



Parity clauses in OTA contracts turned into a phase-out model in 2015

Brussels – 5 January 2016 – HOTREC, the European umbrella association of hotels, restaurants and cafés, welcomes the decision of the German competition watchdog (Bundeskartellamt) of 23 December 2015, banning in Germany the so-called narrow parity clauses, which are applied across Europe to hotels by Booking.com. This is another promising milestone in online distribution and a satisfactory closure of the frame on the matter for the year 2015.

Important steps towards the re-establishment of the entrepreneurial freedom in online distribution of hoteliers across Europe were marking the past year 2015. On 9 January, the decision of the High Regional Court of Düsseldorf, confirmed an earlier decision of the Bundeskartellamt to ban wide parity clauses from contracts between the Online Travel Agent (OTA) 'HRS' and hotels in Germany. On 7 August, the Law Macron banned parity clauses as such in France and on 6 October the Italian Parliament adopted a similar law by huge majority (still to be confirmed by the Senate).

"The prohibition of the Bundeskartellamt vis-à-vis Booking.com from continuing to apply 'best price' clauses (even narrow 'best price' clauses) allows hoteliers in Germany to set conditions on their different distribution channels for their own services freely" said Markus Luthe, Chair of HOTREC's Distribution Task Force.

"HOTREC hopes that these series of decisions across Europe towards restoring complete entrepreneurial freedom in the Europe of the 21st century will allow hoteliers to benefit of the digital agenda, too, and will continue to make practice in other countries as well, thus allowing for more balanced practices in online distribution" – concluded Christian de Barrin, CEO of HOTREC.

What is HOTREC?

HOTREC represents the hotel, restaurant and café industry at European level. This industry includes around 1,8 million businesses, of which 99% are small and medium sized enterprises (91% of them micro enterprises, i.e. employing fewer than 10 people). These businesses make up some 59% of industry value added. The hospitality industry provides some 10.2 million jobs in the EU alone. Together with the other tourism industries, the sector is one of the largest industries in Europe. HOTREC brings together 43 national associations representing the sector in 29 different European countries.

For further information: www.hotrec.eu, www.hotrec.eu/bookdirect

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