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Sold out. Priced out.

A Euroconsumers' roadmap for a fair ticket resale market

Index

Executive Summary

Attending a concert, a football match, or a major sporting event should be a moment of genuine excitement — **not a financial gamble against an opaque, exploitative market**. Yet for millions of European consumers that did not manage to get hold of a ticket in the turmoil of the primary ticket market, the ticket resale market has become exactly that: a system in which fans pay multiples of a ticket's original price, with no guarantee the ticket is genuine, no way to know what markup they are paying, and no effective recourse when something goes wrong.

Drawing directly on the **collective experience** of its member organisations, Altroconsumo (Italy), Testachats/Testaankoop (Belgium), OCU (Spain), Euroconsumers Polska (Poland) and DECO/DECO Proteste (Portugal), Euroconsumers sets out why the European Union must act now, and what that action should look like.

This insight is based on nearly a **decade of national regulation, investigations, complaints, and enforcement action across the secondary ticketing market**. The legal and market analysis in this paper reflects what our organisations have encountered directly: in courtrooms and in front of consumer enforcement authorities, in regulatory proceedings, and in the thousands of complaints received from consumers who paid far more than they should have for a ticket.

Why now

The **Digital Fairness Act** represents the first genuine opportunity in years to address ticket resale at EU level. As this paper shows, national resale laws cannot solve this problem alone. Euroconsumers' own decade-long pursuit of Swiss-based Viagogo, through national courts, EU-level coordination, and now a Digital Services Act complaint, shows that every tool currently available, used against the platform that has faced more scrutiny than any other in Europe, has left the underlying business model untouched.

What's not working

Across the five Euroconsumers member states, resale is governed by five different regimes, ranging from Belgium and Italy's relatively developed framework to Spain's outright legal vacuum. This patchwork leaves consumers facing **fundamentally different levels of protection for identical harms** and gives cross-border platforms ample room to operate beyond the reach of any single national authority.

What already works

This is not a call to regulate an unregulated market from scratch. Where national resale laws exist and face-value caps were introduced, legitimate, price-capped, verified resale platforms have emerged. The demand for safe, capped resale is real, and the market has already shown it can meet it. What is missing is a **single EU standard** for it to work towards, rather than a fragmented patchwork and a way of reaching the platforms that operate outside any of these frameworks altogether.

The three headline harms

Consumers are exposed to **inflated prices**, through resale markups and through platform commission structures that can give intermediaries a direct financial stake in higher resale prices.

They are exposed to **fraud and invalid tickets**, with no traceability requirements to prevent a ticket being resold to multiple buyers, cancelled, or invalidated without recourse.

And they face **zero accountability**: no right to know a ticket's original price, no way to verify a seller's identity, and platforms operating across the EU with no registration, no obligations, and in practice no consequences.

The three asks

To tackle these harms, Euroconsumers calls on the Commission to include three binding measures in the Digital Fairness Act.

First, an **EU-wide ban on the resale of tickets above their original face value**: with only a narrow margin for legitimate costs, applying to both commercial and private sellers, and with the original face value displayed alongside any resale price.

Second, **platform accountability**: with binding obligations to enforce the cap, verify sellers and tickets, and maintain traceability.

Third, **effective enforcement**: fines calibrated to global annual turnover and calculated on clear, consistent criteria; liability extended to both the operators of bulk-purchasing bots and the primary ticketing platforms that fail to prevent their use; and the power for national regulators to order website blocking for persistent non-compliance.

1. The Problem: A Market Designed to Fail Consumers

Attending a live event such as a concert, a football match, a once-in-a-generation sporting occasion, is not a routine consumer transaction. **It is an experience tied to culture, identity, and community**. For millions of Europeans, it is also becoming unaffordable, not because tickets are inherently scarce or expensive, but because the market for them has been **systematically structured to extract maximum revenue** from the people who care most, through a combination of constrained markets and engineered scarcity.

Two practices sit at the heart of this problem: **opaque pricing techniques** like dynamic pricing, which are leading to growing market failure in primary markets, and **unregulated resale** in secondary ones.

