

For discussion on
26 November 2018

Legislative Council Panel on Home Affairs

**Sale of Tickets for Events Held at Venues of
the Leisure and Cultural Services Department**

Purpose

This paper briefs Members on the measures already taken by the Government in relation to the sale of tickets for events held at venues of the Leisure and Cultural Services Department (LCSD), and other options that can be considered for future implementation.

Background

2. Recently, tickets for some pop concerts in Hong Kong were sold out quickly when they were made available for public sale. These tickets were subsequently traded in the market and at times sold at a price much higher than their original. There have been calls from the community that the Government should take appropriate actions such as requesting concert organisers to increase the proportion of tickets for public sale substantially. Some have also suggested that the Government should regulate or prohibit unauthorised profiteering activities on resale of event tickets (commonly known as “ticket scalping activities”) by means of law amendments or legislation.

3. Entertainment programmes are generally commercial activities in Hong Kong and even across the world. The content, ticket pricing, sales strategies, and channels are business decisions made by organisers who have to bear all the commercial risks. Like other commercial activities, not every production can be guaranteed a full house or a profit. The public are free to choose whether or not to buy a ticket based on their interests and ticket prices. On the other hand, with the advancement in technology and the rise of shared economy on the Internet in recent years, many online ticket resale agents have emerged and provided a convenient channel for trading of

programme tickets. Some of these agent companies have even become multinational corporations and propelled the growth of ticket resale in different countries. Some of them also sell tickets in the first-hand and second-hand markets at the same time. Although from time to time there are media reports that second-hand tickets are sold at a price lower than the original value, the potential profits from second-hand tickets have indeed attracted many people to buy tickets. As many more people are going for tickets, it becomes harder for the general public to buy tickets during public sale, and some people have to resort to the secondary market. Many places around the world are also facing the same situation.

Existing measures taken

4. The Government usually does not intervene in the operation of a free market and the entertainment industry. However, unlike other places, most of the large-scale entertainment programmes staged in Hong Kong, in particular pop concerts, are not held at commercial or private venues, but in venues managed by the Government (mainly the Hong Kong Coliseum (HKC) under the LCSD). In the 2017-18 financial year, there were 29 large-scale paid entertainment programmes (including but not limited to pop concerts, stand-up comedies, and musicals) (totalling 111 performances) and 12 such programmes (totalling 22 performances) held at the HKC and the Queen Elizabeth Stadium (QES) respectively, accounting for about 69% of all events held at the HKC and about 10% at the QES. Almost all programmes were hosted by commercial entities. Furthermore, while the LCSD does not mandate hirers of designated venues to use the Urban Ticketing System (URBTIX) and a number of commercial ticketing systems as alternatives are in place in the market, most of the programme organisers would still choose to pay for the services of URBTIX to sell tickets of their paid programmes held at LCSD venues. Therefore, the Government has a role to play in both providing venues and handling ticketing arrangements. In response to public expectation of Government assistance in alleviating problems relating to ticket purchase, the Government has implemented the following measures for programmes held at LCSD venues and with their tickets sold through URBTIX –

- (a) Setting an upper limit on number of tickets that a patron can purchase in a single transaction and imposing a limit on the number of tickets that can be purchased with the same credit card on the first day of public sale

- When handling ticketing arrangements for a programme that is expected to be more popular among the public, URB TIX will proactively discuss with the organiser to set an upper limit on the number of tickets a patron can purchase in a single transaction, and a limit on the number of tickets that can be purchased with the same credit card on the first day of public sale. With the consent of the organisers, URB TIX has set the maximum number of tickets that each patron can purchase in each transaction to four tickets only for a number of concerts when their tickets were open for sale to the public recently.
- Once a customer uses the same credit card to purchase tickets and the cumulative number of tickets purchased reaches the upper limit in any transactions, the use of that credit card to purchase more tickets for any other performances of the same programme will be prohibited. This measure aims to enable more people to have the opportunity to purchase tickets during public sale, and to cause greater difficulty for ticket purchasing activities by automated computer programmes (bots) or by syndicates.

