



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: N93185  
Contact Officer: Louise Hird  
Contact Number: (03) 9290 1484

2 November 2007

Kate Cooper  
General Counsel  
Ticketek Pty Limited  
GPO Box 1610  
Sydney NSW 2001

Dear Ms Cooper

**Ticketek exclusive dealing notification N93185**

I refer to the above mentioned notification lodged by Ticketek with the Australian Competition and Consumer Commission (the ACCC) on 25 October 2007. In order to assist the ACCC in its consideration of the notification I request that you provide the following additional information.

I note that the proposed conduct involves Ticketek providing a number of offers, including priority booking periods for tickets, to individual who are new and existing customers of Optus telephony, internet, subscription TV and mobile telephone products and who have registered in the Optus 'yes' Tickets program. I note that in the even that Ticketek is responsible for selling between 60 and 100% of the available tickets to an event, not more that 30% of the Ticketek seats to the event will be available pursuant to the priority booking period. Where Ticketek is responsible for selling between 30 and 59% of the tickets, not more than 50% of those tickets will be available pursuant to the priority booking period.

I also note the existing notifications lodged by Ticketek (N31439 and N31440) in relation to a similar arrangement, whereby Visa cardholders are entitled to a number of offers, including priority booking periods for tickets, if they purchase tickets through Ticketek using their Visa credit card. I note that under this arrangement, Ticketek caps the number of tickets available through the priority booking period at the same percentage as under the proposed arrangements with Optus.

Please advise whether it is envisaged that the Optus and Visa priority booking periods will both be run in respect of the same events at any stage. If it is the case that the

priority booking periods will be run concurrently in respect of any events, please advise how it is intended that tickets will be made available. For example, where Ticketek is responsible for selling between 60 and 100% of tickets to a relevant event, will Optus and Visa customers each be offered access to 30% of Ticketek seats to the event or will a combined maximum of 30% of Ticketek seats be available to Optus and Visa customers.

I also note Ticketek's letter of 30 September 2005 in relation to notifications N31439 and N31440. In that letter Ticketek advised, in relation to priority booking periods offered to Visa card holders, that where Ticketek was responsible for 30% or more of the tickets to an event it would provide the ACCC with detail of the priority booking period at least 14 days in advance of the promotion. Ticketek also advised that where it was responsible for between 30 and 59% of tickets for an event it would provide the ACCC with details of the priority booking period prior to or on the day of the promotion.

Please advise whether Ticketek intends to similarly advise the ACCC of priority booking periods offered to Optus customers.

Please provide the requested information by **16 November 2007**.

A copy of this letter has been placed on the public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Louise Hird on (03) 9290 1484 or at [louise.hird@acc.gov.au](mailto:louise.hird@acc.gov.au).

Yours sincerely



Gavin Jones  
Director  
Adjudication Branch