

EN
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Answer given by Ms Bieńkowska
on behalf of the Commission
(14.11.2017)

The Commission is not aware of the appearance of sudden vacancies during the booking process. The fact that hotel prices fluctuate according to supply and demand does not raise concerns, as long as suppliers do not collectively and artificially restrict supply in contradiction with EU competition rules.

In line with the relevant Treaty provisions¹, the Commission's actions in the field of tourism aim at enhancing the competitiveness of undertakings in the sector. Targeted actions cover four priority areas: i) enhancing the business environment and improving investment in the sector; ii) supporting digitalisation in tourism; iii) enhancing professional skills and improving the career perception of the sector; and iv) joint promotion of Europe as a destination².

Services in the field of tourism are covered by Directive 2006/123/EC³. The Commission oversees the correct implementation of this Directive by the Member States. According to Article 54 of the Treaty on the Functioning of the European Union, the freedom of establishment and free movement of services may benefit companies constituted in accordance with the laws of a Member State and having their registered office, central administration or principal place of business within the Union.

As regards the protection of consumers, existing horizontal EU consumer law, such as Directive 2005/29/EC on unfair business-to-consumer commercial practices, requires traders not to mislead consumers, for example by creating the false impression of the limited availability of a product⁴. Moreover, on 1 July 2018, the new Package Travel Directive 2015/2302⁵ will become applicable. This instrument strengthens consumer rights regarding travel packages and linked travel arrangements.

¹ Article 195 (tourism policy) of the Treaty on the Functioning of the European Union (TFEU) and Article 5 of the Treaty on European Union (subsidiarity).

² For further details on the actions under EU tourism policy: http://ec.europa.eu/growth/sectors/tourism_en

³ Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

⁴ Guidance on the application/implementation of Directive 2005/29/EC, SWD(2016)163 final of 25.5.2016, http://ec.europa.eu/justice/consumer-marketing/files/ucp_guidance_en.pdf, in particular section 5.2.7.

⁵ OJ L 326/1, 11.12.2015.