

TICKET SCALPING BILL 2018

Introduction and First Reading

Bill introduced, on motion by **Mr W.J. Johnston (Minister for Commerce and Industrial Relations)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR W.J. JOHNSTON (Cannington — Minister for Commerce and Industrial Relations) [12.35 pm]:
I move —

That the bill be now read a second time.

The Ticket Scalping Bill 2018 introduces new legislation addressing ticket scalping practices that are adversely impacting consumers in Western Australia. The legislation will sit within the portfolio of the Department of Mines, Industry Regulation and Safety, specifically within the Consumer Protection Division. The primary purpose of the bill is to provide strong mechanisms to address the consumer detriment that occurs as a result of ticket scalping for popular public entertainment events hosted in Western Australia. It delivers on longstanding commitments by the government to address serious and growing consumer concerns in this area.

Consumers can suffer detriment in a number of ways. Resale of tickets at inflated prices is making popular events increasingly unaffordable for fans. In some cases, they may be tricked into paying grossly inflated prices because they are not aware that they are dealing with a reseller when they purchase tickets from an online provider. Use of software bots by commercial resellers to buy tickets in bulk quantities immediately after release can make it difficult for consumers to access tickets. Purchasers of resold tickets may be unable to gain entry to events because the ticket is invalidated as a result of its resale. Ticket scalping also has a negative impact on artists and event organisers who carry the financial risk of preparing and hosting events, and can threaten the commercial viability of events. Revenue, including secondary revenue from activities such as sale of merchandise, is directly related to attendance levels, which may be threatened by the impact of scalping on ticket affordability.

The provisions of the bill will apply to all ticketed events hosted in Western Australia when a resale restriction is imposed by the event organiser as a condition of purchase. The provisions will prohibit the resale of tickets at a price that is higher than the original cost of the ticket, plus 10 per cent; prohibit the advertising of tickets for resale at a price that is higher than their face value, plus 10 per cent; require an advertiser to provide details of the location from which the ticket purchaser will view the event, such as rows and seat numbers; provide that any resale restriction invalidating the ticket will be void if the ticket is purchased from a reseller in accordance with the requirements of the regulations; prohibit the use of software that enables or assists a person to circumvent the security measures of a website in order to purchase tickets in contravention of the terms and conditions of the organiser; provide for maximum penalties of \$20 000 for a breach of the legislation by an individual and \$100 000 for a breach by a body corporate; and provide for education, investigation and enforcement powers for the Commissioner for Consumer Protection.

The growing need for this regulation has been demonstrated in recent times at major events held in Western Australia. At music concerts held by Ed Sheeran and Adele, and sporting fixtures such as the third Ashes test and the recent Australian Football League finals matches, tickets have been advertised by private sellers and resale platforms shortly after release for as much as ten times their face value.

I thank the Minister for Tourism for his assistance in the development of this bill, which will help to facilitate the staging of major events in Western Australia in the future.

This bill unashamedly places the fans first. It reflects a commitment by the government to provide strong protection for consumers, and delivers on an election promise. It ensures that those with unwanted tickets to events can sell those tickets without breaching conditions of purchase, while at the same time promoting openness, transparency and reasonable access to the market and ensuring that WA families have the opportunity to enjoy major events at a fair price.

I commend the bill to the house.

Debate adjourned, on motion by **Ms L. Mettam**.