



South Australian Ticket Scalping and Gift Card Reforms

KEY POINTS

- There are new ticket scalping and gift cards laws in South Australia
- The changes will come into effect prior to Christmas 2018 (exact date to be advised)

Dear Member,

Last week, the South Australian Parliament passed amendments to the *Fair Trading Act 1987* to better protect consumers from ticket scalping and make gift cards more consumer friendly. The new ticket scalping and gift card provisions will commence prior to Christmas 2018.

What are the new gift card laws?

1. Gift cards that are redeemable for goods and services in South Australia must have a **minimum 3-year expiry**.
2. Exemptions to the minimum expiry period have yet to be announced.

A full copy of the legislation can be found [here](#).

What are the new ticket scalping laws?

The new laws repeal the ticket scalping provisions in the *Major Events Act 2013*. They will **only apply if the ticket terms and conditions include a resale restriction**. The laws:

1. **Prohibit the use of software** to bypass website security measures to purchase tickets.
2. **Place a 10% price cap on ticket resale**. Tickets cannot be resold for more than 110% of the original supply cost. If no amount was paid for the ticket, then the recommended retail price is taken to be the original supply cost.
3. **Require the following information to be provided** when a ticket is offered for resale:
 - original supply cost of the ticket
 - location from which ticket holder can view the event (e.g. bay, row, seat number).
4. **Prohibit the ability to resell a ticket contingent upon buying something else or as part of a package** (unless authorised by the event organiser).
5. **Allow tickets to be resold above the 10% cap when undertaken for approved purposes** (e.g. fundraising).
6. **Ensure owners of advertising publications** (i.e. websites, newspapers, magazines etc) **take reasonable steps to not publish prohibited advertisements**, such as advertisements seeking to resell tickets in contravention of the price cap.

7. Require event organisers to **disclose the number of tickets available for general public** sale through the authorised seller, if the responsible Minister 'declares' the event.

8. **Prohibit the ability for event organisers to cancel tickets if tickets are resold within the price cap.**

The ticket scalping laws will be reviewed in 2 years.

A full copy of the legislation can be found [here](#).

For further information

Please contact **Kim Tran**, LPA's Director, Policy & Governance, on 03 8614 2000 or via [email](#).



[Live Performance Australia](#)

Level 1, 15-17 Queen Street
Melbourne, VIC 3000
Australia

[Edit your subscription](#) | [Unsubscribe](#)

Ph: +61 3 8614 2000

Live Performance Australia (LPA) and the Live Performance Australia logo are trademarks of the Australian Entertainment Industry Association.

ABN 43 095 907 857

The information in this email is confidential and may be legally privileged. The views and opinions expressed in this email are the author's and do not necessarily reflect those of LPA as an organisation. If you are not the intended recipient of this email, please delete the original message and notify the sender immediately by return email, or telephone on +61 (0)3 8614 2000. Any disclosure, copying, distribution or action taken or omitted in reliance on it may be unlawful.

Powered by Bridgeway Mailer