



European
Commission

Booking enforcement action

Commitments obtained by the European Consumer Protection Cooperation (CPC) authorities

Factsheet | December 2019

Following dialogue between the European Commission and national consumer authorities, Booking.com committed to changes in the way it presents offers, discounts and prices to consumers. Here is an overview of commitments proposed by Booking.com to change their websites in the EU, with the final deadline to implement all changes 16 June 2020.

Certain changes, especially related to discounts have already been implemented. The state of play on the implementation of the changes may vary between language versions. The implementation of the commitments will be monitored by each Member State authority.

Concerns raised by European Consumer Protection Cooperation (CPC) authorities	Explanation	Changes agreed by Booking.com
Transparency on search results		
Consumers do not realise that accommodation establishments that pay a specific fee to Booking.com appear in a better position in the “preferred” search results.	It must be clear for consumers that search results are influenced by fees paid by properties, as this is a commercial communication, which must be presented as so to consumers.	Booking.com will clearly show on the search results page when payments affect the ranking of accommodation. It will add a link for further explanation.
Discounts		
Booking.com proposed alternative dates for the same property and presented the price for this alternative date as a discount by using a strikethrough or terms such as “% off”, or “great offer”.	Prices calculated in relation to different stay dates vary in relation to seasonality and other occupancy factors. Such differences cannot be presented as a discount.	Booking.com stopped using strikethroughs or terms such as “% off”, when proposing alternative offers for different dates.
Booking.com presented many properties with a “discounted” price but this was in relation to a minimum price observed over a reference period.	When showing a discount, it must represent a genuine saving for the consumer on the specific search and not in relation to a reference period where seasonality and other occupancy factors play.	Booking.com stopped using reference periods.

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Displaying the total price		
<p>Booking.com does not always include all fixed charges (e.g. local taxes) in the prices that appear in the search results.</p>	<p>A price quote must include all fixed charges and taxes. If they cannot be calculated in advance, consumers must be clearly informed of the possibility that extra charges may apply.</p>	<p>Booking.com will ensure that the price displayed is the total price, which includes all foreseeable mandatory charges.</p>
Statements about number of visitors and limited availability		
<p>Booking.com makes a number of statements about how many people are looking at the accommodation offer, or how many rooms are left to encourage consumers to book a certain property quickly.</p>	<p>Statements on number of visitors and availability must be clear and include the relevant qualifications, such as 'limited rooms on this website' or 'for the same stay dates'.</p>	<p>Booking.com will make it clear to consumers that any statement such as "last room available!" refers only to the offer on the Booking.com platform. Booking will further ensure that those statements are true and substantiated.</p>
Time-limited offers		
<p>Certain prices appear on Booking.com as being offered for a limited time, even though they remain available after the expiry of the offer.</p>	<p>Traders cannot present an offer as being time-limited while the offer will continue to be available at the same price also afterwards.</p>	<p>Booking.com will ensure to present time-limited offers that really expire after the end date.</p>
Sold-out accommodation		
<p>Booking.com includes sold-out accommodation offers in the middle of search results, in slots that are determined by its algorithms.</p>	<p>Information included in the search results should correspond to the search criteria, for example, on a given date, hotels not available are not corresponding to these search criteria. As they may still be of interest to consumers who could change their dates, they should be presented in an appropriate manner.</p>	<p>Booking.com will present sold-out accommodation offers in a different manner that is more appropriate to the search criteria entered by the consumers.</p>
Differentiation private – professional host		
<p>Search results on Booking.com do not always distinguish between accommodation offered by professional and private hosts.</p>	<p>Under EU consumer law, there cannot be any ambiguity about the business motives of a practice and the nature of the trader. This is because whether a trader is private or professional can affect consumers' choice and their rights in case they are choosing a non-professional accommodation.</p>	<p>Booking.com will clearly distinguish whether a professional or private host is offering the accommodation.</p>