

eu travel tech

PRESS RELEASE – for immediate release

eu travel tech welcomes the ruling of the Court of Justice of the European Union on whether a service providing online accommodation to rent constitutes an information society service.

Brussels, 19 December 2019

Today's judgement by the Court of Justice in Case C-390/18 involving Airbnb (Ireland) and AhTop has confirmed the classification of Airbnb as an information society service, consisting in connecting potential guests with hosts offering short-term accommodation via an electronic platform.¹ In its judgement the Court also clarifies the specific conditions under which a European Union Member State can take certain measures restricting the free movement of information society services originating in another Member State.

eu travel tech, the industry association for technology travel services, welcomes the **Court's provision of** legal clarity on the status of information society services within the European Single Market. The adoption of different local and regional policy approaches across Member States has led to significant regulatory fragmentation. Harmonising and clarifying the legal framework at an EU level will allow information society services to continue to provide services and new opportunities for consumers in the travel and tourism sector. **Today's judgement is** also a step towards promoting greater regulatory consistency. A step that could be continued if the European Commission decides to pursue with its review of the E-Commerce legislation. As part of a 'duty of care for platforms' and in the interest of reducing a fragmented approach across Member States eu travel tech recognizes that specific obligations for online accommodation providers could be considered in order to address certain challenges raised by the short term rental market – for more details, please refer to our [position paper](#).

In the meantime and as stated in the joint EHHA/eu travel tech (formerly ETTSA) '[Roadmap for the short-term rental sector – towards a more sustainable future](#)', we continue to be committed to cooperate with public authorities to facilitate compliance by short-term rental accommodation providers. eu travel tech looks forward to engaging constructively with authorities across the EU to develop a sustainable, common regulatory framework for information society services, in order to support the long-term growth of the tourism and travel sector across the EU and the Single Market.

For more information on eu travel tech and policy priorities, please visit www.eutraveltch.eu

¹ The decision stresses that Airbnb connects potential guests with professional or non-professional hosts offering short-term accommodation for remuneration via an electronic platform, and provides services that are ancillary to that intermediation service.

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About eu travel tech

eu travel tech represents the interests of travel technology companies. eu travel tech uses its position at the centre of the travel and tourism sector to promote a consumer-driven, innovative and competitive industry that is transparent and sustainable. Our membership² spans Global Distribution Systems (GDSs), Online Travel Agencies (OTA), Travel Management Companies in business travel (TMCs) and metasearch sites.

² eu travel tech's members include Amadeus, Booking.com, eDreams ODIGEO, Expedia Group and Travelport. Associate members include Skyscanner, TripAdvisor and American Express GBT. Strategic Partners include Lastminute.com, etraveli, Trainline, Travix, Travelgenio, Hitrail, OAG and CWT