Abstract

The growth of the digital tourism industry has made online travel agents the dominant intermediaries, who commonly include price parity clauses in their contracts with hotels. This study examines the regulation of price parity clauses in Indonesia and Germany within the digital tourism industry, along with the primary reasons underlying them. The study also examines the impact of these regulations on consumer protection, business competition, and digital business mechanisms on online platforms within the tourism industry. The research method employed is a normative legal approach using a comparative law methodology that analyzes primary, secondary, and tertiary legal materials from both jurisdictions. Indonesia does not yet have specific regulations governing price parity clauses, although Law No. 5 of 1999 is substantively capable of addressing such practices. Germany operates a multi-layered legal framework comprising the GWB, Article 101 TFEU, the VBER 2022, and the DMA, with the rationale of preventing market foreclosure and restoring hotels' pricing autonomy. Regulations in Germany have produced measurable impacts in the form of lower prices and the restoration of hotels' bargaining power, although new challenges have emerged