



Empowering Consumers for Australian Tourism

Overview of the EU Directive on Empowering
Consumers for the Green Transition.

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In the spirit of reconciliation, Tourism Australia acknowledges the Traditional Custodians of Country throughout Australia and their connections to land, sea and community. We pay our respects to their Elders past and present.



Executive summary

New laws under the European Union (EU) Directive on Empowering Consumers for the Green Transition (the Directive) come into effect on 27 September 2026.

The Directive does not prevent businesses from communicating sustainability initiatives to consumers. Rather, it encourages organisations to communicate in ways that are clear and credible.

The Directive restricts use of certain generic environmental terms including 'eco', 'green', 'biodegradable' and 'climate-friendly'.

It also prescribes how some claims can be made, particularly relating to:

- carbon emissions
- certifications
- future performance
- comparative claims

The Directive is consistent with the principles of greenwashing guidance in Australia, though some requirements vary. Tourism operators and marketing organisations who actively target consumers in the EU (e.g. run ad campaigns, work with EU wholesalers or global distributors etc.), should review their marketing and communications for compliance with the Directive. For those who have passive engagement with EU consumers (e.g. consumers find them on their own accord), reviewing marketing and communications is a way to remain relevant to the audience.

Disclaimer

This document contains general information regarding the [European Union \(EU\) Directive 2024/825 Empowering Consumers for the Green Transition](#).

The Directive is a legal instrument for the EU. It is enacted and enforced with penalties for breaches, through laws of different EU Member States. This document does not contain advice relating to specific laws of any State within the EU. Individual EU State laws are not permitted to be stricter than the rules within the Directive.¹

The Directive is broad, principle-based, and assessed on a case-by-case basis. The information in this document has been prepared primarily for tourism operators and destination marketing organisations, trading mainly in services (rather than products and manufacturing), and therefore focuses on the relevant aspects of the Directive.

Seek independent advice: Businesses are encouraged to seek independent advice regarding their unique

circumstances. The information in this document is for general information purposes only, and does not, and is not intended to, constitute legal advice. Users should not act based on any information contained in this document without seeking appropriate legal or other necessary professional advice on the particular facts and circumstances of their businesses.

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¹ [Directive 2005/29/EC of the European Parliament](#)

Document introduction

The European Union Directive on Empowering Consumers for the Green Transition is an opportunity to raise the bar for responsible environmental and social communications.

The Directive aims to build greater consumer trust by improving the credibility and transparency of sustainability claims. The purpose of this document is to help the Australian tourism industry adapt smoothly to and benefit from these changes.

The Directive sets out new rules for how EU Member States must regulate and enforce sustainability-related claims. In Australia, sustainability claims are regulated through consumer and corporation law. To support compliance, the Australian Competition and Consumer Commission (ACCC) has released [guidance on making environmental claims](#). Rules in both the EU and Australia aim to encourage responsible, sustainability-related communications to help inform consumers' choices.

This document has been jointly prepared by the Australian Government, and State and Territory governments.



The information in this document builds on the [Green is Our Gold](#) initiative, which aims to unite the Australian tourism industry around a shared vision to protect and strengthen Australia's natural environments, cultures and communities in support of our industry's long-term success and best practice. Aligned with the National Sustainability Framework for the Visitor Economy (2023), Green is Our Gold supports industry action by providing a free toolkit with resources to progress sustainable practices, including how to communicate with credibility and trust. Green is Our Gold is not a certification program.



Celebrate
Community



Embrace
Culture



Preserve
Place



Respect
Wildlife



Take Care

About the Directive and why it matters

Businesses, governments, and communities are collectively working to reduce greenhouse gases emitted through human activity.² The Directive calls this the 'green transition'. The Directive sets out rules on how to communicate information about the green transition to consumers. Its primary purpose is to make communicating about sustainability more accurate, informative and useful for consumers. The rules are designed to ensure consumers can confidently make choices based on environmental or social characteristics of a product.

Many Australian tourism businesses and business events suppliers are already taking action to improve the environmental or social outcomes of their services. Following the Directive will help them communicate their actions meaningfully to consumers. The Directive does not aim to minimise or prevent communications relating to the green transition.

Who it applies to

The Directive applies to any company operating or conducting business, referred to as 'commercial practices', in the EU. Commercial practices include communications directly connected with the promotion, sale, or supply of a product.

The Directive is concerned primarily with information directed at consumers. It does not intend to regulate business-to-business (B2B) communication, which is covered by other laws. The principles set out in the Directive may be useful to apply in a B2B setting, as credible and transparent communication is broadly beneficial.

