



**Australian
Competition &
Consumer
Commission**

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Our Ref: 42478
Contact Officer: Gavin Jones
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5 July 2010

Helen Anness
Senior Associate
Allens Arthur Robinson
Level 27
530 Collins Street
MELBOURNE VIC 3000

Via e-mail: Helen.Anness@aar.com.au

Dear Ms Anness

Third line forcing Notification N94729 lodged by Ticketmaster Australia Pty Limited

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC). The notification has been placed on the ACCC's public register.

Ticketmaster states that it proposes to:

Give or allow, or offer to give or allow, exclusive sale periods for Amex members to purchase tickets across the Ticketmaster network between a nominated start and finished date and time, and on the condition that the customer is paying for the tickets with an American Express credit or debit card.

Ticketmaster states that the general public who are not Amex customers will have access to tickets to events outside of the exclusive sale period.

A potential public detriment to arise from this proposed conduct is that non-Amex customers will no longer have full access to ticketing for events. This may raise concerns particularly for popular or limited run events where demand for tickets may outstrip supply. In this respect, I note that, as worded, the notification appears to cover an extremely broad range of events, including as yet unknown events.

Can you please provide a further submission as to the likely public benefit associated with the conduct and features that may mitigate concerns regarding the restricted access for non-Amex customers. In particular, you may wish to provide information on:

- whether there is a restriction ensuring that the type of tickets available to Amex customers will represent a proportionate allocation of each ticketing level available through Ticketmaster and
- whether Ticketmaster will be responsible for selling all available tickets to an event, or whether tickets will be available from alternative sources.

In order to progress the assessment of this matter in a timely manner, it would be appreciated if this further information was provided by **19 July 2010**.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter further, please do not hesitate to contact Gavin Jones on 03 9290 1475.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Channing', with a large, sweeping flourish at the end.

Darrell Channing
Acting General Manager
Adjudication Branch