

## **UNDERTAKINGS TO THE OFFICE OF FAIR TRADING**

**TUI UK LIMITED T/A THOMSON, TUI UK RETAIL LTD AND THOMSON AIRWAYS LTD T/A THOMSON AIRWAYS**, ("the Company") has agreed to provide undertakings to the Office of Fair Trading ("the OFT") in response to an investigation by the OFT into possible breaches of the Consumer Protection from Unfair Trading Regulations 2008 ("the CPRs").

This undertaking applies to any conduct of the Company that takes place, or has an impact on consumers, in any place throughout the European Economic Area.

For the purpose of these undertakings, "headline price" is the price stated as being available in any of the Company's advertising (in any medium), including the price(s) first displayed to customers further to a flight or holiday search on the Company's website;

The Company gives the following undertakings to the OFT under section 219 of the Enterprise Act 2002 ("EA02"):

1. With effect from 31<sup>st</sup> March 2012, the Company will not charge an additional fee, above any charges included in the Headline Price, in relation to making a payment, or a booking, in respect of any flights or ancillary services, where a debit card is used.
2. In respect of the Thomson, First Choice and Thomson Airways websites, with effect from the 31<sup>st</sup> March 2012 if the Company charges any additional fee, above any charges included in the Headline Price, in relation to making a payment or a booking where a debit card is not used, such a fee will not be described as an "administration", "transaction", "booking" or "handling" fee or in any similar manner that suggests that it reflects the costs incurred by the Company, where the amount of the fee is more than the increased cost to the Company of processing that payment method compared to payment by debit card. The Company will use all reasonable endeavours to ensure that such fees will not be described in a similar manner with effect from 31<sup>st</sup> March 2012 on any other website operated by the Company.
3. Any additional fee applied to payments or bookings made other than by debit card will be described in clearly visible text in any new

marketing or advertising published after 31 March 2012 which displays the Headline Price and with effect from 31 March 2012 will be notified to consumers on each page of the Company's Thomson, First Choice and Thomson Airways websites where the Headline Price is displayed in clearly visible text and by means of a prominent link to a list of charges. The Company will use all reasonable endeavours to ensure that clearly visible text is also displayed where Headline Prices are displayed on any other websites operated by the Company by the 31<sup>st</sup> March 2012.

4. The Company's website and other marketing materials in respect of the Thomson, First Choice and Thomson Airways brands will comply with the undertakings given in paragraphs 1 to 3 above by 31<sup>st</sup> March 2012 and the Company will use all reasonable endeavours for any other marketing materials or websites to comply by 31<sup>st</sup> March 2012.

5. The Company will not (whether by its officers, employees, agents or otherwise or by directing any other entity or individual) consent to or connive in conduct which infringes paragraphs 1 to 4 above by another body corporate with which it has a special relationship (within the meaning of section 222(3) of the EA02).

I am authorised to sign these undertakings on behalf of TUI UK Limited.

N. LANGMAN ..... E. SUMNER .....  
Director (print name)      Witness (print name)

.....  
Director's signature      Witness's signature

Date: ...14... March 2012      Date: ...14... March 2012