

EXPOSURE DRAFT



EXPOSURE DRAFT

Competition and Consumer (Australian Consumer Law—Electronic Ticket Resale Service) Information Standard 2019

I, Michael Sukkar, Assistant Treasurer, make the following information standard.

Dated 2019

Michael Sukkar [DRAFT ONLY—NOT FOR SIGNATURE]
Assistant Treasurer

EXPOSURE DRAFT

EXPOSURE DRAFT

Contents

Part 1—Preliminary 1

- 1 Name 1
- 2 Commencement 1
- 3 Authority..... 1
- 4 Definitions 1
- 5 Inconsistency with State and Territory Laws 2

Part 2—Electronic ticket resale service display requirements 3

- 6 Display requirements 3

Part 1—Preliminary

1 Name

This instrument is the *Competition and Consumer (Australian Consumer Law—Electronic Ticket Resale Service) Information Standard 2019*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after the end of the period of 3 months beginning on the day this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Competition and Consumer Act 2010*.

4 Definitions

Note: Expressions have the same meaning in this instrument as in the *Competition and Consumer Act 2010* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

In this instrument:

event includes all of the following:

- (a) a sporting event;
- (b) an entertainment event, including a concert, a performance at a theatre or the opera, and a dance event;
- (c) a festival;
- (d) a cultural event or display;
- (e) an arena event;
- (f) any other form of public performance, exhibition, display or public gathering.

market has the meaning given by section 4E of the Act.

EXPOSURE DRAFT

Part 1 Preliminary

Section 5

service has the meaning given by section 2 of Schedule 2 to the Act.

supply has the meaning given by section 2 of Schedule 2 to the Act.

5 Inconsistency with State and Territory Laws

This information standard is not intended to exclude or limit the operation of a law of a State or Territory that is capable of operating concurrently with the provisions of Part 2.

Part 2—Electronic ticket resale service display requirements

6 Display requirements

- (1) Under subsection 134(1) of Schedule 2 to the Act, this section sets out an information standard for a service that meets all of the following conditions:
 - (a) the service is the provision of information to a person (the *consumer*) in relation to the supply, in a secondary market, of a ticket for admission to an event hosted or located in Australia;
 - (b) the information is supplied by means of an electronic platform whose sole or dominant purpose is to facilitate a secondary market in tickets for admission to events.
- (2) The person providing the service must ensure that the following is continuously displayed to the consumer, by means of the electronic platform, in a legible, prominent and unambiguous way:
 - (a) a statement in the form “This is a ticket resale service. You are not dealing with an original ticket seller.”; and
 - (b) the total price, excluding a charge that is payable in relation to sending the ticket to a person, that the consumer would reasonably be expected to pay to purchase the ticket from a person who is authorised to provide the first supply of tickets for the event.