are normally sold at a fixed face value and additional fees are often added to cover the ticket agents' costs as well as postal and credit card charges.

However, the Government's wish for improved access by consumers to sporting and entertainment events, together with greater consumer protection, will necessitate an examination of how primary sellers provide this access through distribution and allocation systems. The Government expects the events industry to adopt new principles to improve this access (see Chapter 2). Innovation, coupled with stricter distribution and allocation measures under a set of guiding principles, should improve the opportunities for consumers to purchase tickets at source and limit the opportunity for these measures to be undermined.

Those event promoters and ticket agents signed up to and operating under a code of principles in this way, will also provide the consumer with confidence that the consumer is purchasing a ticket from a reputable organisation, and this can be promoted to consumers, along with cautions that buying elsewhere could mean the consumer is taking a risk.

Please put an **X** in the box next to the answer you agree with.

**Q1a: Do you agree that new and tighter principles for primary sales and distribution of tickets are necessary to improve consumer access to an event?**

yes [go to Q1b]

no [go to Q2]

[If yes to Q1a]

**Q1b: The following may help ensure safer and fairer distribution of primary ticket sales. Please indicate which you believe would be: i) practical ii) affordable and iii) effective.**

[Multiple choice – more than one answer per row allowed. Please mark all boxes that apply]

**Q1c: Please provide examples of your experience of using these proposals, or tell us how else you might introduce stricter measures. What else would you expect to see set out in a code of principles?**

Members of the Society of Ticket Agents and Retailers (STAR) already follow a code of practice, including: undertaking to state the face value of tickets and related booking fees up front; to highlight terms and conditions, including transferability, cancellation and viewing restrictions; and ensuring that in the event of cancellation, all monies including the booking fee are returned to the consumer. STAR also represents a significant number of event promoters and their commercial partners (ticket agents and venues). The Government is not aware of any other trade association that performs this role to the same extent. The Government recognises that membership of STAR does not include the sport governing bodies. However, STAR does represent primary ticket agents who are commercial partners to many sporting bodies.

Therefore, the Government is minded to ask STAR to adopt the code of principles and work with the industry to develop and share best practice and identify how best to promote the code to enable consumers to shop with greater confidence.

**Q1d: Do you agree that STAR is the right organisation to manage and develop a code of principles for the events and ticketing industry? What might be an alternative?**

## **Question 2. Secondary sales**

This question concerns legal secondary resale of tickets, which now takes place for the most part on the internet (see para 1.6 in consultation document).

The Government believes that legislation to restrict resale in this marketplace is unnecessary and could give rise to unintended consequences, potentially exposing consumers to greater harm. The

Government considers greater information and awareness for consumers shopping in this marketplace is required which would limit consumers' exposure to illegal practices.

Existing legislation is for very specific purposes, most notably in football for reasons of public disorder. The Government believes that it is inappropriate to extend legislation like this to other events outside these very specific circumstances. However, the Government does recognise that there are some events that have such resonance with the public that it might be appropriate to facilitate a voluntary prohibition of ticket resale to help these events maximise public access (see Q4).

**Q2a: Do you agree that it is inappropriate to introduce new regulations in this marketplace?**

[If yes, go straight to Q2b]

No [please comment in the box below]

**Q2b: Should resale be restricted for events of outstanding national significance on a voluntary basis (see Q4 and paragraph 3.20 in the consultation document)?**

Yes No

**Q2c: Should promoters or their agents release tickets much closer to the actual events or stagger the quantities released at any one time to encourage purchase at source?**

Yes No

[If yes to Q2c, please answer Q2d, if no skip to Q2e]

**Q2d: What should the interval be between release of tickets and events? [Please comment in the box below, then go to Q2e]**

**Q2e: Which of the following details are the most important to you and should be displayed more clearly by secondary sellers? [Then go to Q2f]**

[Tick all that apply]

Actual release date of tickets

Policy on returns/exchanges

Additional costs such as booking fees and postage

**Q2f: Please provide examples of your experience of using any of**

**these proposals, or tell us how else you might carry out secondary sales**

**Question 3. Better consumer information and service**

There is already legislation covering consumer protection (See 2.11 – 2.16 and Chapter 2) but events have shown there is more scope for ensuring consumers are armed with better information on legitimate sales and how to avoid those that are not. How might the Government and consumer organisations explain this to consumers more effectively? Would a code of principles help in this regard?

