



**SCOTTISH
TOURISM
ALLIANCE**

Your voice in tourism matters

About Us

The Scottish Tourism Alliance (STA) is the largest and overarching trade body for the tourism and hospitality industry in Scotland. The organisation has the greatest number of tourism and hospitality members under its umbrella, more than any other national association or trade body in Scotland.

Its core membership comprises of over 250 trade associations, tourism and hospitality facing businesses, destination groups and other business organisations with an interest in tourism, including many from the critical supply chains that support the sector, food, drink, finance, transport, and training providers.

In total, an estimated 15,000+ businesses are connected to the STA from across all regions of Scotland. This includes representing hotels, restaurants, visitor attractions, pubs and bars, tour operators, conference and event venues, and outdoor activity providers across the country.

STA formal support for the Association of Scotland's Self-Caterers (ASSC) submission

The STA formally supports the written submission by the ASSC on the draft guidance on the protection from unfair trading provisions in the Digital Markets, Competition and Consumers (DMCC) Act 2024.

We share the concerns in the evidence provided by ASSC that there is a risk the guidance will result in unintended consequences for the tourism and hospitality sector and support all the recommendations that it sets out to address this issue.

Visitor Levies

In particular, we also support the inclusion of the Visitor Levy as one of the illustrative examples and would welcome more clarity on this area in the guidance, following the passing of the Visitor Levy (Scotland) Act and now Welsh plans to introduce their own levy.

Given the complexities around the different approaches and charging models between different parts of the UK, we would advise that the guidance make clear that visitor levy charges be excluded from the headline price and the levy charge calculated later.

In Scotland, individual local authorities have the power to set their own levy percentage rate and this must be based on just the accommodation element of a stay, meaning this must be stripped from the overall charge that includes breakfast, entertainment, etc. VAT must also be applied to the levy charge.

We have had feedback from destination management companies and tour operators that adding a visitor levy charge to headline price would have a serious negative impact on the competitiveness of the price of packages that they promote and sell to consumers, in comparison to other global

destinations. Many of these global competitors charge a fixed, fee that is much easier to communicate to visitors.

Privacy

The STA shares the concerns of the ASSC around disclosure of property owner details in the guidance, potentially infringing their privacy, creating the possibility of a security and fraud risk, and increasing the likelihood of spam.

We support ASSC's recommendation that agencies acting on behalf of property owners be allowed to fulfil disclosure requirements by providing their own contact details.

Refundable Charges

We would also recommend that the guidance clarifies that any refundable charges do not need to be included in headline pricing, which would result in the advertised price of overnights stays in self-catering properties being misleadingly more expensive than they are, risking the loss of business for accommodation provider and the ability of Scotland and the UK to compete with other destinations on price.

We support that these refundable charges and optional extras continue to be transparent to the consumer at the time of booking.

Fake Reviews

The STA welcomes the measures in the guidance to eliminate fake reviews, which will ensure that consumers are able to make informed decisions when choosing to holiday in Scotland and the UK, increasing consumer confidence and any unfair disadvantage to businesses that are already operating ethically.

Conclusion

The STA fully supports improving the fairness and transparency in commercial practices that will protect our consumers and welcomes the opportunity to contribute feedback on this important area.

We now urge the Competition and Markets Authority to work closely with the tourism and hospitality industry, including the ASSC and other Scottish trade organisations, to ensure it fully represents their interests and avoids any unintended consequences at the next stage of redrafting the guidance.