(b) Increasing the supply of tickets during public sale

- The LCSD has been encouraging programme organisers to raise the proportion of tickets available for public sale, and received positive response from most organisers. For example, 65% of the tickets had been reserved by the organiser for priority ticket booking through designated channels of 17 performances of a paid entertainment programme held in July 2018 (i.e. only 35% of the tickets were available for public sale). As the programme was later found to be very popular, the organiser then set aside only about 20% of the tickets of the subsequent nine additional shows as consignment tickets (i.e. allocated about 80% of the tickets for public sale). As a result, nearly 53% of the tickets for all 26 performances were made available for purchase by the public on the first day of public sale via URB TIX in April this year. The chance of buying a ticket available for public sale through URB TIX has thus been improved.

(c) Piloting “personalised ticketing”

- With the consent and co-operation of the organiser, the LCSD piloted a “personalised ticketing” cum balloting system for the first time for a non-commercial music concert held at the Hong Kong Cultural Centre in May this year. Throughout the process, there was close coordination from different parties for ticket sale and purchase, audience admission, and other arrangements. Around 2 000 audience arrived at the venue about three hours earlier upon request to present an identity document with a photograph for verification.

(d) Increasing the transparency of ticket sale

- With the consent and co-operation of organisers, for programmes with tickets for sale via URB TIX and expected to be more popular, URB TIX will provide more information to the public, such as advance announcement of the commencement date of public sale, the number of shows, the number of tickets available for public sale, a seating plan with pricing zones and seats available for sale, the designated channels that organiser arranges to release relevant ticketing information, etc.

(e) Enhancing the system functions of URB TIX

- The LCSD has been constantly discussing with the service provider of URB TIX to enhance the system functions of URB TIX (such as introducing multi-layered setting and programmes to prevent purchases by bots, increasing the number of servers and the amount of bandwidth to strengthen the system processing ability and improve network traffic, etc.) so as to ensure the smooth operation of the system and prevent online ticket purchasing activities by bots. In addition to the auto-retry access to the system every three seconds, URB TIX updates its ticket sales regularly to enhance transparency and to provide reference for customers who cannot access the webpage instantly. Also, questions that could only be solved manually had been added to the

webpage of URB TIX when the tickets of a pop concert were open for sale in October 2018, so as to enhance the prevention of purchases by bots. The LCSD will continue to evaluate measures in this regard.

(f) Suspending ticket sale at outlets

- With the consent and cooperation of the organiser, URB TIX did not arrange any public sale at its outlets for tickets of a pop concert for the first time in September this year. Only ticket purchases online, or through a mobile application, or telephone booking hotline with a credit card were allowed. This measure helps to reduce problems of disorder caused by queuing in public places.

(g) Delaying ticket collection

- With the consent of the organiser, URB TIX piloted for the first time the arrangement of delaying the collection of tickets sold through public sale of a pop concert in October this year. Under this arrangement, people who have made purchase would not receive their ticket immediately. They would have to collect their tickets at an URB TIX outlet or from a ticket dispensing machine within 14 days before the day of the performance with the same credit card that they used for ticket purchase. This measure can shorten the duration that a ticket can be resold and hence increases the difficulty in and the risk of profiteering on ticket resale.

(h) Strengthening consumer education

- URB TIX has all along been appealing to the public to buy tickets through official channels to prevent loss from frauds. URB TIX also shows on its webpage the appeal message from the Anti-deception Coordination Centre of the Police that members of the public should be careful in online transactions, as well as other points to note. With the consent of organisers, URB TIX would also print the Police Anti-Scam Helpline number on ticket stubs to raise public awareness and remind the public to report to the Police in case of suspected deception.

We believe that the above measures can facilitate the orderly sales of tickets through official channels, and help lower the chance of reselling a considerable number of tickets for profits. We will continue to adopt the above measures, or other appropriate ones, according to actual needs.

