

## **AGREEMENT EXTENDING DURATION OF COMMITMENTS BETWEEN BOOKING.COM B.V. AND THE COMPETITION AND CONSUMER PROTECTION COMMISSION**

This Agreement (“the Agreement”) is made by and between the Competition and Consumer Protection Commission (“CCPC”) and Booking.com B.V. (“Booking.com”) on the date set forth below. The CCPC and Booking.com are referred to collectively herein as the “Parties”.

### **WHEREAS:**

- A. In September 2015, Booking.com and the CCPC entered into a binding Agreement and Undertakings (the “Agreement and Undertakings”). In the Agreement and Undertakings, Booking.com gave Commitments to resolve competition concerns identified by the CCPC during its investigation into whether certain terms and conditions agreed between Booking.com and the accommodations that avail of its services could contravene Irish and EU competition law.
- B. The Agreement and Undertakings provides that Booking.com will implement the Commitments by 1 October 2015 and that the Commitments will remain in force for a period of five years thereafter, i.e., until 30 September 2020.
- C. Following discussions with the CCPC, Booking.com agreed to continue to comply with the Commitments contained in the Agreement and Undertakings until 1 July 2023.
- D. The CCPC and Booking.com now wish to enter into this Agreement for the purpose of extending the duration of the Commitments contained in the Agreement and Undertakings until 1 July 2023 as further specified below.

### **THE CCPC AND BOOKING.COM HEREBY AGREE AS FOLLOWS:**

#### **1. Definitions**

- 1.1. Capitalised terms used but not defined in this Agreement shall have the meanings given to such terms in the Agreement and Undertakings, unless otherwise stated.

#### **2. Extension of the duration of the Commitments**

- 2.1. The Commitments given in the Agreement and Undertakings shall continue to apply for an extended period of time, which shall commence upon 1 October 2020 and expire on 1 July 2023.
- 2.2. The extension provided for in Clause 2.1 of this Agreement shall be on the same terms and conditions as contained in the Agreement and Undertakings.

#### **3. CCPC’s undertaking**

- 3.1. In consideration of Booking.com entering into this Agreement, the CCPC undertakes that it shall refrain from instituting proceedings pursuant to section 14A of the Competition Act 2002 (as amended) or taking any further action against Booking.com in relation to the matters at issue in

its original investigation for so long as Booking.com remains in compliance with the Commitments given in the Agreement and Undertakings.

#### **4. Binding Agreement**

- 4.1. This Agreement shall be and is intended by the Parties to be a binding and enforceable agreement which may be enforced by the Parties by an action in any court of competent jurisdiction in the State.
- 4.2. This Agreement shall be binding on Booking.com and on the successors and assigns of Booking.com and on its employees, servants and agents. For the avoidance of doubt, Booking.com shall procure that its affiliated support company Priceline Booking (Ireland) Ltd. also complies with this Agreement.

EXECUTED BY:

For and on behalf of the Competition and Consumer Protection Commission

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Name:

Title:

Date:

EXECUTED BY:

For and on behalf of Booking.com B.V.

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Name:

Title:

Date: