

Marketing of Airline Tickets: Guidelines from the Danish Consumer Ombudsman, 2004

Please note that the sections in brackets refer to the equivalent section in the 2005 Marketing Practises Act. Where the old sections are not followed by references, the section is the same.

1. INTRODUCTION

This guideline is a revised adaptation of the Norwegian guideline on the subject. The idea is that, along with the Norwegian guideline, this guideline should constitute the basis on which discussions of a potential joint Nordic position on the marketing of airline tickets can take place.

This guideline expresses the requirements put forward as a standard by the Danish Consumer Ombudsman [DCO] concerning the marketing of airline tickets when only a limited number of seats are available at the advertised price.

For information on other issues regarding the marketing of airline tickets, please consult the provisions laid down in section 1 (now sections 1 and 2) of the Danish Marketing Practises Act concerning good marketing practises. See further the ban in section 2 (now section 3) of the same Act on the use of incorrect, misleading or unreasonably incomplete information that may have an impact on the demand and supply of services. Finally, see section 3 (now section 5) of the same Act on the requirements regarding information on special offers used in comparative advertising.

See also [the DCO guideline on price information and marketing](#).

Please note that this guideline also applies to marketing in Danish media conducted by foreign business and trade.

2. INFORMATION REQUIREMENTS ON LIMITATIONS OF THE NUMBER OF SEATS AVAILABLE AT THE ADVERTISED PRICE

2.1 Definitions

Campaign measures

Campaign measures: when certain prices are only valid for a limited period of time and this is stated in the marketing materials.

Fixed low prices

Fixed low prices: prices that are not marketed as valid only for a predefined period of time.

2.2.1.

Price information must be clear and unambiguous, and the marketed price must be genuine.

2.2.

The Consumer Ombudsman requires, in accordance with the Danish Marketing Practises Act, that any conditions or limitations that apply to a marketed offer must be stated as far as practically possible, and that this information must be stated approximately as clearly as the information in the main marketing message.

2.2.3.

The marketing must be changed immediately, or as soon as possible, when the offer is no longer available at the advertised price or when the tickets have been sold out. When the Internet is the marketing media, advertising must be changed immediately after the tickets have been sold out. This also applies when the advertised price is no longer obtainable on the destinations included in the offer.

2.3 Guidelines for the marketing of campaigns

2.3.1.

When the prices offered form part of a campaign, this should be clearly stated in the marketing material.

2.3.2.

If the number of tickets that is offered at the campaign price is so limited that the tickets are likely to be sold out during the campaign period, the marketing material must state that the offer only applies to a limited number of seats.

2.3.3.

If the offer is not valid all days during the week, this must be stated in the marketing materials. In this event, it must be made clear in the marketing material if an offer is not valid, for example, for departures on Thursdays, Fridays and Sundays or in connection with specified holidays.

2.3.4.

If, at the beginning of a marketing measure, so few tickets are offered that there might be less than 20 tickets per day available at the advertised price, this must be stated in the marketing material.

The marketing material must state on which days this might be the case, for instance that the number of tickets at the advertised price is very limited (perhaps fewer than 20 per day) for departures on Thursdays, Fridays and Sundays or in connection with any holidays during the campaign period.

2.3.5.

Aeroplanes with fewer than 72 seats are regarded as small aeroplanes in this guideline and are not covered by 2.3.4.

2.3.6.

For the marketing of airline tickets for small planes, the following guidelines apply:

If, at the beginning of a marketing measure, so few tickets are offered that they might constitute less than 10% of the total number of seats per day available at the advertised price, this must be stated in the marketing material. The marketing material must state on which days this might be the case, for instance that the number of tickets at the advertised price is very limited (perhaps less than 10% of the total number of tickets per day) for departures on Thursdays, Fridays and Sundays or in connection with any holidays during the campaign period.

2.3.7.

Other limitations must also be stated in the marketing material.

2.3.8.

It must also be stated and specified if the advertised tickets are only available on a limited number of destinations flown to by the airline.

2.3.9.

Further, it must be stated in the marketing material if the advertised tickets, in order to be obtainable, must be booked in a particular way, for instance if discount fares are only available when booked via the Internet or that an additional fee is charged to process bookings made on the telephone or the like.

2.4 Guidelines for the marketing of fixed low prices

2.4.1.

The prices that are advertised must be representative, which means that:

- there must be a real possibility at all times of obtaining tickets at the advertised price
- there must be a real possibility at all times of obtaining tickets at the advertised price when the date of departure is sometime in the near future after the price has been advertised. In this context, "the near future" means a period of three months from the time the price is advertised.

2.4.2.

Important limitations on the offer must be stated in the marketing materials. For instance, the marketing materials must state:

- whether the advertised price is only valid on certain days of the week, for instance not for departures on Thursdays, Fridays and Sundays
- or whether it is not valid on specified holidays

3. AVAILABILITY

3.1.

When making inquiries by telephone or when searching on the Internet, the consumer should be able to see on which dates and for which departures tickets are available at the advertised price.

3.2.

The consumer should not have to search every single date to see whether tickets are available at the advertised price.

It should also be possible for the consumer to search for a specific price, i.e. obtain information about the dates and the departures on which it is possible to travel at the advertised price.

This guideline entered into force on 1 October 2004