



Ticket Sales and Resales

This publication is intended to provide general information only and is not a substitute for legal advice.

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Alberta's *Consumer Protection Act* and Ticket Sales Regulation ensure protections for Albertans when buying tickets for cultural, sporting and recreational events.

These protections include:

- Prohibition on the use of bots so you don't have to compete with computer software when tickets for an event go on sale,
- Refunds from secondary sellers so you can get compensation if in certain circumstances the ticket doesn't get you into the event, and
- A 'right to sue' for ticket sellers and buyers to protect their interests against potential losses resulting from the use of bots.

WHAT TICKETS DO THE REGULATION APPLY TO?

The regulation protects consumers who buy event tickets that provide admission to recreational, cultural and sporting events in Alberta. This would include professional sports, concerts, festivals, arts and theatre events, comedy shows or other cultural events.

WHO IS CONSIDERED A TICKET SELLER?

A Primary Seller is a business that offers tickets for sale for the first time. This may include an artist, an event promoter or venue, or an agent such as Ticketmaster.

A Secondary Seller is a business that re-sells tickets previously sold by a primary seller, and processes the transaction directly (e.g., Stubhub, Tickets Now, etc.).

A Secondary Ticketing Platform is a website, online service, electronic application, print publication or physical location that facilitates the sale of tickets by providing ticket sellers, other than primary sellers, with a method through which to make their tickets available for sale (e.g., Stubhub.com, ticketsnow.com, etc.).

CONSUMER TIPS

Purchases from individual consumers are not covered by the rules. If you're buying from your friend, your neighbour, or a stranger that you connected to through an online or print classified service (such as Kijiji or your local newspaper's classified section), you cannot rely on the protections of the legislation.

However, if through a classified service you connect to a ticket-selling business, that ticket-selling business is bound by the rules and is required to provide a refund if there are issues with your ticket.

You should always consider the risks of these types of purchases. In case of any issues, you may be able to pursue civil action.

WHAT IS A BOT?

A bot is prohibited computer software, programmed to perform automatic functions. In the case of ticket sales, bots are used to buy up large numbers of tickets before anyone else has a chance. This gives bot users an unfair advantage when tickets go on sale. Often, tickets scooped up by bots are immediately resold at higher prices.

Under the *Consumer Protection Act* the use of bots to circumvent any aspect of the ticket purchase process is illegal. Anyone found to be using bots to purchase tickets or selling tickets obtained through bots may be subject to enforcement action under the legislation.

Primary ticket sellers are responsible for doing their due diligence to prevent the use of bots when tickets go on sale. If the primary seller finds tickets have been bought by bots, the primary seller must cancel those tickets.

If a ticket you have already purchased on the secondary market turns out to have been cancelled, the secondary seller or ticketing platform you used to buy that ticket is responsible for providing a refund.

WHAT ARE THE RULES FOR ISSUING REFUNDS?

Secondary sellers and secondary ticketing platforms must provide full refunds to customers who have purchased tickets for an event, if those tickets turn out to be:

- counterfeit,
- fraudulent,
- not matching the description as advertised,
- canceled by the primary seller because they were purchased through the use of a bot, or
- if for any other reason the ticket does not grant admission to the event as promised.

Any organization that is not in the actual business of making profit from ticket sales or resales is exempt from refund requirements. Examples include platforms that only advertise the sale of tickets and perform no other function in the actual ticket sale transaction, such as Kijiji, Craigslist, Facebook marketplace, newspaper classified websites, etc.

Non-profit organizations, including charities (e.g., United Way, Canadian Red Cross, church and school fundraisers) that resell donated event tickets for fundraising purposes are not required to issue refunds.

A 'full refund' under the regulation includes:

- the price of the ticket itself, and
- any fees, taxes, charges, processing fees, delivery fees, etc. charged to the consumer at the time of purchase.

CONSUMER TIPS

WHAT ARE THE REFUND RULES FOR CANCELLED OR RESCHEDULED EVENTS?

Refund requirements in the legislation apply only to secondary sellers and ticketing platforms to help ensure consumers get refunds for fraudulent resale tickets. Before purchasing any tickets from a primary or secondary seller, check the seller's terms and conditions.

If an event is cancelled, secondary sellers or secondary ticketing platforms must provide a full refund to the consumer.

If an event is rescheduled, the secondary seller or secondary ticketing platform may be able to offer a comparable ticket to the rescheduled event.

When this happens, consumers have the choice of accepting the comparable ticket or the full refund. Refunds must be prominently offered in writing and the consumer must expressly accept the offer of tickets for the rescheduled date, or receive the required refund.

WHAT IF YOU HAVE NOT BEEN OFFERED A REFUND FROM A SECONDARY SELLER OR SECONDARY TICKETING PLATFORM?

If you find that the ticket you have purchased on the secondary market doesn't grant you access to the event, or the event is cancelled and you have not been provided a refund, it is recommended that you first reach out to the secondary ticketing platform or secondary seller from which you purchased the ticket.

If the refund is still not offered, you should contact the Consumer Contact Centre. Their contact information is located on the back of this tipsheet.

KNOW HOW TO PROTECT YOURSELF

As with any purchase, it's important to read and understand all of the terms and conditions, including refund policies, for the tickets you're considering purchasing. Also note any additional fees, taxes, delivery costs or other charges associated with the purchase, including currency.

Before purchasing tickets from a secondary seller you may wish to research ticket prices available through other sellers. Be cautious when purchasing tickets from a seller where limited information about the ticket is provided. For example, if only the seat section and row number are provided, but not the specific seat number. Remember, if a deal seems too good to be true, it probably is.

Use caution when a secondary seller is offering self-printed or electronic tickets; these tickets can be easily reproduced and difficult to verify. Even though the ticket may be legitimate, if a scammer has sold many copies of the same ticket, only the first one scanned will be valid at the door.

There may be ways to verify resale tickets before you purchase them. Contact the primary seller for more details about verification, or consider buying verified resale tickets. Primary sellers also may provide a safe and secured method to transfer a ticket to another party.

CONSUMER TIPS

Carefully review your order before completing your online ticket purchase. Make sure the price is in Canadian dollars, or that you know the equivalent price in Canadian dollars.

THINGS TO CONSIDER WHEN SHOPPING FOR TICKETS

It's no secret that when popular shows, concerts or sporting event tickets go on sale it can sometimes be difficult to score seats. Demand is often far greater than supply; however, there are a number of ways you can increase your odds of getting that hot ticket.

Look for presales or other perks, which may give you a chance to purchase tickets before they go on sale to the general public. Select credit cards, fan clubs, and even music-streaming services may provide these benefits.

Consider splitting up to gain access. Your odds of getting tickets are better when searching for fewer tickets. Have multiple people in your group purchase tickets when they go on sale. Also, ensure your account information, passwords, etc. are up-to-date so as to not delay the ticket purchase process.

If you can't score tickets, remember that in some cases extra tickets are made available for sale after the initial public sale. Check back for these opportunities. In some cases, a venue, promoter or artist may even add additional shows.

WHERE CAN I GET A COPY OF THE REGULATION?

The Ticket Sales Regulation and the *Consumer Protection Act* are posted on and can be purchased from the Alberta Queen's Printer website www.qp.alberta.ca.

FOR MORE INFORMATION

Consumer Contact Centre
Edmonton: 780-427-4088
Toll free in Alberta: 1-877-427-4088
www.servicealberta.ca
Facebook: Consumer Protection Alberta