**Q3a: Should the Government have a role in better informing the consumer?**

Yes

No

If yes, please comment on what additional information you would like to see provided by the Government in this area.

**Q3b: Which of the following do you think it should be important for the consumer to know when buying tickets?**

[Tick all that apply]

That the seller complies with a Government endorsed code of principles;

That the seller has been granted a 'quality mark';

How to recognise agents that may not be legitimate or do not have appropriate systems in place to deal with consumer redress;

Precise details of ticket value, seat location and whether there is any restricted view;

Having a proper returns and exchange policy in place;

Entitlement to full refund of all monies in the event of cancellation.

**Q3c: How should consumers get this information?**

[Tick all that apply]

From the event organiser or authorised agent  
From consumer organisations  
From Consumer Direct  
From the Office of Fair Trading  
From the Government

**Q3d: Please provide examples of your experience of using any of these proposals, or tell us how else you might provide better information to consumers**

**Q3e: Have you complained to any of the following about how your ticketing arrangements were handled?**

[Tick all that apply]

Event organiser or authorised agent  
Secondary seller  
Local Trading Standards  
Consumer Direct  
Other consumer organisation such as Which?  
Office of Fair Trading  
Government

**Q3f: Please provide examples of your experience of using any of these organisations or suggest alternatives.**

## **Tickets for football matches**

The law currently prevents unauthorised resale of tickets for football matches on the grounds of public disorder. The law does not prevent resale or reallocation of tickets within an authorised framework, yet such opportunities for football matches are currently very limited.

**Q3g: Would new ticket return/exchange facilities for football tickets (both match day tickets and season tickets) improve opportunities of access to fans?**

Yes

No

**Q3h: What best practice currently exists and how easy would it be to replicate these systems for other clubs (and minimise opportunities for illegal touting)?**

#### **Question 4. Events of outstanding national significance**

These are events which secondary agents would agree not to resell tickets for (see 3.20). The Government is minded to facilitate a voluntary code of best practice for events of outstanding national significance that would not be sold or resold except by authorised agents. The rationale underpinning this is that extending existing legislation to prohibit resale for these events would be inappropriate as such events do not meet the same conditions that necessitated regulatory or Government controls. However, there is scope for a voluntary system of restraint to work and event organisers and primary sellers would have to tightly control the sale of their tickets under a set of principles in order to qualify for such status. This would mean a far greater number of tickets reaching the consumer at source. For secondary agents to voluntarily prevent the resale of such tickets would help the reputation of their businesses and lend recognition that some events are a special case and it is appropriate to remove the normal commercial incentives present on the secondary market. We envisage a very limited number of events of outstanding significance would meet such criteria.

**Q4a: Do you think there should be voluntary restraint by secondary sellers on the sale of tickets for events of outstanding national significance?**

Yes

No

**Q4b: Which of the following criteria should determine which events are of outstanding national significance?**

[Tick all that apply]

The right to host the event in the UK has been won after an international bidding or similar process – e.g. sporting World Cup events.

The event has particular national resonance determined by its one-off nature (such as 50th Anniversary of VE Day in May 1995).

Free charity events (such as concerts).

**Q4c: Please provide specific examples of events that you think meet these criteria, or suggestions of other criteria/events (but not football matches, for which specific legislation exists: para 2.21 of consultation) that should be considered**

**Q4d: Who should make the final decision on which events meet the chosen criteria?**

[Tick only one]

Secretary of State for Culture, Media and Sport

An independent panel of experts

Another individual / group [please provide detail in Q4e]

**Q4e: Please provide any other comments on the proposals for events of outstanding significance**





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