

Submission template

Ticket reselling in New Zealand

Instructions

This is the detailed submission template for the discussion document, *Ticket reselling in New Zealand*.

The Ministry of Business, Innovation and Employment (MBIE) seeks written submissions on the issues raised in the discussion document by 5pm on **18 April 2019**. Please make your submission as follows:

1. Fill out your name, organisation and submitter category in the table, “Your name, organisation and submitter category”.
2. Fill out your responses to the consultation document questions in the table, “Responses to discussion document questions”. Your submission may respond to any or all of the questions in the discussion document. Where possible, please include evidence to support your views, for example references to independent research, facts and figures, or relevant examples.
3. We also encourage your input on any other relevant issues in the “Other comments” section below the table.
4. MBIE intends to upload PDF copies of submissions received to MBIE’s website at www.mbie.govt.nz. MBIE will consider you to have consented to uploading by making a submission, unless you clearly specify otherwise in your submission.
5. When sending your submission:
 - a. Delete these first two pages of instructions.
 - b. Include your e-mail address and telephone number in the e-mail or cover letter accompanying your submission – we may contact submitters directly if we require clarification of any matters in submissions.
 - c. If your submission contains any confidential information:
 - i. Please state this in the cover letter or e-mail accompanying your submission, and set out clearly which parts you consider should be withheld, together with the reasons for withholding the information. MBIE will take such objections into account and will consult with submitters when responding to any requests under the Official Information Act 1982.
 - ii. Indicate this on the front of your submission (e.g. the first page header may state “In Confidence”). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).
 - iii. Please provide a separate version of your submission excluding the relevant information for publication on our website (unless you wish your submission to

remain unpublished). If you do not wish your submission to be published, please clearly indicate this in the cover letter or e-mail accompanying your submission.

Please note that submissions are subject to the Official Information Act 1982.

6. Send your submission:

- as a Microsoft Word document to consumer@mbie.govt.nz (preferred), or
- by mailing your submission to:

Competition & Consumer Policy
Building, Resources and Markets
Ministry of Business, Innovation & Employment
PO Box 1473, Wellington 6140, New Zealand

Please direct any questions that you have in relation to the submissions process to consumer@mbie.govt.nz

Submission on discussion document: Consumer Credit Regulation Review

Your name, organisation and submitter category

Name	Peter Mumby		
Organisation	Individual		
Submitter category	<i>Please circle/highlight one category:</i>		
	Individual consumer	Consumer Group/Advocate	Business
	Industry Group	Researcher/Academic	
	Other (please describe):		

Responses to discussion document questions

Overview of primary ticket market

1	How is the ticket price for an event determined? Who has input into setting these prices?
	<i>The owners of any entertainment e.g 'Cirque Du Soleil' and their promoters and/or agents.</i>
2	What is the average proportion of event tickets that is released for general public sale (not reserved for industry insiders or pre-sale events for non-public groups)?
	75%

Overview of secondary ticket market

3	<p>Is there any available data on the size of the secondary ticket market in New Zealand that you could provide? For example, the average</p> <ul style="list-style-type: none"> - proportion of event tickets that end up on the secondary market - proportion of professional sellers operating on secondary markets and where they are operating from - proportion of resale tickets that are sold above the face value - fees charged per ticket by secondary markets for facilitating the resale transaction.
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Unknown

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Do you think 'ticket onsellors' should be treated differently to 'ticket scalpers' in any options to address ticket reselling practices?

Yes, promoters of events should nominate resellers in their advertising material e.g 'The Red Hot Chilly Peppers' rock band nominate Ticketec and Ticketmaster as authorised ticket sellers.

Key issues and policy objectives

5

Do you agree with the issues and objectives we have identified for assessing potential options to address ticket reselling concerns? How significant are these issues? Please provide evidence where possible.

[Insert response here]

6

Do you have any concerns with the business practices or structures in the primary ticket market, or have these ticketing arrangements negatively impacted on you? Please provide evidence where possible.

I feel that the commission of the ticket reseller should be incorporated in the ticket cost e.g if you pay \$99.50 for a ticket, this should include the commission.

7

Could greater competition in the primary ticket market (e.g. between ticketing agents) reduce problems in the secondary ticket market? What could be done to encourage more competition in the primary ticket market?

No, the current resellers Ticketec, Trade Me and Ticketmaster are adequate.

Option 1: Status quo

8

How effective are the existing consumer protection laws in regards to ticket reselling practices?

Fairly ineffective in regards to organisations such as Viagogo.

9

Does the status quo achieve the policy objectives of reducing consumer harm? Are there any other benefits and costs associated with the status quo?

[Insert response here]

Option 2: Price cap on resale tickets

10	If a price cap for resale tickets was introduced, which price cap option should be implemented?
	<i>[Insert response here]</i>
11	How should the original sale price of resale tickets be verified? Who should be responsible for this?
	<i>[Insert response here]</i>
12	What are the compliance costs that might be generated as a result of imposing a price cap?
	<i>[Insert response here]</i>
13	Who is best placed to enforce a price cap? What is the level of resource required to enforce a price cap?
	<i>The entertainment agent such as 'The Paul Dainty Corporation' representing 'The Rolling Stones' rock band.</i>

Option 3: Greater information disclosure requirements

14	What types of ticketing information should be disclosed, and by whom? How should these disclosures be made?
	<i>Through all advertising, PR and any communication with consumers.</i>
15	How would any information disclosure requirements be enforced? Who should be responsible?
	<i>[Insert response here]</i>
16	What type of compliance costs will be involved in order to comply with such information disclosure requirements? Please provide evidence where possible.
	<i>[Insert response here]</i>

Option 4: Ban on ticket-buying bots

17 How should a bot be defined? How can ticket-buying bot use be detected? What technologies are required to do this?

[Insert response here]

18 Who is best placed to enforce a ban on ticket-buying bots? What sort of penalties should apply for the use of ticket-buying bots?

It could be clearly stated on any advertising material the legitimate resellers, I have purchased unwanted tickets to events such as 'Meatstock' and 'The B52's and Simple Minds' on Trade Me without any problems or difficulty in transferring title of ticket.

Option 5: Joint industry-government initiatives

19 How effective are existing industry-led initiatives in combatting ticket scalping practices?

On the whole pretty good with the exception of Viagogo.

20 Are there any other existing or future industry-led initiatives that address these concerns? Do you have any suggestions for improvements?

Nominated ticket sellers through entertainment promotion e.g You can purchase tickets to the 'Rolling Stones World Tour' through Ticketec, Ticketmaster or 'Trade Me.' All other intermediaries are effectively null-in-void and no title to the ticket can be guaranteed.

Any other comments

We welcome any other comments that you may have.

In an environment where individuals/families have limited funds for entertainment due to rising costs they should have confidence in the legitimacy of a ticket seller. When an individual or other entity purchases a ticket they should have ownership of this ticket and due title. When the said promoter for example 'The Paul Dainty Corporation sells a ticket either through a ticketing agent the said buyer should have title to this ticket and the said promoter has a duty of care to transfer title/ownership to the individual who has purchased the said ticket. It is unethical and unfair for an individual to purchase a ticket in good faith only to discover that they do not have a legitimate ticket. The promoter of the event should nominate resellers e.g

Ticketec and Ticketmaster. All other resellers are effectively null-in-void. This would protect the buyer and promoter.