This paper focuses on resale, but it cannot be understood in isolation from lack of competition and dynamic pricing, nor can the policy response to one be designed without regard for the other. Following on from Euroconsumers' extensive work on the use of dynamic pricing in live events[1], this paper outlines what is needed to **ensure the resale market is one that is affordable and fair to all consumers**.

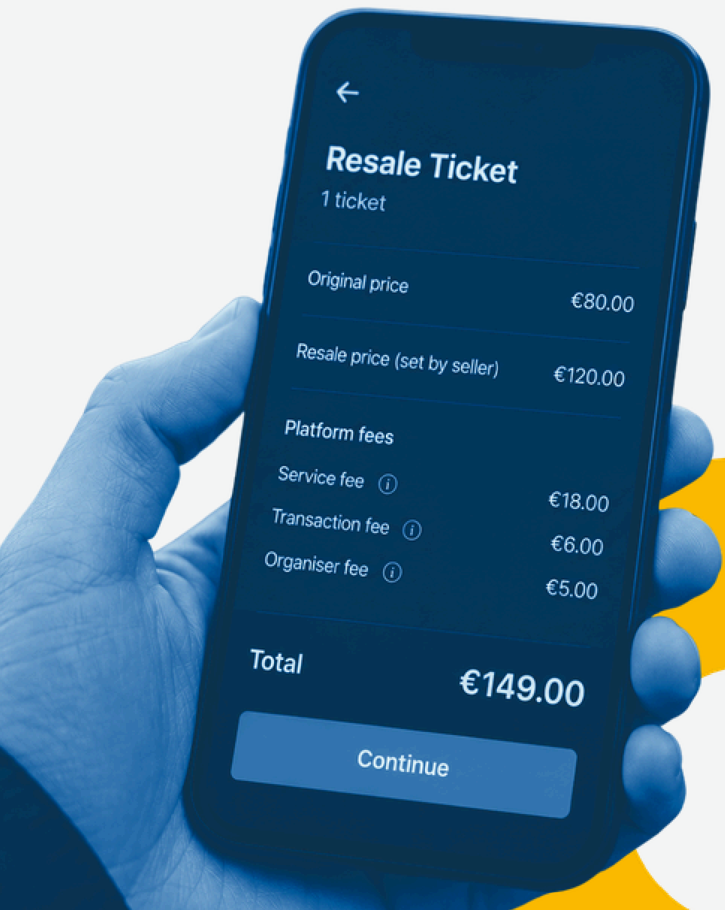
1.1 The Resale Problem: Three Interlocking Harms

Through our on-the-ground work, Euroconsumers has identified three critical harms facing consumers engaging with the secondary ticketing market.

Price exploitation is the most visible harm, and it comes in two forms. Consumers are first exposed via **resale mark-up**, whereby both professional and non-professional sellers resell their tickets above face value. This gap between what a ticket costs and what a reseller charges for it, exploits eager fans looking for a 'Hail Mary'. In Italy, resale markups for 2026 Winter Olympic tickets reached 600% above face value.[2] This isn't an outlier — **it's the business model of the secondary market**.

But resale platforms themselves have their own exploitative practices on top of this. When tickets change hands on secondary platforms, they often **incur multiple charges, including service fees, transaction fees, organiser fees, with no transparent justification**. Euroconsumers' member OCU found that 80% of official ticketing websites charged management fees, that can exceed 10% of the original price.

On resale platforms, where platform fees stack on top of the reseller's own markup, the impact on the total price paid can be even greater.[3] Even where legislation caps what a reseller can charge, as is the case in Belgium, the **platform itself remains free to add its own fees without limit**. In other words, the reseller cannot profit, but the platform can.



These platform fees are **a distinct harm from the resale markup**: they are levied by the intermediary regardless of who the seller is. They also ensure that the platform benefits from high resale ticket prices, as their commission rises directly with ticket prices. In other words, **this gives resale platforms a direct financial interest in higher markups** rather than in enforcing any price cap.

