

GVH opens investigation into Wizz Air's ticketing practices

7 February 2023, Budapest – The Hungarian Competition Authority has opened an investigation into Wizz Air for allegedly misleading consumers into buying tickets for its premium (extra charge) services.

The Hungarian Competition Authority (GVH) has opened an investigation against Wizz Air Hungary Zrt. for likely unfair commercial practices in the online ticketing process. The airline may be withholding (or delaying) information on its online platforms that is relevant to consumers' choices, in order to influence ticket buyers towards more expensive options.

The undertaking is suspected of hiding from consumers the possibility of adding priority service or checked baggage to the cheapest package option. For some higher-cost package options, the undertaking may misleadingly claim that it "may be more expensive" if you only book your seat at check-in - this is presumably only true for other, cheaper package options. The undertaking may also have used misleading designations and other technical devices to encourage consumers to choose seats at a premium price during online check-in.

Last autumn, <u>following a comprehensive rapid analysis</u>, the GVH issued a strong warning to airlines operating in Hungary to change their ticketing and advertising practices that undetectably distort consumer choice. In October, the authority indicated that if no progress was made in the market concerned, it could open competition enforcement proceedings to investigate whether fair competition rules were being applied.

Such unacceptable practices are becoming more widespread: early last week, the European Commission <u>published</u> the results of a coordinated, 25-country fast-track investigation into the presence of so-called "dark patterns" in online commerce. The results show that <u>a significant number of businesses are using unfair practices to bias consumers' choices</u> towards options that serve their own interests, through the design or language of their internet interfaces.

The opening of competition proceedings does not mean that the undertaking has committed the infringement. The procedure aims to clarify the facts and thereby prove the alleged infringement. The time allowed for the procedure is three months, which may be extended twice, in duly justified cases, for a maximum of two months each time.

Case reference number: VJ/1/2023.

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