

Ítélezési gyakorlat**Az ügy részletei**

Nemzeti azonosító: Vj-127/2010/22.

Tagállam: Magyarország

Közhasználatú név: N/A

Határozat típusa: Közigazgatási határozat, elsőfok

A határozat napja: 20/10/2011

Bíróság: Gazdasági Versenyhivatal (Budapest)

Tárgy:

Felperes: Hungarian Competition Authority

Alperes: Aeroviva Kft.

Kulcsszavak: advertisement, discounts, misleading advertising, payment, price reductions, travel

Az irányelv cikkei

Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 6, 1.](#) Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 6, 1., \(d\)](#)

Megjegyzés

The announcement of a reduced price without stating further conditions to enjoy such discounted price, whereas in reality a certain payment method must be used to obtain the discount, constitutes a misleading commercial practice.

Tények

The defendant, a travel agency, conducted a campaign on its websites to promote its services. The promotion tool included a basic price that was crossed out and replaced with a new price. No further conditions were stated on the advertisement for the reduction to apply.

However, there was a reasonable doubt as to whether the announced discounts were indeed offered to the consumers without any further conditions to be fulfilled.

Jogi kérdés

Does the announcement of a reduced price, without stating further conditions to enjoy such discounted price, whereas in reality a certain payment method must be used to obtain the discount, constitute a misleading commercial practice?

Határozat

The Authority ruled that defendant did not offer the discounted price automatically, as it was established that the discounted price could only be obtained on the condition of paying in instalments.

As a result, the Authority stated, the crossed out price in the promotion is misleading as it gives the impression that it is applicable regardless of the payment method used.

Finally, the Authority held that the defendant thus had failed to properly inform the consumers by providing the necessary information on the conditions to enjoy the announced price discount. This is likely to distort the economic behaviour of the consumers so as to induce them to take a transactional decision that they would not have taken otherwise.

URL: <http://www.gvh.hu/domain2/files/modules/module25/18565BF5D1547A245.pdf>

Teljes szöveg: [Teljes szöveg](#)

Kapcsolódó ügyek

Nincs találat

Jogi szakirodalom

Nincs találat

Eredmény

The Authority determined this behaviour as infringing but did not impose a fine, as only a small sphere of customers had been affected and also due to the fact that the company ceased its activities publicly.