FIFA's 30% commission (15% for both the buyer and the seller) on resold World Cup tickets is a stark illustration of this model at the primary/secondary market boundary: an organiser that takes a near-third share of whatever price a ticket commands on resale has little incentive to discourage high resale prices, and considerable incentive to facilitate them.[4]

The harm is not merely financial. At a time when **almost 1 in 3 European consumers are struggling to afford leisure and free time**, according to Euroconsumers' own Affordability Barometer, pricing ordinary fans out of cultural and sporting events is a social equity issue as much as a consumer protection one.[5]

Live events, football matches, concerts, major sporting occasions are not luxury goods. **They are shared cultural experiences**. A market that systematically redirects access from fans to whoever can pay most, or move fastest, damages something beyond individual consumer welfare. But price is only one dimension of a market that fails consumers in multiple, compounding ways.

Fraud and invalid tickets represent the second harm, and one that is frequently underestimated. Secondary market consumers have no reliable way to verify that a ticket they are purchasing is genuine, has not already been resold to another buyer, or will be honoured at the venue. **The absence of traceability requirements** means that a ticket can be listed multiple times, cancelled by the primary seller, or invalidated without the secondary buyer having any meaningful recourse. This is not a theoretical risk; it is a documented feature of unregulated resale markets.

Information asymmetry is the third and most structurally corrosive harm. Consumers purchasing on secondary platforms routinely have **no way of knowing what the original face value of a ticket was**. They cannot calculate the markup they are paying. They cannot verify the seller's identity. They may not know whether they are dealing with a commercial operator or a private individual, with entirely different implications for their legal rights.

1.2 The Connection Between Primary and Secondary Markets

It is no coincidence that **resale harms are discussed most acutely in the context of dynamic pricing**. The two practices interact directly and in ways that undermine both.

The industry argument for dynamic pricing in primary markets is, in part, that it reduces the incentive to resell: if the primary seller captures the full market price, there is no margin for a scalper. This argument has a superficial logic, but it misidentifies where the harm lies. Consumers do not suffer only when money flows to a secondary market reseller rather than to an organiser; they suffer when the price exceeds what is fair for access to a cultural event in a constrained market.

Redistributing the markup from Viagogo to Ticketmaster does not protect consumers — it simply changes which intermediary extracts the value.

More fundamentally, as primary markets move toward demand-based pricing and the concept of a stable "face value" erodes, the secondary market becomes harder to regulate. Price caps referenced to face value require that face value be meaningful, fixed, and visible. **A policy framework for resale must therefore either assume the stability of primary market pricing, or address both practices together**. The Digital Fairness Act offers the opportunity to do precisely that.

The **Digital Fairness Act** is the right vehicle to address concerns in both the primary and secondary markets, as it represents the first genuine opportunity to establish harmonised EU rules on both dynamic pricing in constrained markets and the conditions under which ticket resale can legally occur. The sections that follow set out what those rules for the resale of tickets should look like, grounded in enforcement experience and the lessons of the most effective national frameworks across Euroconsumers' member states.

2. The Current Landscape: A Patchwork That Doesn't Fully Protect

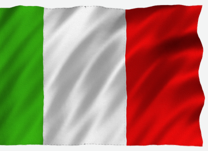
Ticket resale is not an unregulated grey area across the European Union; it is a differently regulated one. Member states have each developed their own responses to the problem, producing a fragmented legal landscape that secondary market operators exploit systematically, and that consumers cannot navigate with any confidence.

2.1 Five Countries, Five Regimes

The table below illustrates the scale of the inconsistency across Euroconsumers member states alone.

Country	Face-value cap	Platform liability	Enforcement powers
Italy	Yes	Yes – platforms liable when actively facilitating transactions	Fines up to €180,000 per violation; content removal and website blocking in serious cases
Belgium	Yes	Yes - law explicitly targets platforms and intermediaries	Administrative fines (€156–€60,000)
Portugal	Yes	No	Criminal sanctions (6 months–3 years imprisonment)
Poland	Yes	No	Petty offence proceedings
Spain	No	No	No

The surface picture is deceptively positive: four of the five countries nominally prohibit above-face-value resale. The reality is far more uneven. The rules differ in scope, in the obligations they place on platforms and in the tools available to regulators.