Options that can be considered for future implementations

5. Only tickets of extremely popular programmes would be in short supply. Over the recent three years (i.e. from 2016-17 to September 2018), there were 68 entertainment programmes held at the HKC with tickets sold via URBOTIX. Among them, only 13 programmes had their tickets sold out on the first day of public sale. In spite of this fact, we are still examining various legislative and administrative measures in response to public request for regulating the resale of tickets of events held at LCSD venues. For both legislative and administrative measures, they must be clear, easily and practicably enforceable, and effective in achieving the objective. The suggestions and observations of the Home Affairs Bureau (HAB) are set out in the ensuing paragraphs.

Legal measures

6. The following ordinances/regulations of the Laws of Hong Kong directly regulate the transaction of tickets for events held locally –

- Public Health and Municipal Services Ordinance (PHMSO) (Cap. 132)
- Civic Centres Regulation (Cap. 132F)
- Places of Public Entertainment Ordinance (PPEO) (Cap. 172)
- Summary Offences Ordinance (SOO) (Cap. 228)

The relevant provisions are set out in **Annex A**.

7. When discussing whether or not the Government should regulate or prohibit the resale of tickets through legislation, some quarters in the community have suggested that the Government might consider amending PPEO (Cap. 172) to cover LCSD venues including the HKC and the QES. Section 6(1)(b) of the PPEO prohibits anyone from selling a ticket at a price exceeding its original amount. In other words, reselling a ticket at a price equal to or less than the original price does not contravene the law. At present, licences for places of public entertainment are not required for venues managed by the LCSD pursuant to the Places of Public

Entertainment (Exemption) Order (Cap. 172D). Therefore, the aforementioned provision on ticket sale is not applicable to venues of the LCSD.

8. We will continue to deliberate on the feasibility of amending the PPEO with a view to effectively combating profiteering activities relating to the resale of tickets of relevant venues together with the Department of Justice and other law enforcement agencies. This amendment may seem straightforward, but we need to ensure that the legislative amendments fall under the coverage of the PPEO, and whether the same ordinance is suitable to deal with the relevant problems¹.

9. Other legislative amendment proposals that are being contemplated include amending the PHMSO (Cap. 132). Section 105O of the PHMSO provides that the Authority (i.e. the Secretary for Home Affairs) may make regulations on matters relating to civic centres². Apart from this, we are also considering amendments to the SOO (Cap. 228), which has provisions to prohibit anyone from touting in public places.

10. From different studies overseas, we understand that profiteering on ticket resale cannot be eradicated solely by legal measures. Indeed, so long as there are demands for tickets in a free market, profiteering on ticket resale will not disappear completely. In view of the public concern, we do not, in principle, object to exploring ways to deal with the situation of profiteering on ticket resale by way of legislation, and we are examining proposals that are both legally and practically sound and solid. We must be prudent because the amendments involve a criminal offence. At this stage, we would like to raise the following issues for Members' consideration –

- (a) Once there is a new legislation, resale of tickets of activities requiring a ticket in LCSD venues other than entertainment programmes, including commercial entertainment programmes,

¹ According to the record of the then Legislative Council, the original intent of the PPEO, which was enacted in 1908, is to ensure public safety in a place of public entertainment, and to avoid chaos created by fire accidents or overcrowding. The relevant provision on prohibiting the resale of tickets at a price higher than its original amount came into effect in 1941, with an aim to prevent nuisance and public order problems created by gangs and roughs who resold tickets, as well as to safeguard the revenue from the collection of the Entertainment Tax by the government back then.

