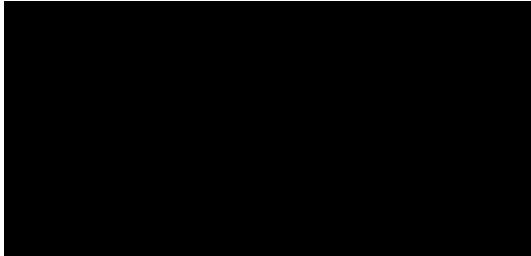


28 March 2024



Official Information Act #23.210 – Complaints about Ticketmaster

1. We refer to your request received on 2 March 2024 for information about similar complaints made to the Commerce Commission (**the Commission**) regarding Ticketmaster's marketing push to require the use of a smartphone app over the previous ability to print physical tickets. You would also like to know if the Commission is doing any kind of investigation or study into this issue.
2. We have treated this as a request for information under the Official Information Act 1982 (OIA).

Our response

3. In addition to your complaint, the Commission received one further complaint related to Ticketmaster's smartphone app requirement in the period 2 March 2021 to 2 March 2024.
4. We have provided a summary of the complaint and its outcome in **Appendix A** below.
5. The Commission is not currently investigating or undertaking a study in relation to this issue.
6. The Commission has decided to not take any further action in relation to your complaint at this time. To provide context to how your complaint was assessed, we have outlined the Commission's screening process below.

The Commission's complaint screening process

7. The Commission receives thousands of complaints every year. Each complaint is initially assessed by the Screening and Enquiries Team on the basis of the

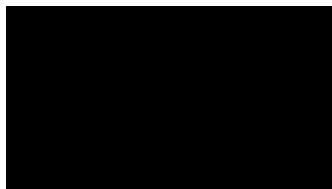
information available at the time. When conducting this initial assessment, the Screening and Enquiries Team considers:

- 7.1 the likelihood of a breach of the relevant legislation (the Fair Trading Act 1986, Credit Contracts and Consumer Finance 2003, and the Commerce Act 1986);
 - 7.2 the Commission's Enforcement Response Guidelines;¹ and
 - 7.3 the Commission's strategic priorities and resourcing constraints.
8. The Commission has the power to act on complaints but is not required to take action in relation to all possible breaches of the legislation that we enforce.
9. If a complaint is appropriate for further consideration, it is reviewed by a panel of managers and subject matter experts from within the Competition, Fair Trading and Credit Branches. The panel decides which complaints are to be prioritised for further assessment by the Branch with reference to our Enforcement Response Model.²
10. This process enables us to identify complaints that best reflect our current enforcement priorities.³ The outcomes of the process are not final and we may revisit any complaint at a later stage, should we wish to reconsider the issues it presents.

Further information

- 11. Please note the Commission will be publishing this response to your request on its website. Your personal details will be redacted from the published response.
- 12. Please do not hesitate to contact us at oia@comcom.govt.nz if you have any questions about this response.

Yours sincerely



OIA and Information Coordinator

¹ Available at: <http://www.comcom.govt.nz/the-commission/commission-policies/enforcement-response-guidelines/>

² Our Enforcement Response Model is discussed in more detail from page 3 of the Commission's Enforcement Response Guidelines, available here:
https://comcom.govt.nz/_data/assets/pdf_file/0030/62589/Enforcement-Response-Guidelines-October-2013.pdf.

³ For further information, see: <http://www.comcom.govt.nz/the-commission/commission-policies/enforcement-criteria/>

Appendix A			
Enquiry number	Date received	Complaint	Outcome
ENQ0572507	03/12/2022	Complainant was dissatisfied that Ticketmaster was no longer supplying physical tickets. They alleged that having to scan tickets for events was creating online congestion and posed problems for those with connection issues. It also prevented the ability to arrive at the event at a different time to the main ticket holder.	No Further Action (NFA) ⁴

⁴ The Commission may decide not to take further action in relation to a complaint for a number of reasons. These reasons include, but are not limited to, circumstances where we consider the complaint is better suited to private action by the complainant, the complaint is subject to the jurisdiction of another agency, or where there is no clear breach of the law. However, each complaint and enquiry provides information that is valuable to the Commission. This contributes to future priorities, potential issues for us to watch closely or emerging issues to refer to our policy agency, MBIE. In this regard, we will monitor complaints on information we receive as we look to future prioritisation.