

FAIR TRADING ACT 2010

The following instrument is published under the *Fair Trading Act 2010* Section 21



**Competition and Consumer (Australian
Consumer Law—Electronic Ticket Resale
Service) Information Standard 2022**

I, Michael Sukkar, Assistant Treasurer, Minister for Housing, and Minister for Homelessness, Social and Community Housing, make the following information standard.

Dated: 30 March 2022.

Michael Sukkar
Assistant Treasurer
Minister for Housing
Minister for Homelessness, Social and Community Housing

CONTENTS

PART 1—PRELIMINARY	2837
1 Name	2837
2 Commencement	2837
3 Authority	2837
4 Definitions	2837
5 Inconsistency with State and Territory Laws	2837
PART 2—ELECTRONIC TICKET RESALE SERVICE DISPLAY REQUIREMENTS	2837
6 Display requirements	2837

PART 1—PRELIMINARY

1 Name

This instrument is the *Competition and Consumer (Australian Consumer Law—Electronic Ticket Resale Service) Information Standard 2022*.

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 6 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Note: This table relates only to the provisions of this instrument as originally made.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.

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.

the Act means the *Competition and Consumer Act 2010*.

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 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 buying from a primary ticket provider.”; 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.

Example: A ticket to an Australian event is sold by a primary ticket provider for \$108 including \$8 postage. The total price a person would reasonably be expected to pay to purchase the ticket from someone who is authorised to provide the first supply of tickets, excluding postage, is \$100.