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NSW introduces Ticket Scalping Legislation

19 October 2017

Dear Member,

Yesterday, the NSW Government passed the *Fair Trading Amendment (Ticket Scalping and Gift Cards) Bill 2017*.

WHAT'S IN THE LEGISLATION?

The legislation only applies if the ticket terms and conditions include restrictions on ticket resale. Specifically, the legislation:

- 1. Prohibits the use of software** to bypass website security measures to purchase tickets.
- 2. Places a 10% price cap on ticket resale.** Tickets cannot be resold for more than 110% of the original ticket price.
- 3. Improves transparency in the secondary ticket market, by:**
 - Specifying what information needs to be provided in the listing in the secondary ticket market (i.e. original ticket price, location from which ticket holder can view the event (e.g. bay, row, seat number)).
 - Ensuring owners of advertising publications (i.e. websites, newspapers, magazines etc) do not publish prohibited advertisements, such as advertisements seeking to sell tickets in contravention of the price cap.
- 4. Provides greater transparency for the public** in relation to tickets in the primary market. The responsible Minister has the power to 'declare' an event and require event organisers to disclose the number of tickets available for general public sale through the authorised seller.
- 5. Prohibits the ability for event organisers to cancel tickets** if tickets are resold within the price cap.

NSW Fair Trading is the agency responsible for enforcement.

Full details of the legislation can be found [here](#).

FOR MORE INFORMATION

If you have any queries in relation to the NSW ticket scalping legislation, please contact **Kim Tran**, Director, Policy & Programs, on 03 8614 2000 or ktran@liveperformance.com.au.



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