² Civic centres are premises and the grounds appurtenant thereto for use as a civic centre pursuant to section 105M of the PHMSO. At present, there are 26 civic centres in Hong Kong, including HKC and QES. The list of civic centres is at **Annex B**.

arts performances, sports competitions, and religious activities, etc. will also be subject to the statutory regulation in the future legislation;

- (b) The public are mostly concerned about the profiteering activities on ticket resale of extremely popular entertainment programmes. Once there is a new legislation, programmes that are not enjoying a full house might also be affected;
- (c) Whether or not we should prohibit all ticket resale in secondary market (including resale at a price equal to or lower than the original price) and allow sellers to charge a certain percentage of administration fee when reselling tickets;
- (d) The ways to handle the sale of second-hand tickets through a package deal covering other goods or services;
- (e) Since most of the ticket resale activities are conducted online nowadays and some sellers are not selling their tickets within Hong Kong, we must study carefully how to address the law enforcement difficulties upon legislation. Generally speaking, the local enforcement agencies have no authority to take any enforcement action on activities that happen in other jurisdictions; and
- (f) Read-across implications to the resale of other goods upon the enactment of the new legislation.

HAB's observations of the issues above are at **Annex C**.

11. Internationally, many jurisdictions have different experience in dealing with profiteering on ticket resale by means of legislation but the effectiveness varies. Transactions of second-hand tickets remain and second-hand ticket resale websites have been more active. There is experience where there had been regulation but was later relaxed, and tickets could be traded legally and freely. Recently, the United States and the United Kingdom have passed legislation that prohibits ticket purchase by bots but its effectiveness is yet to be ascertained. We will continue to pay attention to the developments outside Hong Kong and will take into account other's experience when we are coming up with an appropriate legislative

proposal. We will also continue to listen to different views and plan to report our findings to the Legislative Council after the third quarter of 2019.

Administrative measure: “Personalised ticketing”

12. Apart from legislation, we could require all hirers who organise entertainment programmes at LCSD venues and use URB TIX to record the personal particulars of a ticket buyer and even print them on a ticket for verification of one’s identity at the time of entry against the information one provides at the time of purchase (commonly referred to as “personalised ticketing”). This is possibly an effective way in combating ticket speculation. To the understanding of the LCSD, programme organisers in general are reluctant to adopt “personalised ticketing” due to worries about its impact on ticket sales and programme operation arising from ticket buyers’ concerns over privacy and practical implementation difficulties (such as transferability of the ticket purchased, the time required for pre-admission check, manpower deployment, and the cost to organisers, etc). We understand that there are certain difficulties in adopting “personalised ticketing” in a large venue such as the HKC, and audience will be required to arrive early for identity verification. For example, audience may have to arrive at 6pm or earlier for a concert that starts at 8pm. The LCSD will continue to study the issue in collaboration with the Office of the Government Chief Information Officer, and will invite proposals of technology solutions which can facilitate audience admission while safeguarding their privacy when the Smart Government Innovation Lab is set up in April next year. Prior to that, the LCSD will continue to allow organisers to choose whether they would adopt “personalised ticketing” or not, and discuss with programme organisers feasible ticketing arrangements that suit the needs of individual programmes. In addition, URB TIX will look into the proposal of selling tickets by way of balloting. However, the LCSD understands that programme organisers generally consider that a balloting system does not work well with their sales strategy as it will involve complicated operational details and lacks flexibility.

Administrative measure: adjusting the supply of tickets available to the public

13. The price of second-hand tickets reflects the supply and demand situation. If the supply of tickets can increase, that should reduce the chance of profiteering on ticket resale. There are some in the community who consider that increasing the number of tickets available to the public can

serve this purpose. We also consider that increasing the supply of tickets is an effective means to reduce the problem of ticket speculation.

14. According to the Terms and Conditions of Hire of the LCSD's performance venues, if a hirer organising paid-admission events chooses to use URBTIX for sale of tickets, the total number of all consignment tickets to be issued in any price category of the ticket price scale for a particular performance shall not exceed a prescribed proportion of that performance. This prescribed proportion was originally set at a maximum of 49%, but after discussion with the performing industry and a review of the arrangement for the use of URBTIX as well as the nature of different venues, the proportion of consignment tickets for the HKC and the QES has been increased to a maximum of 80% since 2001, while the proportion for other venues has remained unchanged. In other words, for any ticketed performing activities held at the HKC and the QES, the organiser can keep at most 80% of tickets as consignment tickets and sell the remaining 20% of the tickets to the public. Take the maximum number of 12 000 seats at the HKC as an example, an organiser can sell at most tickets for 9 600 seats through its internal mechanism, and the number of tickets available for public sale would be 2 400.