Italy's combination of the 2017 Budget Law and the 2018 Battelli Law prohibits resale above face value, with authorised fees permitted; nominative ticketing is required for events at venues with capacity over 5,000. The national competition and consumer authority, AGCM, is empowered to impose administrative fines while the communications regulator, AGCOM, can adopt complementary measures, including website blocking, in relation to online platforms.

In **Portugal** resale above face value is a criminal offence carrying up to three years imprisonment and a fine of no less than 100 days. If the seller has acted negligently, the applicable prison sentence is reduced to one year and the fine to a minimum of 40 days. However, the law faces practical hurdles to reach the foreign-based platforms – especially those outside EU - through which a lot of the prohibited activity actually occurs.

Poland's national rules can be found in the Code of Petty Offences, which forbids the resale of tickets above the original purchase price. Under the legislation, a resale is considered to be carried out "for profit" whenever the seller obtains a price higher than the original purchase price, with no statutory threshold for the level of profit -meaning that even a purely symbolic gain may qualify as an offence by the seller.

Belgium enjoys a dedicated law from 2013 which prohibits the regular reselling and occasional reselling above face value. The law also addresses platforms through its prohibition on the "provision of means" used for above-face-value resale — one of the few national frameworks that directly addresses intermediary liability.

Spain has no applicable legislation for online resale. The only specific legal instrument dates from 1982 and governs physical street resale. A Draft Bill on Sustainable Consumer Protection, which would introduce a face-value cap and ticket resale prohibitions, has entered the parliamentary process. However, the bill's passage remains uncertain.

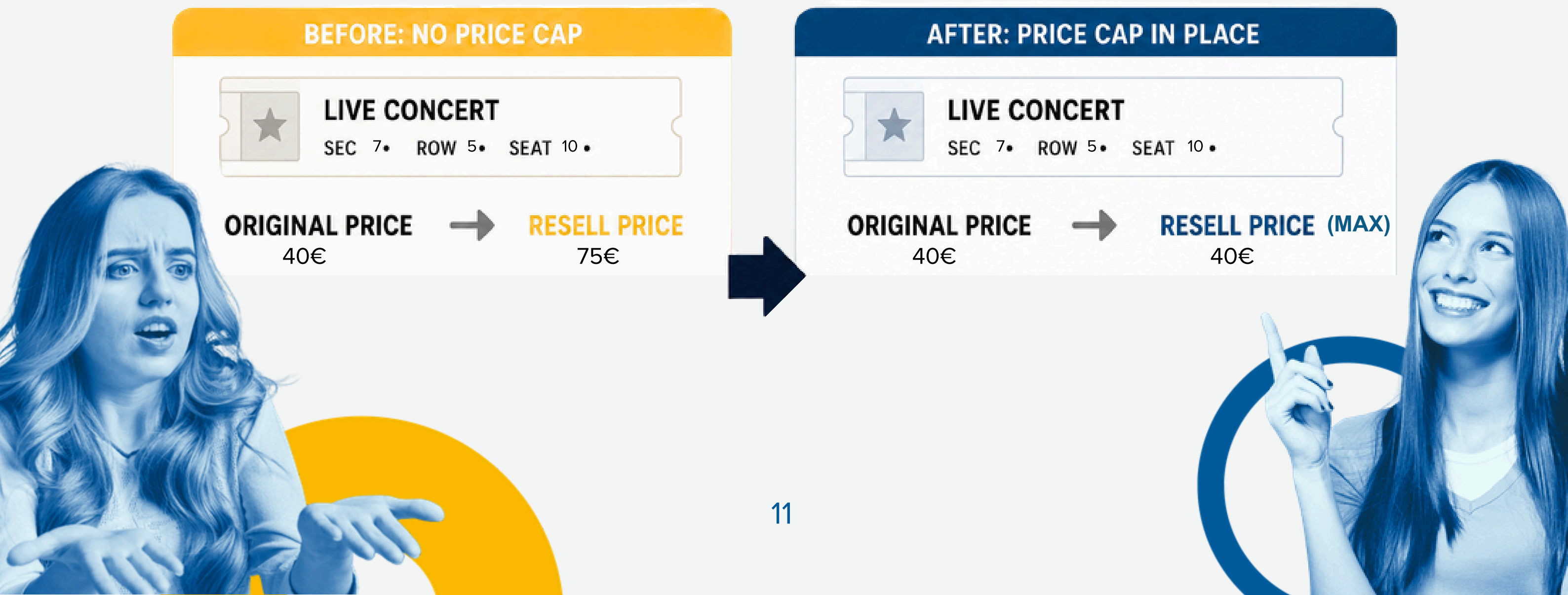
2.2 The Market Responds: Evidence That Capped Resale Works

