

No Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **7390**



Introduced by Representative KAREN HOPE F. GARCIA

EXPLANATORY NOTE

The State places great importance in the arts, culture, and sports. Article II, Section 17 of the 1987 Constitution provides, "The State shall give priority to [x x x] arts, culture, and sports to accelerate social progress, and promote total human liberation and development." Article XIV, Sections 14 and 18(1) respectively provide, "The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression" and "The State shall ensure equal access to cultural opportunities through [x x x] public or private cultural entities, [x x x] other incentives, and community cultural centers, and other public venues."

It has also long been the policy of the State to, "[P]rotect the interests of the consumer, promote his general welfare and to establish standards of conduct for business and industry. Towards this end, the State shall implement measures to achieve the following objectives: [x x x] (b) protection against deceptive, unfair and unconscionable sales acts and practices[.]"¹ After all, Article XVI, Section 9 of the Constitution tells us, "The State shall protect consumers from trade malpractices[.]"

Ticket scalping has been a woeful bane for patrons of the arts, sports, and the events industry. It is economically damaging and undermines accessibility and affordability because predatory resellers inflate ticket prices far beyond their intended value. This practice discourages genuine fans and art enthusiasts, which creates a barrier to culturally fulfilling experiences. Scalping also diverts revenue away from artists, athletes, and organizers who rely on ticket sales to sustain their craft and produce high-quality events.

Ticket scalping has grown into a vast industry where scalpers employ underhanded methods to exploit average event-goers who simply want a fair shot at tickets. These tactics range from insider connections and backchanneling to the use of queue bots and automated systems to unfairly hoard tickets for resale. Scalpers also take advantage of using multiple accounts, proxy servers, and the bad-faith exploitation of membership or loyalty programs to bypass fair distribution policies. Indeed, the average Filipino patron, who simply wants to experience something like a great concert or a championship game, is greatly unmatched.

¹ Art 2, Rep. Act No. 7394.

This bill, which seeks to curb the unfair and exploitative practice of ticket scalping, defines it as “the resale or offer for resale of a ticket to an event or venue at a price exceeding the original the price printed or endorsed on the ticket, along with any applicable taxes, online or convenience fees, and other related service charges.”

The measure prohibits scalping and likewise penalizes persons who patronize scalpers. However, the resale of tickets at their original cost—including the price printed or endorsed on the ticket, applicable taxes, online or convenience fees, and other related service charges—done in good faith and not for profit, such as when the original purchaser is unable to attend the event, shall not be penalized.

The Department of Trade and industry is also tasked to monitor ticket marketplaces and receive complaints for incidents of scalping. Ticket issuers and platform operators shall cooperate with law enforcement agencies in providing the necessary information concerning individuals or entities that have or are engaged in scalping or have accessed ticketing platforms for purposes of scalping.

It is hoped that the passage of this measure will safeguard fair access to artistic, sports, and other social and cultural events. Scalping will no longer tarnish the Filipinos’ pursuit of artistic and culturally enriching experiences.

In view of the foregoing, the urgent passage of this bill is earnestly sought.



Rep. KAREN HOPE F. GARCIA
3rd District, Province of Cebu

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AN ACT
PROHIBITING TICKET SCALPING AND PROVIDING PENALTIES THEREFOR

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. *Short Title.* - This Act shall be known as the "Anti-Scalping Act".

Section 2. *Declaration of Policy.* - The State shall give priority to arts, culture, and sports to accelerate social progress, and promote total human liberation and development. The State shall also foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression. Furthermore, the State shall ensure equal access to cultural opportunities through public or private cultural entities, community cultural centers, and other public venues. Thus, the State shall safeguard fair access to artistic, sports, and other social and cultural events by penalizing the unfair and exploitative practice of ticket scalping.

Section 3. *Definition of Terms.* - For purposes of this Act, the following terms shall be defined as follows:

- (a) *Event* means a theatrical or musical production, concert, show, game, comedic act, sporting event, competition, tournament, festival, dance performance, pageant, speaker seminar, presentation, exhibition, or other similar entertainment or gathering;
- (b) A *platform operator* means an individual, organization, group, association, partnership, or corporation owning, operating, managing, licensing, or controlling a ticketing platform for an event scheduled at a venue;
- (c) *Scalping* is the resale or offer for resale of a ticket to an event or venue at a price exceeding the original the price printed or endorsed on the ticket, along with any applicable taxes, online or convenience fees, and other related service charges;

- (d) *Ticket* means a printed, electronic, or other type of evidence of the right, option, or opportunity to occupy space at or enter a venue, or to attend an event, even if not evidenced by any physical manifestation of the right, option, or opportunity;
- (e) *Ticket issuer* means an individual, public or private entity, organization, group, association, partnership, or corporation that originally makes tickets available, directly or indirectly, to a venue or an event, and may include but are not limited to:
 - (i) A platform operator;
 - (ii) An operator of a venue;
 - (iii) A sponsor or promoter of an event;
 - (iv) A sports team participating in an event or a conference or league whose teams are participating in an event;
 - (v) A solo artist, speaker, comedian, performer, dance company, musical group, theater company, or a similar participant or group of participants in an event; or
 - (vi) An agent of the foregoing;
- (f) *Ticketing platform* means a physical or virtual marketplace that enables a consumer to purchase tickets such as but not limited to a kiosk, mobile phone application, portal, or website advertising the sale of tickets, or offering the sale of tickets to an event at a venue; and
- (g) *Venue* means an amphitheater, arena, camp, fair, or festival ground, coliseum, concert or performance hall, conference center, performing arts center, stadium, theater, or any other type of venue used for events.

Section 4. *Prohibition on Scalping and Purchasing Scalped Tickets.* - It shall be unlawful for any person or entity, other than the original or official ticket issuer of an event or venue, to engage in scalping. Likewise, it shall be unlawful for any person to purchase tickets that have been scalped.

Section 5. *Penalty for Scalping.* - Any person or entity found guilty of violating Section 4 of this Act shall be fined Fifty Thousand Pesos (PHP 50,000.00) and imprisoned for three (3) months.

Each individual instance of resale, offer for resale, or purchase of a ticket involved in scalping shall constitute a separate actionable offense.

Section 6. *Resale at Cost.* - Nothing in this Act shall be construed to prohibit the resale of tickets at their original cost, which includes the price printed or endorsed on the ticket, along with any applicable taxes, online or convenience fees, and other related service charges.

Section 7. *Duty of the Department of Trade and Industry.* - It shall be the duty of the Department of Trade and Industry (DTI) to receive complaints and regularly monitor

online groups, social media, ticketing platforms, marketplaces, and similar channels, virtual or otherwise, for instances of scalping, and to refer such cases to law enforcement agencies.

Section 8. *Duty of Ticket Issuers and Platform Operators.* - Ticket issuers and platform operators shall cooperate with law enforcement agencies by providing necessary information regarding individuals or entities engaged in scalping or accessing ticketing platforms for the purpose of scalping.

Section 9. *Implementing Rules and Regulations.* - Within ninety (90) days from the effective date of this Act, the Department of Trade and Industry shall promulgate the implementing rules and regulations necessary for the full and effective implementation of this Act.

Section 10. *Separability Clause.* - If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.

Section 11. *Repealing Clause.* - All laws, executive orders, administrative orders and rules and regulations inconsistent with this Act are hereby repealed or amended accordingly.

Section 12. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,