What it applies to

The Directive focuses on the 'green transition', encompassing environmental and social characteristics or products and services. Social characteristics are those that involve people, or that relate to society. This might be workforce conditions, including safety or adequate wages, human rights, or the ethical treatment of animals. The Directive prohibits misleading claims about environmental or social characteristics.

The timeline

The enforcement of laws under the Directive will commence on 27 September 2026.

² United Nations Climate Change: [The Paris Agreement](#)

Central principles and restrictions of the Directive

The Directive sets out some specific rules for [claims](#) relating to the environmental and social [characteristics of products](#), and use of [sustainable labels](#).

Misleading claims

The Directive's primary concern is to stop misleading claims. This includes restricting use of terms that are generally understood to be inherently positive, referred to as 'generic environmental claims'. These are banned except in exceptional circumstances.³

Generic claims are any broad claims that do not substantiate or provide specification of the claim. Generic environmental claims relevant to tourism may include 'eco-resort, -hotel or -tour', 'sustainable, conscious or responsible travel', or 'green events'. Terms included [on permissible certifications](#) are allowed.

Examples from the Directive

This list should not be considered exhaustive:

- environmentally friendly
- eco-friendly
- green
- nature's friend
- ecological
- environmentally correct
- climate friendly
- gentle on the environment
- carbon friendly
- energy efficient
- biodegradable
- bio-based

Quick compliance check

Before publishing a sustainability claim, ask:

- Have we avoided generic terms listed in the Directive?
- Is the claim specific rather than general?
- Do we have evidence to directly support the claim?
- Would a consumer understand the exact benefit our company offers, or that our service delivers?
- Does the claim accurately reflect the scale of the benefit?

³ Exceptional circumstances relate to achieving excellent results when assessed against directly-relevant, EU-based sustainable certifications. See paragraph 10 of the [Directive](#).

Certifications

Certifications provide a [sustainability label](#) via a third-party verification program. Certifications may relate to specific environmental or social characteristics, or to business conduct or processes overall.

The Directive prohibits use of sustainability labels unless they are certifications that adhere to Directive rules. Directive rules require certification schemes be publicly available, that is, open for any business (who is willing and who can meet the criteria) to join. The scheme must:

- be developed in consultation with experts and stakeholders relevant to the scheme's purpose;
- have a process for dealing with non-compliance, withdrawal and suspension; and
- monitor compliance via an independent third party, who has expertise on the subject matter and who applies international, European Union (EU) or national standards and procedures to the review.



Quick compliance check

Before using a sustainability certification, ask:

- Is the certification based on a recognised third-party scheme?
- Is the scheme publicly available and open to eligible participants?
- Does the scheme have independent monitoring and third-party verification processes?
- Are we using the certification within the scope intended?
- Can we provide further information about the certification and how we meet its requirements, if requested?

Sustainable Certification in Australia

The new rules under the Directive may improve the value that permissible certifications offer users. While independent certification is not an automatic guarantee of compliance to the Directive, when used correctly they can be a helpful tool in delivering specific, substantiated, and verifiable sustainability communication. There are many certification schemes available to tourism businesses in Australia. Several of the most used sustainability certification programs for tourism businesses have released information and guides to help their members navigate the Directive, including practical checklists.

Operators should reach out to their certification provider for more information on adherence with the Directive.

- **B Corp** introduced a new standard to comply with the Directive and asks members to self-identify to receive additional support.
- **Earthcheck** released a publicly available guide which explains how the Directive applies to businesses, identifies high-risk claims and provides an action checklist for compliance.
- **Ecotourism Australia** released information on the Directive and how its certifications are aligned, with a tailored in-depth Toolkit available for its members.
- **Quality Tourism Framework (QTF)** released information on how it satisfies the Directive's certification scheme requirements.

Offsets

Claims based on carbon offsetting activity that suggests a reduced, neutral, or positive environmental impact are prohibited. This may be a significant shift for many businesses, as it has been common practice to make claims such as “Our company is carbon neutral” based on the purchase of offsets. Companies can communicate their investments in environmental initiatives, including carbon credit projects, but should not link these claims to lifecycle impact or the entire lifespan of that of that business or product.



Quick compliance check

Before making climate-related claims, ask:

- Have we avoided describing a product or service as “carbon neutral”, “climate positive” or similar, where the claim relies on offsets?
- Can we clearly distinguish emissions reductions from offsetting activities?
- If sharing information about carbon footprint, is relevant information about how it is calculated communicated clearly?