Ticket resale is not going away. Demand for tickets to sold-out events is real, and some portion of it will always seek a secondary market. Banning resale outright does not make that demand disappear. The question is not whether a resale market exists, but whether it is organised around platforms that are safe, transparent, and capped, or around ones that are not.

Legislation shapes that choice. Where a face-value cap exists, legitimate platforms have built models around it. For example, TicketSwap operates a hard cap on resale prices as a percentage of original price, automatically adjusted to the legal framework of each market.[6]

The effect extends beyond the platform itself: **once a safe, capped option exists, consumers look there first**, reducing demand for riskier listings elsewhere. A ticket resold above the cap on social media can be discredited by the organiser, or a ticket linked to a named purchaser can create problems for the buyer at the door. If consumers have access to alternative platforms that respect measures in place to protect them, such as the face-value caps, it can lead to a cooling down of the exploitative secondary resale market.

The Belgian experience also illustrates something important about how legitimate platforms respond to legislation: TicketSwap automatically adjusts its price-setting rules to the legal framework of each market. In Belgium, a reseller cannot set a price above face value and the platform enforces this directly. Where no such legislation exists, the same platform permits above-face-value resale. **The cap does not emerge from the platform's values; it emerges from the law.** This is precisely why legislation matters.



2.3 What Enforcement Looks Like in Practice

Knowing what the law says is only the first step. What matters for consumers is whether that law can actually be enforced against whom, in which forum, and with what practical effect.

Of the five Euroconsumers' countries, Belgium and Italy have the most developed enforcement records.

- The first is **jurisdictional**: cross-border cases within the EU can take years to even establish which court may hear them, and a valid prohibition can be rendered unenforceable by a separate EU instrument such as the e-Commerce Directive.

- The second is **compatibility**: a national resale law, however well-established, can itself be challenged as incompatible with EU internal market rules.

- The third is **methodological**: enforcement actions that are significant on paper can be reduced on appeal if the underlying calculation is not robust, even where the finding of infringement itself is upheld.

Belgium

In 2016, Testaankoop/Testachats launched **one of the first class actions in Europe against ticket resale platforms**, targeting eight resale websites, all of which were established in the Netherlands, which had no equivalent resale legislation.[7] However, compensatory action alone does not necessarily or immediately put a stop to the illegal behaviour. That's why, at the same time, Belgium's Directorate-General for Economic Inspection sought to have the websites of Dutch-based resale platforms taken down for breaching the 2013 Belgian law, leaving the Belgian courts to resolve the basic question: did they have jurisdiction at all over Dutch-established defendants for an alleged breach of Belgian law?