15. We have suggested to the Performing Industry Association (Hong Kong) (PIA) that it should allocate more tickets for sale on the first day of public sale for programmes held at the HKC and the QES, and to disclose more information on consignment tickets to the public for greater transparency (e.g. the number of consignment tickets and their distribution channels, in particular the arrangement concerning priority booking through partnering credit cards because the public usually would have a chance to purchase tickets through this channel). The representatives of the industry did not agree that reducing the number of consignment tickets could suppress the trend of ticket resale nor the price of second-hand tickets. They expressed that the number of consignment tickets has a direct impact on their profit and loss, and the business environment of Hong Kong's performing industry, and therefore they considered that there is no room for lowering the ratio of consignment tickets. Furthermore, since the distribution channels and number of consignment tickets are commercial secrets, the industry has declined to divulge further information. In May this year, the PIA organised a press conference and advocated six measures of combatting profiteering on ticket resale, including stepping up enforcement and imposing heavier penalty, enacting legislation to regulate second-hand ticket speculation platforms, enacting legislation to regulate

resale of tickets for the HKC and the QES, enhancing the ticketing system, raising the information transparency of organisers, and increasing performance venues in Hong Kong.

16. The Government respects the operation of commercial markets, and it is our hope that the entertainment industry can continue to grow. It is not our intention to strangle the industry. There are larger seating capacities at the HKC and the QES, and the hirers of the HKC are mostly entertainment production companies that organise large-scale pop concerts on a commercial basis. These events often involve high production costs and bear relatively greater financial risks, and normally require more support from sponsors and co-organisers based on commercial and practical considerations (including promotional needs, marketing strategies, and terms of their sponsors and co-organisers, and demand from fan clubs, etc). We understand that hirers need more flexibility in selling tickets and such an arrangement is not exclusive to Hong Kong³.

17. On the other hand, we understand very well that the general public are feeling dissatisfied because they are unable to purchase tickets through official open channels, and the problem of the much higher price being charged for tickets in the secondary market relative to the primary market. The ratio of consignment tickets for each of the recent three years are set out below –

	Consignment Ticket Ratio of Entertainment Programmes (e.g. pop concerts, stand-up comedies, and musicals) held at the Hong Kong Coliseum	
Year	First Day of Public Sale	Whole Period of Ticket Sale
2016-17	69.8%	47.8%
2017-18	69.6%	50.6%
2018-19 (till September)	54.4%	48.4%

³ According to a report published by the government of the State of New York of the United States in 2016, about 54% of the tickets for pop concerts held in the State of New York from 2012 to 2015 were not sold to the public. Among this 54%, 38% of the tickets had been sold through sponsoring credit card companies or fan clubs, etc., before the tickets were released for sale to the public.

From our understanding, after the tickets are open for sale to the public, organisers may adjust the number of consignment tickets in response to the sales situation, and the design of the spectator area/stage (e.g. re-allocating consignment tickets or turning seats originally reserved for production to public sale). The final number of tickets sold to the public may be higher than the number of tickets sold through URB TIX on the first day of public sale. According to the final account, the actual number of printed consignment tickets for the aforementioned programmes accounted for around 49% (or about 51% of the tickets sold through public sale) . This phenomenon reflects the marketing strategy of the organisers, and is part of their financial risk management strategy.

