

Please find below our views on the draft bill sent to us.

As stated in our cover letter we do not have access to legal resources to assist us in our interpretations of the legalese within the bill and this could cause some errors in how we've understood the content.

Where we have not commented on a section it is due to it being procedural or beyond our expertise or irrelevant to us in some other way.

Head 2:

It would be our reading that the definition of "original sale price" does not preclude the primary ticket seller from creating arbitrary allocations of tickets for sale at an increased value. This could allow an "airline model" pricing structure by primary sellers where a ticket which provides access to the same experience has been sold to different people at different times at different values.

We know that this is something already being explored by the Primary Sellers and creates artificial scarcity as well as puts pressure on attendees to spend more than they may have originally intended to. We would strongly suggest wording to be added either in this definition of "original sale price" or to include wording in "Head 9" to restrict this.

Head 8:

We've interpreted this to prevent secondary sellers advertising or selling tickets at a value more than was paid to the Primary Seller.

It would be our opinion this is a very concise and strong section achieving goals we are aligned with in preventing touting. We would be against seeing any caveats, allowances or other "watering down" of this being added to the bill at a later date.

Head 9:

We interpret this to be in relation to the duties of the primary seller. The majority of this does not concern us beyond potentially adding language as mentioned in our comment on Head 2.

Head 10:

This section directly concerns us as we would qualify as a "secondary ticket marketplace". Our interpretation is our responsibility will be to ensure that our users provide the original sale price of the ticket and what the ticket provides access to and that we will have committed an offence if we allow this to occur.

Our intention will be to make it clear that our users must obey the laws with regards both identifying the type of ticket and the price of it as well as ensuring the price is equal or below the value that was paid to the primary seller. We will also remove listings that fail to meet these requirements.

However this is something we currently use a manual process to uphold. The time between someone listing something that may be in violation of the law and the time we can remove this listing is not instantaneous. We would endeavour to move to a process that allows software to potentially limit what can be done by a user in this situation but even then this couldn't be considered 100% effective.

We believe Head 18 will protect us in these circumstances but if not some consideration could potentially be stated to the effect that some allowance is made to the time taken to reasonably moderate the actions of sellers on the marketplace.

Head 12:

Our interpretation of this section is that this allows resale of a ticket and removes such restrictions as requiring presentation of identification that matches the name on the ticket at the event.

We are happy to see this included. While these restrictions were said to be for the purpose of anti-touting they often did not have a method for refund or legitimate transfer in the event someone was unable to attend the event. We would be against any alterations or removal of this from the bill due to the problems these restrictions have had for us and our users.

We've no comment on the subhead in relation to UEFA EURO 2020.

This concludes our views on the draft bill. We're very happy to be included and overall excited at what the bill in its current state represents due to our interest in ensuring reasonably priced tickets to all event goers. We do hope that the intent of this bill is not diluted by other interests prior to becoming law and hope our comments assist in maintaining and refining sections in the drafting process.

Alan Wickham (on behalf of Toutless)