The Antwerp Court of Appeal ruled (14 September 2022, case 2017/AR/2150) that the action was blocked by Article 3 of the e-Commerce Directive (the country-of-origin principle), under which a host member state's ability to restrict services from a provider established elsewhere in the EU is sharply limited. While the Belgian ban on resale stood; the Belgian authorities' power to act on it did not. The question took years to resolve as it was ultimately referred to the CJEU as *Movic and Others* (C-73/19), which confirmed that a Belgian court could hear the case.[8]

The 2013 law's troubles are not confined to enforcement against foreign platforms. The validity of the law itself is now in question. In December 2025, the resale platform Ticombo prompted the Brussels Tribunal of First Instance to refer the law itself to the CJEU (case C-860/25), questioning its compatibility with the Services Directive and the freedom to provide services.[9] **Belgium's resale law is now before the Court on the question of whether it is compatible with EU law at all**.

Belgium's experience shows what happens when cross-border jurisdiction and compatibility with EU law are contested: it leaves national legislation with proven on-ground impact without practical effect.

Italy

Italy's experience reveals a different obstacle, where enforcement has proceeded smoothly and produced real sanctions, but questions in their methodology can cause concern.

AGCOM's enforcement record demonstrates what a **well-resourced regulator with strong investigative powers can achieve and where the limits of that power lie**. In 2022, AGCOM fined Viagogo €23.5 million for listing tickets to 131 events at prices up to six or seven times above face value.[10] A further fine of over €12 million followed in 2023 for listings covering 68 events.[11] In August 2025, AGCOM issued its first-ever sanction against a private individual: a €675,000 fine for systematic resale across 90 events, marking a significant expansion of enforcement reach beyond commercial platforms.[12]

Most recently, AGCOM opened two proceedings against major secondary platforms following the discovery of Olympic ticket listings for Milan-Cortina 2026, where **some tickets were reportedly offered at up to 600% above face value**.[13]

This record also shows that enforcement, even when well-resourced and persistent, has real limits. In May 2026, the Regional Administrative Court of Lazio (TAR Lazio) ruled on an appeal against the €675,000 individual fine. The Court upheld the underlying finding of infringement, confirming that the resale practices were unlawful, but reduced the fine to €450,000, arguing that AGCOM's calculation methodology produced a disproportionate result.[14]

The ruling does not call into question Italy's legal framework, nor AGCOM's authority to act. What it demonstrates is that the **credibility of large fines depends on a clear, consistent, and economically grounded methodology** for calculating them, without which even well-founded enforcement actions risk being partially unwound on appeal.

2.4 The Cross-Border Problem No National Law Can Solve

The defining **structural problem is that the market is pan-European and the rules are not**. National enforcement authorities have neither the mandate nor the tools to pursue operators systematically outside their borders.

This is not a hypothetical. It is precisely the operating model of the largest secondary ticketing platforms active in European markets today. Testachats/Testaankoop's own enforcement experience, demonstrates how this cross-border arbitrage works in practice and why it persists even where national rules nominally prohibit the conduct.

The Belgian CJEU referral adds a further dimension to this problem. **National laws that restrict resale are now being challenged on the grounds that they may themselves be incompatible with EU internal market rules**. This creates a perverse situation: member states that have tried to protect consumers may find their frameworks invalidated by EU law.

The common thread is this: **a national resale law is only as effective as the EU-level framework that surrounds it**. The only durable solution is an EU-level instrument that establishes harmonised rules that are, by definition, compatible with EU law. This would not simply add a layer on top of national law but instead resolve the very questions that currently determine whether national law has any effect at all.

The Viagogo Case: Eight Years, Three Instruments, One Result

The structural gaps described above are not theoretical. They have been tested, repeatedly, against a single platform over eight years. Viagogo is one of the world's largest secondary ticketing marketplaces, incorporated in Switzerland, with its EU legal representative registered in Ireland. It has also been the subject of several enforcement actions by Euroconsumers and its member organisations through national courts, EU coordination mechanisms, and the Digital Services Act. **Each time, the available framework proved insufficient in a different way**.

