



## **Open letter on the Digital Services Act and protecting Europe's live events sector**

We are a wide-ranging group of European stakeholders from the culture industries, including artists and performers, managers, booking agents, event promoters, venues and representative organisations. We represent the core of the live performance sector, supporting culture and innovation, as well as contributing to economic growth, competitiveness and social development.

Ticket resale marketplaces are a hotbed for illegal activity. They enable professional ticket scalpers to resell tickets for a significant profit – often fraudulently – contrary to consumer protection and competition laws in many Member States. They use manipulative sales tactics and supply ticket resellers with tools that make it easier for them to commit fraud. Not only that, by concealing the identities of sellers, the ticket market supports widespread tax evasion, and tax authorities in Member States miss out on considerable tax revenues as a result.

These practices exploit fans and seriously undermine cultural businesses by leaching away hundreds of millions of euros each year. This threatens the post-pandemic recovery of Europe's live events sector and has a knock-on effect on artists and business owners.

The Digital Services Act offers an opportunity to compel online marketplaces to act responsibly, and the next phase of negotiations is crucial in setting a high standard for consumer and business protection online.

With this aim in mind, we request that the new rules outline clear and robust responsibilities for marketplaces to ensure sellers are identifiable ("Know Your Business Customer"). This means obtaining and making best efforts to ensure the name, address and bank details of the seller, and the products offered, are legitimate. The identity of the seller must also be clearly visible alongside the products offered, as fans need to know who they are buying from. As well as checks on sellers, marketplaces should also carry out periodic spot-checks on listed products to ensure that they comply with the law.

Importantly, these basic obligations within the Act must apply to all businesses. We particularly reject the idea of a waiver for medium-sized businesses, which would leave the rules vulnerable to exploitation and encourage bad actors to move to smaller platforms.

Should a marketplace fail to comply, we ask that they be held accountable for any resulting illegal activity and harm done to fans.