

Press release: CMA launches court action against viagogo

Following an investigation into the secondary ticketing sector, the Competition and Markets Authority (CMA) began enforcement action against 4 major secondary ticketing websites last November. As a result, 3 of those sites – StubHub, GETMEIN! and Seatwave – offered formal commitments in April to overhaul the way they do business.

However, despite being warned a failure to do likewise would result in court action, viagogo has not offered to make the changes the CMA considers necessary to bring it in line with the law. Legal proceedings have therefore been brought in the High Court.

Andrea Coscelli, CMA Chief Executive Officer, said:

People who buy tickets on websites like viagogo must be given all the information they are entitled to. It's imperative they know key facts, including what seat they will get and whether there is a risk they might not actually get into the event, before parting with their hard-earned money.

This applies to viagogo as much as it does to any other secondary ticketing website. Unfortunately, while other businesses have agreed to overhaul their sites to ensure they respect the law, viagogo has not. We will now be pursuing action through the courts to ensure that they comply with the law.

The CMA is concerned that viagogo is breaking consumer law – with the result that customers are:

- not being told if there is a risk that they will be turned away at the door
- not being informed which seat in the venue they will get
- not being told who is selling the ticket, so that they can benefit from enhanced legal rights when buying from a business
- given misleading information about the availability and popularity of tickets – which has the potential to lead to them being rushed into making a buying decision or making the wrong choice
- experiencing difficulties in getting their money back under viagogo's guarantee when things go wrong
- being offered tickets that a seller does not own and may not be able to supply

The CMA is therefore now seeking a court order to bring these practices to an end, and ensure that viagogo does not repeat historic failures to make its customers aware of the face value of tickets on sale through its site.

Given the importance of ensuring its concerns are addressed promptly, the CMA is also seeking an interim enforcement order from the court that, if successful, will put a stop to some practices in the period up until the full trial.

The CMA continues to work closely with partner agencies and enforcers to drive up standards in the sector.

Notes to editors

1. Further information on the [sector wide investigation](#) conducted by CMA.
2. Further information on the [enforcement action](#) conducted by CMA.
3. On 13 August, Ticketmaster announced that it will be closing its 2 secondary ticket platforms – Seatwave and GetMeIn! – and that from 13 August, no new events will be listed on these platforms. Ticketmaster will still allow tickets to be resold through ticketmaster.co.uk in the future, but it has said that it will only allow those tickets to be sold at the price originally paid or less. Ticketmaster has formally committed to making sure that this new resale function will comply with the commitments it provided to the CMA in April.
4. The key pieces of consumer protection legislation relevant to the CMA's investigation are the Consumer Rights Act 2015 (CRA), the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (CCRs), the Consumer Protection from Unfair Trading Regulations 2008 (CPRs) and the Electronic Commerce (EC Directive) Regulations 2002 (ECRs).
5. As an enforcer under Part 8 of the Enterprise Act 2002, the CMA cannot levy administrative fines but it can enforce the above legislation through the courts, and where appropriate, obtain additional measures to improve consumer choice, drive better compliance with the law, or obtain redress for consumers.
6. Media enquiries to the CMA should be directed to press@cma.gov.uk or 020 3738 6460.