National enforcement

In 2017, **two parallel national actions** were launched in two Euroconsumers' member countries. In Belgium, Testachats/Testaankoop had received over 400 complaints from concert-goers who had unknowingly paid far above face value for tickets bought through Viagogo, often after finding the site at the top of Google search results without realising they were on a secondary market platform. In May 2017, Testachats/Testaankoop brought Viagogo before the Belgian courts for violations of the 2013 law prohibiting the resale of concert tickets for profit.[15]

In Italy, the AGCM had opened its own proceedings against Viagogo and in April 2017 found the company in violation of the Italian Consumer Code for multiple unfair commercial practices: presenting itself as an "Official Website" in ways likely to mislead consumers into thinking they were on the primary market; displaying only the reseller's inflated price while obscuring the original face value; withholding seat location information; and using false scarcity messages to pressure rapid purchasing decisions. AGCM ordered Viagogo to cease the illegal practices and imposed an administrative fine of €300,000.[16]

Viagogo appealed this decision, and in 2019, the Consiglio di Stato annulled the original finding. The ruling found that as Viagogo operated as a passive hosting provider, it could not be required to publish face values or seller information held by third parties. As a result, **the finding of consumer harm was struck down on a platform-liability technicality**.

CPC action

Recognising that national enforcement was insufficient for a cross-border platform, the European Commission coordinated a formal dialogue through the **Consumer Protection Cooperation (CPC) Network** beginning in April 2021. After more than three years of exchanges, in 2024 Viagogo committed to: clarifying how it ranks tickets in search results; substantially reducing the number of countdown messages; informing consumers at the ticket selection stage whether a seller is a trader or a private individual; and including delivery fees in displayed prices where only one delivery option is available.

These are genuine improvements but the **outcome cannot be considered a total victory for consumers as Viagogo did not agree to two of the CPC Network's explicit requests**: informing consumers about possible delivery fees at the start of the purchase process where multiple delivery options exist; and making clearly apparent that consumers may have additional rights against the actual ticket seller or event organiser when an event is cancelled or postponed.

The CPC Network noted these outstanding issues and committed to monitoring implementation, but had **no power to compel compliance with requests the platform declined**. Critically, the CPC process addressed consumer interface practices and terms and conditions but it did not, and could not, address the fundamental issue: **Viagogo continued to facilitate the resale of tickets at prices far above face value**, with no requirement to display original prices or enforce any price cap.

Digital Services Act complaint

In October 2025, Euroconsumers filed a formal complaint under the **Digital Services Act** against Viagogo with the Irish Digital Services Coordinator, with parallel complaints filed by Altroconsumo, Testachats/Testaankoop, OCU, and DECO/DECO Proteste with their respective national DSA authorities.[17]

The complaint documented that, despite the CPC commitments of 2024, the **same underlying pattern persisted in a new form**: opaque recommendation systems that steer consumers toward the most expensive listings, unverifiable seller identities, manipulative interface design, no protections for minors, and terms and conditions that fail basic transparency requirements — collectively breaching Articles 14, 25, 27, 28, and 30 of the DSA. Euroconsumers requested a comprehensive cross-border investigation and financial sanctions of up to 6% of worldwide annual turnover. The complaint remains under consideration.

Three attempts through three different legal instruments (national law, EU coordination, the DSA) and the same business model persists. Each attempt addressed a different facet of the problem. **None contained a rule against the conduct itself: reselling tickets at multiples of face value**. Until that conduct is unlawful under EU law, any future action against Viagogo, or any platform like it, will face the same ceiling.

3. Existing EU Instruments Leave Critical Gaps

The existing EU consumer protection framework, the **Unfair Commercial Practices Directive (UCPD)**, and the **Consumer Rights Directive (CRD)**, alongside the **Digital Services Act (DSA)** provide a partial foundation but do not entirely resolve the core problems. None of these instruments were designed with ticket resale in mind, and the resulting gaps are substantive rather than merely technical.

The **UCPD** addresses misleading and aggressive commercial practices and Article 6(1)(d) specifically requires that traders not mislead consumers about "the price, or the manner in which the price is calculated. In principle, this could require a resale platform to disclose how a resale price relates to the ticket's original face value but this doesn't translate into tangible results for consumers. The UCPD's blacklist does include the reselling of tickets acquired through "automated means"; however, national enforcement authorities and consumer organisations highlighted the "practical enforcement difficulties" of the provision in the Commission's Digital Fairness Fitness Check.[18]

The **CRD** establishes information rights and withdrawal rules but was not designed with the secondary market in mind, and does not address the resale relationship.

