

Duff on Hospitality Law

## **Online Travel Update: Australian Treasury Re-Examines Narrow Parity Provisions**

By Greg Duff on 12.2.22 | Posted in Online Travel Update

Our weekly Online Travel Update for the week ending December 2, 2022, is below. This week's Update features an important update on distributors' use of so-called narrow parity provisions in Australia and takes a closer look at two of Phocus Wire's 2023 Hot Travel Startups. Enjoy.

- **Australian Treasury Re-Examines Narrow Parity Provisions.** In a statement released last week, the Australian Treasury announced that it was commencing a review of distributors' continued use of narrow (or direct channel) parity provisions. The investigation makes good on the Australian Labor Party's campaign promise to abolish price parity clauses if elected to office. Readers of our Update will remember that Australia's Competition & Consumer Commission (ACCC) investigated distributors' use of parity provisions back in 2016, which ultimately led to Expedia's (but not others) voluntary abandonment of the entire practice. As part of its current review, the Treasury has circulated a questionnaire among hoteliers asking hoteliers to comment on the consequences of failing to honor the narrow parity provisions. Hoteliers have until January 6 to respond.
- **Another Weekly Update, Another Story on Payments.** Anyone noticing a trend here? This past week Mastercard announced it was partnering with hospitality solutions provider, Sabre, and Sabre-owned Conferma Pay, to (in their words) build new capabilities for virtual cards. As part of the newly announced deal, Mastercard is making a minority investment in Conferma. Sabre's purchase of Conferma and this newly announced partnership with Mastercard, is part of Sabre's longer term of goal of building an independent payment ecosystem. This latest announcement by Mastercard comes on the heels of Amadeus' recent launch of its own payment business, Outpayce (which we covered in a prior [Update](#)), which will also include the launch of a virtual credit card.

- **Hot 25 Travel Startups for 2023 – Fairlyne.** Familiar with the term “re-commerce”? Although the term has been primarily used in the retail industry, Paris-based [Fairlyne](#) hopes to change that. Fairlyne’s technology allows railways, airlines and hoteliers to re-sell previously booked (but unused) non-refundable tickets and bookings. As our readers might recall, there are a number of platforms that purport to allow travelers to re-sell their booked reservations (many acting in violation of applicable booking terms and conditions), but this is the first platform we’ve seen that works directly with the suppliers to allow their travelers and guests to re-sell their reservations. [Global hotel platforms the target of Australian probe into 'narrow' price-parity clauses](#) November 28, 2022 via [mlex](#) Accommodation portals such as Booking.com that deny hotels the right to advertise lower prices on their own websites are the target of an Australian government review announced today. In a statement published by the Australian Treasury, the government said it was considering the impact of such narrow price-parity clauses used by some accommodation websites as a way of preventing hotels from undercutting the websites on room prices.

[Booking.com, Expedia's 'narrow' parity clauses are targeted by fresh Australian probe](#) November 28, 2022 via [mlex](#) Accommodation platforms including Expedia and Booking.com that use narrow price-parity clauses are the target of an Australian government review, announced today. In a statement, Australian Competition Minister Andrew Leigh said the government would investigate whether online travel agents’ use of price-parity clauses or similar restrictions could “overwhelmingly impact smaller accommodation providers, particularly smaller individual operators who rely on online travel agents to market their products.” The consultation period will extend until Jan. 6. Narrow parity clauses prevent hotels from offering better prices on their own websites than those appearing on the online accommodation platforms.

[Mastercard Agrees to Take Stake in Conferma](#) November 28, 2022 via [Business Travel News](#) Mastercard is partnering with Sabre Corp. and Conferma Pay to build new capabilities for virtual cards, and Mastercard will take a minority stake in Conferma as part of the deal, Sabre announced. Financial terms of the investment were not disclosed and remain subject to customer closing conditions, according to Sabre. ...

[Innovate Faceoff Notebook: Troop Tops, TripBam People's Choice](#) November 23, 2022 via [Business Travel News](#) Judges at the BTN Group's 9th annual Innovate conference gave top honors to meetings management travel platform Troop, while inaugural Innovate winner TripBam received top accolades from attendees. The Oct. 24 event's panel of judges—Microsoft travel technology manager Steve Clagg; Travel Tech Consulting president Norm Rose; Takeda global head of ...

[Guests' Personal Records Exposed in Sonder Data Breach](#) November 23,

2022 via Business Travel News    Short-term accommodation provider Sonder Holdings on Wednesday confirmed some of its systems, including “certain” guest records that may include driver's licenses and passports, were exposed in a data breach. Data accessed during the breach included guest records created prior to Oct. 1, 2021, some of which involved Sonder account holders' ...

**KAYAK Partners with CLEAR to Help Travelers Get Through the Holidays (and Security lines)** November 23, 2022 via PR Newswire    Today is expected to be the busiest Thanksgiving travel day at airports across the country, according to KAYAK's search data, and with that comes the anxiety and stress of having to navigate crowded airports. In fact, a new study from KAYAK, the world's leading travel search engine, cites busy airports, flight delays and long lines as some of the top stressors for Americans traveling this holiday season.

**Hot 25 travel startups for 2023: Fairlyne** November 15, 2022 via phocuswire.com    Headquarters: Paris CEO: Gilles de Richemond Founding date: 2021 Investment: pre-seed round of €1 million Travel companies should take control of their secondary market. As a white label SaaS, Fairlyne allows them to offer a re-commerce experience to their visitors and customers on their own direct channel. Strategic goals for ...

**Hot 25 Travel Startups for 2023: Choose** November 15, 2022 via phocuswire.com    Choose is the all-in-one platform to bring climate action into every customer experience. Choose delivers a complete platform to build, manage and report on customer-centric climate action programs. The Choose platform, together with our enterprise partners, is accelerating adoption of immediately available and frontier carbon solutions to address emissions that are happening today.