18. After considering different views, despite the fact that the ratio of consignment tickets on the first day of public sale is still below the 80% ceiling on average, we are of the view that there is room to lower the maximum ratio of consignment tickets in the HKC and the QES. Having regard to the performing industry's concerns, we do not consider it appropriate to significantly lower the ratio of consignment tickets immediately, but the concerned ratio should be lowered gradually. We are also willing to consider other more flexible conditions, such as permitting the calculation of the maximum consignment ratio on the basis of all shows of a performance, and imposing a floor above which the new ratio would become applicable (in other words, only performances that reach a certain number of shows would need to follow the new maximum ratio of consignment tickets). The ultimate goal is to provide more programme tickets available for sale to the public. We would also like to consult Members on an appropriate ratio of consignment tickets in view of the concerns of the performing industry.

Increasing performance venues

19. The Government has set aside \$20 billion for the improvement and development of cultural facilities in the coming ten years, including the construction of the East Kowloon Cultural Centre, the construction of the New Territories East Cultural Centre, the expansion of the Hong Kong City Hall, the renovation of the Hong Kong Cultural Centre, etc. Several arts and cultural facilities in the West Kowloon Cultural District will successively come on stream. The first performing arts venue, the Xiqu Centre, will come into operation in January 2019. The Art Park has begun to open by phases for public enjoyment since early this year. Located in the centre of

the Art Park, Freespace, comprising a black box theatre and an outdoor stage, will open in 2019. The construction works of the Lyric Theatre Complex is also progressing in full swing. Upon the completion of all works, the number of performance venues in Hong Kong will increase significantly. Besides, the Main Stadium of the Kai Tai Sports Park, with a seating capacity of around 50 000 audience in future, is designed to host different major sports events, as well as leisure and entertainment, and other events like concerts, etc.

Advice Sought

20. Members are invited to comment on the measures mentioned above, in particular the legal measures and the suggestion on increasing the supply of tickets available for public sale.

Home Affairs Bureau
November 2018

Places of Public Entertainment Ordinance (Cap. 172)
(Excerpts)

3A. Exemption orders

- (1) The Secretary for Home Affairs may by order published in the Gazette exempt places of public entertainment which are of a specified class or description from –
 - (a) this Ordinance or particular provisions of this Ordinance specified in the order;
 - (b) regulations under this Ordinance which are so specified or particular provisions of such regulations being provisions which are so specified.
- (2) For so long as an order under this section remains in force this Ordinance or, where appropriate, any regulation or licence to which the order relates, shall be construed and have effect subject to the terms of the order.

6. Restrictions on the unauthorized sale of tickets

- (1) No person shall sell, or offer or exhibit or have in his possession for sale, or solicit the purchase of, any ticket or voucher authorizing or purporting to authorize admission to any place of public entertainment licensed under this Ordinance or any place with respect to which duty on payments for admission is payable under the Entertainments Tax Ordinance –
 - (a) in any public thoroughfare, or in the entrance hall of, or approaches to, any such place as aforesaid, except at a box-office, booth, turnstile or counter appointed by the proprietor or manager of such place or by the organizer of the entertainment, exhibition, performance, amusement, game or sport held therein; or
 - (b) at a price exceeding the amount fixed by such proprietor, manager or organizer to be charged therefor, inclusive of the duty, if any, payable.
- (2) Any person who contravenes the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine of \$2,000.

Public Health and Municipal Services Ordinance (Cap. 132)
(Excerpts)

105O. Regulations relating to civic centres

The Authority may make regulations for any of the following matters –

- (a) the fixing of the days of the week and the hours of the day during which any civic centre or any part thereof may be open to members of the public;
- (b) the regulation of the conduct of persons admitted to any civic centre or any part thereof and for the removal therefrom of any person who infringes any of the provisions of any regulation made pursuant to this section;
- (ba) the control (including prohibition) of trading, advertising or the erection of structures in any civic centre; the removal, storage and sale of any trading, advertising or construction materials that are brought into or remain in a civic centre in contravention of any regulations made under this section; the recovery of any costs incurred in respect of such removal, storage and sale; and the forfeiture of the proceeds of sale;
- (c) the general regulation and management of civic centres and any facilities provided therein.