The **DSA** introduces due diligence obligations for very large online platforms, including a framework for addressing illegal content. However, above-face-value resale is not considered illegal in all EU member states. A ticket resold on Facebook at double face value is illegal content if flagged under Belgian law, but not illegal content at all if flagged under Spanish law. In addition, the DSA lacks a general monitoring obligation, so a platform like Facebook has no duty to proactively search for such listings. The result is a set of instruments that circle the problem without reaching it. The Digital Fairness Act represents a genuine legislative opportunity to address secondary ticketing directly — establishing a uniform price cap, platform registration and accountability obligations, and enforcement tools with real cross-border reach.

4. Policy Recommendations

Euroconsumers calls on the European Commission **to use the Digital Fairness Act to establish two things that currently do not exist at EU level**: clear, uniform rules making above-face-value ticket resale unlawful, and enforcement mechanisms capable of reaching the platforms and operators behind it.

A ban on the resale of tickets above the original face value

- The DFA should prohibit the resale of tickets above their original face value, with a narrow margin permitted to cover legitimate transaction costs such as real payment processing fees.
- The ban should apply to both business-to-consumer and consumer-to-consumer resale.
- Any resale listings must display the original face value alongside the resale price, for full transparency.

Platform Accountability

- Platforms must enforce the face-value cap; display the original face value of every ticket prominently; verify the identity of sellers and the authenticity of tickets; and maintain full traceability of resale transactions to regulators on request.
- Platform fees charged in connection with a resale transaction, including service fees, transaction fees, and any other intermediary charges, must be clearly displayed from the point of first listing throughout the transaction process and must correspond to a genuine service rendered. National authorities should be empowered to investigate and sanction fees that are disproportionate or unjustified.

Effective Enforcement

- Fines for breaches must be calibrated to global annual turnover, not fixed amounts, and calculated according to clear and consistent criteria that can withstand judicial scrutiny.
- National regulators should be empowered to order website blocking for persistent non-compliance
- While the UCPD already prohibits the commercial use of automated tools to bulk-acquire tickets, the primary ticketing platforms that fail to take reasonable steps to prevent their use remain outside its scope. Penalties should apply to both the resellers operating AI-driven bots and the ticket platforms that do not act against them.

Conclusion

Ticket resale at multiples of face value is not a quirk of the market, nor an unfortunate side effect of high demand. It is the **business model of an entire segment of the secondary ticketing industry** — one that profits directly from fans' desperation for access to events that matter to them, while leaving those same fans exposed to fraud, invalid tickets, and prices they have no way of evaluating.

This is not a problem that can be solved by any single member state, however well-intentioned its legislation or however determined its regulator. Belgium's experience shows that even the most established national resale law in Europe can be left without practical effect by questions of jurisdiction and EU law compatibility that lie entirely outside its control. Italy's experience shows that even a well-resourced regulator with a strong enforcement record faces real limits once its sanctions reach the courts. And Euroconsumers' own decade-long pursuit of Viagogo, through national courts, EU coordination, and now the Digital Services Act, shows what happens when every available tool is tried against the platform that has faced more scrutiny than any other in Europe, and the underlying conduct remains unchanged.

The **Digital Fairness Act offers a genuine opportunity to close this gap** not by adding another layer to an already fragmented landscape, but by establishing the one thing currently missing from every instrument in it: **a binding EU-wide rule that makes the resale of tickets above face value unlawful**, full stop, regardless of who is selling, who is buying, or where the platform happens to be incorporated.

Euroconsumers brings to this debate not only the perspective of millions of consumers across five national organisations, but the practical, hard-won experience of having tested every existing tool against the hardest case available. We offer this experience, and the recommendations built on it, as a partner in designing a framework that works, and we urge the Commission to seize this opportunity when the Digital Fairness Act is presented this year.

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