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## The Danish Competition and Consumer Authority focuses its attention on hotel booking platforms

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4.3.2018

Exercising his rights under the Danish Competition Act, Danish Minister for Industry, Business and Financial Affairs, Mr Brian Mikkelsen, has requested the Danish Competition and Consumer Authority to initiate a competition analysis of the hotel booking platform market.

Press release of 9 March 2018 - The Danish Competition and Consumer Authority is examining booking platforms

*By assistant attorney Jeppe Mejer Kjelgaard*

The reason for Mr Mikkelsen's request is the receipt of several concerns from the hotel industry concerning the competitive situation among the booking platforms and the contractual relations between the booking platforms and the hotels.

Against that background, the Competition and Consumer Authority has initiated an analysis of the market, which is intended to clarify e.g.:

- the competitive situation among the booking platforms operating in Denmark;
- the contractual relations between the booking platforms and the Danish hotels; and
- whether the current market situation is beneficial for consumers and companies.

The Authority has asked stakeholders to report any information they may have that may be of importance to the market and should be included in the analysis.

With the analysis, the Authority follows the trend among competition authorities in other EU member states, which have carried out similar analyses. The trend is also seen in the European Competition Network where particularly the use of "price parity" clauses (also referred to as "MFN clauses" or "Most Favoured Nation clauses") in certain circumstances was deemed to restrict competition.

With an MFN clause, the booking platform prohibits the hotels from offering their rooms at lower prices on other booking platforms and in certain situations also on the hotels' own websites.

Read more about these analyses in our previous news:

- [Expedia fined EUR 1 million for using MFN clauses in relation to a number of hotels](#)
- [Increased competition between hotel booking platforms](#)
- [Online hotel booking platforms will be subject to continued strict monitoring](#)

The use of MFN clauses has also been an issue on other platforms. By way of example, we mentioned in our newsletter of 29 August 2017 Amazon's decision to completely remove MFN clauses globally from their e-book distribution agreements.

[Read the Danish Competition and Consumer Authority's press release.](#) (In Danish)

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Read the press release of the Danish Ministry of Industry, Business and Financial  
Affairs.  
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