Civil Centres Regulation (Cap. 132F)
(Excerpts)

10. Erection of structures and trading

(1) No person shall, in a civic centre –

- (a) erect any post, rail, fence, pole, tent, booth, stand, building or other structure, or bring or allow to remain any materials for such a building or structure, except with the written permission of a manager and subject to such conditions as he may impose; or
 - (b) sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any refreshment, commodity or article, unless, in pursuance of any agreement with the Director, such person is authorized to sell or let to hire in the civic centre such refreshment, commodity or article.
- (2) Any post, rail, fence, pole, tent, booth, stand, building or other structure or any building materials for such booth, stand, building or other structure which is brought into or remains in a civic centre without the permission in writing of a manager or contrary to any conditions imposed by a manager, may be removed by a manager and, if unclaimed after a period of 7 days, may be sold and the owner thereof shall be liable for the costs of removal, storage and sale which costs may be recovered from the owner by the Director.
- (3) When anything is sold by a manager under subsection (2) the proceeds of sale, after deduction therefrom of the costs of removal, storage and sale, shall be payable to the owner and if no claim therefor is made by the owner within 3 months after the date of sale, the sale proceeds, after deduction therefrom of any such costs, shall be forfeited to the Government.

15. Offences and penalties

Any person who –

- (c) contravenes section 10 or 12 commits an offence and is liable to a fine at level 2 and to imprisonment for 1 month.

Summary Offences Ordinance (Cap. 228)
(Excerpts)

6A. Touting

- (1) Any person who in a public place, to the annoyance of or in a manner likely to annoy any other person, importunes such person to buy any article or thing or to give his custom to any business, whether or not the article or thing is offered for sale, or the business is carried on, by such first-mentioned person, shall be guilty of an offence and shall be liable on conviction to a fine of \$1,000 in the case of a first offence, and to a fine of \$2,000 and to imprisonment for 6 months in the case of a second or subsequent offence.
- (2) In subsection (1), business (業務) includes any services provided by way of trade or business.

6B. Prohibition of profiteering on the sale of travel tickets in a public place

- (1) No person shall, in a public place, sell or solicit the purchase of any ticket issued by or on behalf of a carrier at a price exceeding the authorized price.
- (2) Any person who contravenes subsection (1) commits an offence and is liable to a fine of \$1,000 in the case of a first offence, and to a fine of \$2,000 and to imprisonment for 6 months in the case of a second or subsequent offence.
- (3) In subsection (1) –
- authorized price (批准價格), in relation to a ticket issued by or on behalf of a carrier, means the price fixed by or on behalf of the carrier as the price at which the ticket is to be issued to an intending passenger;
- carrier (載運商) means a person who provides any means of transport for passengers;
- sell (出售) includes exhibit or offer for sale, or have in possession for sale; and
- ticket (客票) means any document or token issued for the purpose of enabling the holder thereof to travel as a passenger on any vessel, aircraft, vehicle or other means of transport.

