

Pomery, Simon

From: Wouter Groenewold <wouter.groenewold@booking.com>
Sent: Wednesday, 17 August 2016 5:55 AM
To: Pomery, Simon
Cc: Fleming, Richard; Scott, Tim
Subject: RE: ACCC letter - Booking.com [SEC=UNCLASSIFIED]

Dear Mr Pomery,

Thank you for this window, we agree to this approach.

We highly appreciate the opportunity you grant us.

We have started informing our accommodation partners of the contemplated amendment of the contract.

Best regards,
Wouter

Wouter Groenewold
Associate General Counsel / Compliance & Ethics Officer

Booking.com International B.V.
Herengracht 597
1017 CE Amsterdam
The Netherlands

T (direct) +31 20 713 3571
T (general) +31 20 712 5600
M +31 6 5134 7667
E wouter.groenewold@booking.com
I www.booking.com

From: Pomery, Simon [mailto:simon.pomery@acc.gov.au]
Sent: Tuesday, August 16, 2016 9:25 AM
To: Wouter Groenewold
Cc: Fleming, Richard; Scott, Tim
Subject: RE: ACCC letter - Booking.com [SEC=UNCLASSIFIED]

Dear Mr Groenewold

Further to your letter dated 10 August 2016, we can confirm the following addition information:

1. The ACCC intends to provide an advanced copy of its proposed media statement 72 hours prior to its intended publication, to provide Booking.com with the opportunity to comments on any incorrect or misleading statements it may contain. The ACCC has made the same commitment to Expedia.
2. The ACCC confirms that it's intention is for both Booking.com and Expedia to commence the commitments on 1 September 2016.

In relation to both these points, it is our expectation that the ACCC's media statement will be the first public announcement regarding the agreement by Booking.com and Expedia to amend their contracts, to ensure a clear and consistent message is conveyed to the Australia accommodation industry.

Can you confirm that Booking.com agrees to this approach.

Kind regards

Simon

Simon Pomery

Assistant Director | Enforcement ACT

Australian Competition & Consumer Commission

23 Marcus Clarke Street Canberra 2601 | <http://www.accc.gov.au>

T: 02 6243 4983

From: Wouter Groenewold [<mailto:wouter.groenewold@booking.com>]

Sent: Wednesday, 10 August 2016 11:52 PM

To: Fleming, Richard

Cc: Scott, Tim; Pomery, Simon

Subject: RE: ACCC letter - Booking.com [SEC=UNCLASSIFIED]

Dear Mr Fleming,

Please find attached our confirmation (with a small clarification in the commitments (see the markup document) to avoid confusion or misunderstanding on the scope and interpretation of the commitments).

We will roll out the amendment of the existing contracts and update the template general delivery terms for new partners within the coming days in order to have the commitments in place and effective as per 1 September 2016.

I trust to have informed you sufficiently.

Yours sincerely,

Wouter Groenewold

Associate General Counsel / Compliance & Ethics Officer

Booking.com International B.V.

Herengracht 597

1017 CE Amsterdam

The Netherlands

T (direct) +31 20 713 3571

T (general) +31 20 712 5600

M +31 6 5134 7667

E wouter.groenewold@booking.com

I www.booking.com

From: Fleming, Richard [<mailto:richard.fleming@accc.gov.au>]

Sent: Wednesday, August 03, 2016 9:19 AM

To: Wouter Groenewold

Cc: Scott, Tim; Pomery, Simon
Subject: ACCC letter - Booking.com [SEC=UNCLASSIFIED]

Good morning Mr Groenewold

Please find our letter attached.

Kind regards

Richard

Richard Fleming
General Manager | Enforcement ACT
Australian Competition & Consumer Commission
23 Marcus Clarke Street Canberra 2601 | <http://www.accc.gov.au>
T: +61 2 6243 1278 | M: +61 437 275 905 | F: +61 2 6243 1047

IMPORTANT: This email from the Australian Competition and Consumer Commission (ACCC), and any attachments to it, contains information that is confidential and may also be the subject of legal, professional or other privilege. If you are not the intended recipient, you must not review, copy, disseminate, disclose to others or take action in reliance on, any material contained within this email. If you have received this email in error, please let the ACCC know by reply email to the sender informing them of the mistake and delete all copies from your computer system. For the purposes of the Spam Act 2003, this email is authorised by the ACCC www.accc.gov.au

IMPORTANT: This email from the Australian Competition and Consumer Commission (ACCC), and any attachments to it, contains information that is confidential and may also be the subject of legal, professional or other privilege. If you are not the intended recipient, you must not review, copy, disseminate, disclose to others or take action in reliance on, any material contained within this email. If you have received this email in error, please let the ACCC know by reply email to the sender informing them of the mistake and delete all copies from your computer system. For the purposes of the Spam Act 2003, this email is authorised by the ACCC www.accc.gov.au