



European
Commission

Booking.com enforcement action

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

Factsheet | December 2020

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 the commitments that Booking.com have implemented.

The implementation of the commitments and of any requested changes is monitored by each Member State authority - slight differences can exist in different language versions.

Concerns raised by European Consumer Protection Cooperation authorities	Explanation	Changes implemented by Booking.com
Transparency on search results		
Consumers do not realise that hotels and hosts that pay a 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.	Booking.com now shows on the search results page when payments affect the ranking of accommodation. It added a link for further explanation and clearly labelled such properties.
Discounts		
Booking.com proposed alternative dates for the same property and presented the price 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 strikeouts or terms such as “% off”, when proposing alternative offers for different dates.

Concerns raised by European Consumer Protection Cooperation (CPC) authorities	Explanation	Changes implemented by Booking.com
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 now ensures that the price displayed is the total price, which includes all foreseeable mandatory charges, including the elements of the total price payable in a foreign currency.</p>
Statements about number of visitors and 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 now makes it clear to consumers that any statement such as "<i>last room available!</i>" refers only to the offer on the Booking.com platform. Booking.com 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 ensures 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 now presents 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 offers 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 now clearly distinguishes whether a professional or private host is offering the accommodation.</p>