Civic Centres

1. City Hall at Connaught Road Central, Central
2. Tsuen Wan Town Hall at Tai Ho Road, Tsuen Wan
3. Queen Elizabeth Stadium at Oi Kwan Road, Wan Chai
4. North District Town Hall at North District Community Centre, Sheung Shui
5. Ko Shan Theatre and Ko Shan Theatre New Wing at Ko Shan Road Park, Hung Hom
6. Hong Kong Coliseum at Cheong Wan Road, Hung Hom
7. Tai Po Civic Centre at Tai Po Government Secondary School at On Pong Road, Tai Po
8. Ngau Chi Wan Civic Centre at the junction of Clear Water Bay Road and Lung Cheung Road, Wong Tai Sin
9. Sha Tin Town Hall at Yuen Wo Road, Sha Tin
10. Tuen Mun Town Hall at Tuen Hi Road, Tuen Mun
11. Hong Kong Cultural Centre and Salisbury Garden appurtenant thereto (excluding the marriage registry and any building or part of a building designated under section 105G as a museum or under section 105K as a library) at Salisbury Road, Tsim Sha Tsui
12. Sheung Wan Civic Centre at Queen's Road Central, Sheung Wan
13. Sai Wan Ho Civic Centre at 111 Shau Kei Wan Road, Sai Wan Ho
14. The Lecture Hall and the Special Exhibition Hall of Hong Kong Science Museum at 2 Science Museum Road, Tsim Sha Tsui East
15. The Lecture Hall, the Ceramic Studio, the Painting Studio, the Printmaking Studio, the Lobby and the Podium on 1/F of Hong Kong Museum of Art at 10 Salisbury Road, Tsim Sha Tsui
16. Hong Kong Visual Arts Centre at 7A Kennedy Road inside Hong Kong Park, Central
17. Kwai Tsing Theatre at Hing Ning Road, Kwai Chung
18. Yuen Long Theatre at Tai Yuk Road, Yuen Long
19. The Lecture Theatre, the Exhibition Gallery, Activity Room 1 and Activity Room 2 of the building known as Hong Kong Central Library at 66 Causeway Road, Causeway Bay and any other part of that building that is not designated as a library under section 105K
20. The Cinema and the Exhibition Hall of Hong Kong Film Archive, 50 Lei King Road, Sai Wan Ho

21. The Lecture Hall in the extension block connecting Blocks S61 and S62, the Activity Room in Block S62, and the Courtyard and Cafeteria between Blocks S61 and S62, of Hong Kong Heritage Discovery Centre, Kowloon Park, Haiphong Road, Tsim Sha Tsui
22. The Lecture Hall, Activity Rooms 1 and 2, the Special Exhibition Gallery and Courtyard of Hong Kong Museum of History, 100 Chatham Road South, Tsim Sha Tsui
23. The Tea Room, Galleries 1, 2 and 3 and the North Lawn of Flagstaff House Museum of Tea Ware, 10 Cotton Tree Drive, Central
24. The Theatre, the Seminar Room, the Education Studio, the Function Place, the Courtyard and the Main Foyer (including the Grand Staircase) of Hong Kong Heritage Museum, 1 Man Lam Road, Sha Tin
25. Yau Ma Tei Theatre and the Red Brick Building at Waterloo Road, Yau Ma Tei
26. The site and buildings known as Oil Street Art Space at 12 Oil Street, North Point

**Regulating the Resale of Tickets for Events Held in Venues
of the Leisure and Cultrual Services Department**

Possible areas that may be subject to legislation in future	Preliminary Observations of the Home Affairs Bureau	
	Merits	Problems
Prohibiting all ticket resale	<ul style="list-style-type: none">• Clarity• Conveys a message that profiteering on ticket resale is an illegal activity	<ul style="list-style-type: none">• Causes inconvenience to patrons who really cannot attend• Causes inconvenience to patrons who cannot buy tickets online or at the outlets in person and have to resort to agent services to purchase tickets on their behalf• May undermine sponsorship incentives• Patrons may delay their ticket purchase• Despite the clear message, enforcement is an issue to consider• Some people hope that they are allowed to transfer their tickets• Enforceability outside the territory
Prohibiting the sale of tickets through a package deal	<ul style="list-style-type: none">• Clarity• Relatively easy to enforce• Customers can know clearly what they are being charged for with regard to a service or an item	<ul style="list-style-type: none">• May hinder the development of the travel industry or other commercial activities, and cause inconvenience to some consumers

Possible areas that may be subject to legislation in future	Preliminary Observations of the Home Affairs Bureau	
	Merits	Problems
Prohibiting the collection of administration fee for ticket resale	<ul style="list-style-type: none"> • Permits limited resale, and more convenient to bona fide patrons who are unable to attend 	<ul style="list-style-type: none"> • Difficult to determine the amount of administration fee • Opaque, and easily lead to loopholes