

# Submission in response to consultation on ticket reselling in New Zealand

## Name (full)

Sarah Livne

## Organisation (if applicable)

## Submitter category

Individual consumer

## Have you experienced problems with ticket resale?

Yes, I have personally experienced a problem

## Please share your experiences, either positive or negative

1. My daughter asked for tickets for a show of her fav artist coming to NZ. We were overseas at the time she was lead to believe it went on pre-sale, jetlagged in the middle of the night, and she was stressed about tickets running out. I googled the tickets and the only sale I could find was on Viagogo. I knew nothing of that website. I bought her a ticket for \$245. Only months later the actual tickets went on sale. They were about \$100 each. There was no problem with the tickets themselves, only with the 250% I paid without understanding I was just paying a huge overhead for someone who would later buy the tickets at a regular price and pass them on. I was lead to believe that was the actual ticket price.

2. Ticketek selling tickets for kidsfest in ChCh: for years they have been doing the same: There are heaps of different events during the winter school holidays. Organizers do their best to keep prices very low and affordable and you typically buy tickets to a great number of events at once (esp. if you have more than 1 kid). They charge a fixed dollar fee on tickets that are themselves \$1 or \$2 each, amounting to a HUGE percentage, and on top of that - delivery fees, credit card fees and so on, plus they limit the number of tickets you can buy in one transaction to make you pay heaps of transaction fees. In the end you just opt for door sales, because buying in advance through ticketek at least doubles the price of kidsfest for you, if not more, compared to advertised prices. How unfair to all the volunteers working hard to keep prices down.

## Your views on the issues

## Are these problems serious enough to require changes to the law or industry practices?

Yes

## Tell us what you think

Certainly.

1. Ticket resellers should make it clear that they are indeed resellers. They should clearly state the original price of a ticket from an authorized seller so you can see how much overhead you are paying.

2. The final ticket price you are paying needs to be put up front, not advertised one way and on the way to checkout accumulate more fees as you go and get inflated.

3. There should be a cap, in percentage of original price, that they are allowed to charge, overall, all fees included, and that cap should remain reasonable. I don't see anything over 10% as reasonable, especially where we are talking about automated systems with no labour involved.

4. Fraud must be their responsibility and they should take measures to prevent it, like ticketmaster do in the case of ticket resale, actually changing the name of the ticket holder. It can't be legal to sell tickets that are prone to fraud and able to be stolen by anyone and then you would get to the venue with someone else already in on your ticket and be told "it was in the terms and conditions"; that it was not their responsibility.

### **Your views on the options, and the pros and cons**

#### **Price cap on resale tickets:**

Option A: Face value + 10%, or Original sale price (whichever is lower)

#### **Why did you choose the option above? Please explain**

"resale costs" is a vague term that would probably be exploited and inflated by pro resellers. I don't believe there is hardly any resale cost when you are operating automated systems for ticket resale, so the term is obviously too vague and opens a loophole. 10% should more than cover that anyway.

I'm not sure how face value would differ from original cost. In case of original sale price being an "early bird" ticket cheaper than face value - both options A and B are less attractive to resellers, but A would make it much less profitable to buy early bird tickets, thus making those available to the general public, as is the original intent.

I'm not sure whether there is a case where face value is lower than the original sale price by more than 10%. How does that happen?

In any case, a 10% margin on original sales price is definitely the HIGHEST that should ever be considered as a cap.

#### **More information disclosure: Do you agree with this option? Why or why not?**

I'm not sure what it includes. Does that mean that when I buy tickets I would need to provide identifying information so they can ensure it is actually me using the ticket?

I can see how that can go wrong, because what if someone just wants to give an unused ticket to a friend, and also that would mean we need to enforce a lot more privacy laws on dubious websites, because who know what they will do with their databases of personal information. It might be problematic if that is the ONLY way to buy tickets, effectively forcing us to forfeit our right to privacy if we want to buy a ticket...

**Ban on ticket-buying bots: Do you agree with this option? Why or why not?**

Yes, I definitely agree. It's affecting the general public right to access tickets fairly and is a real growing problem. It may not be easy to enforce, but if there is a law in place then at least in cases where it's proven - you can prosecute, and there is an opening to making the necessary effort towards limiting the bots. If there is no law then you are completely helpless against them. And while it is deemed "hard to enforce", I also think that modern technology does have tools to at least limit bots usage, so a law is important so we can start going that way.

**Joint industry-government actions: Do you agree with this option? Why or why not?**

Certainly. At the end of the day - tickets are for the public and the government should protect citizens from being exploited. The best way is to inform them so they act in a responsible way and are harder to trick.

An individual citizen will have a much harder time getting the industry to cooperate with such efforts, because there will always be financial incentives for the industry not to cooperate. But if someone in the industry openly refuses to cooperate with govt action - it will look much worse in the eyes of the public, and at the end of the day - the industry lives off the public who comes to be their audience. Essentially the govt would be representing the public on this, as it should, and also supporting the industry in facing ticket scalpers and coping with them.

**Are there other solutions that would work well?**

Nope.