Future statements

Businesses often make claims about future performance, such as making a public commitment about reducing emissions. There are rules guiding how to make claims about expected future performance:

- If claims relate to a commitment or target, that target must be publicly available and verifiable.
- Claims about future performance must be supported by a detailed and realistic implementation plan. Relevant details about how that plan will be achieved must be included (e.g. when the target will be achieved, whether there is budget and resourcing allocated, and whether progress relies on other factors such as technology development).
- Commitments must be verified by an independent, third-party expert (e.g. auditors providing assurance). The third-party verification must monitor performance against commitments and targets. The findings of the expert must be publicly available.



Quick compliance check

Before making a claim about a sustainability target or commitment, ask:

- Is the commitment publicly available?
- Are those commitments or targets measurable?
- Does a realistic implementation plan exist, including details such as budget, resourcing and actions taken to-date?
- Will (or has) progress been independently verified?
- Is information about progress available publicly?

Australia and the European Union – regulatory approaches to ‘green claims’

Australian businesses are increasingly well informed and equipped to adhere to the Australian provisions against greenwashing, with increased regulator action being taken by ACCC and Australian Investments & Securities Commission (ASIC).

To help understand the EU regulations, the following information looks at key EU and Australian requirements. Examples provided are illustrative and some may borrow principles from actual cases. Please note that both EU and Australia assess instances of greenwashing based on the specific facts of each case.

Topic	Australia	European Union	Examples
Greenwashing	There is no specific regulation in Australia for ‘greenwashing’. Protections against greenwashing are covered by consumer protection laws. ⁴ However, the ACCC has issued a guide for business on Making Environmental Claims to promote responsible communication. It defines greenwashing as claims that ‘misrepresent the environmental impact associated with a business or the goods and services it supplies’.	The Directive compels each EU Member State to enact specific consumer protection regulation regarding environmental claims. Greenwashing is one of the acts defined and prohibited. The Directive is stringent, setting out criteria to meet standards on some conduct. Avoiding the misrepresentation of sustainability claims is key in both EU and AU regulations.	Claims about carbon neutrality can often be misrepresentative. For example, a venue may wish to promote itself as offering ‘carbon neutral events’ based on being powered by renewable energy and purchasing offsets equivalent to its emissions footprint. In Australia, making carbon neutral claims, when relying on offsets, is not regarded best practice. It is expressly forbidden in the EU.
Broad or generic claims	ACCC recommends that ‘broad’ sustainability claims, terms such as ‘green’, ‘eco’ ‘environmentally friendly’ are avoided. These terms are not banned but are advised against because they can be difficult to substantiate. To back up broad claims, companies would need to show a broad benefit across a product value chain, or life cycle. In most cases, sustainable actions are more targeted than this, i.e. they create a specific benefit.	What ACCC terms ‘broad claims’, the Directive refers to ‘ generic environmental claims ’. They are expressly banned, except in exceptional circumstances, as articulated in the Directive. The Directive sees generic terms as inherently conveying a benefit that may not exist. These claims do not provide clear or relevant information to the market.	One personal care brand promoted its sunscreen as ‘reef friendly’ because it had removed an ingredient harmful to water quality. However, other ingredients that were not removed may have been damaging to water quality as well. The company made a broad, or generic, claim that misrepresented the product. This was considered misleading in Australia. ⁵ The claim would be banned in the EU.

⁴ Australian Consumer Law (Schedule 2 of the Competition and Consumer Act 2010 (Cth), Corporations Act 2001 (Cth), ASIC Act 2001 (Cth)

⁵ ACCC v Edgewell Personal Care Australia Pty Ltd & Edgewell Personal Care Company

Topic	Australia	European Union	Examples
Beyond the text	The concept of ‘overall impression’ is central to the ACCC’s guidance. Greenwashing is assessed on what message the audience receives, or is likely to receive, from the communication, and whether it is accurate and representative. A message may be conveyed through more than simply the words - context, tone, and visuals may influence how a claim is interpreted. The impact of visual components must be considered in how a message is communicated.	The Directive states that explicit claims and implicit claims are covered by its rules. Claims may be implied through visuals, colours or labels. It is important to look beyond the words to consider the impression being created, or likely to be created, in all content.	A tour operator offers day trips to a coastal estuary. The company supports a local charity who organises a clean-up day in a local town. The tour operator wants to celebrate its support of the clean-up and creates social media content with a picture of the estuary from one of its tours, with the caption, “We protect the natural beauty in the region.” It is likely this would be considered greenwashing. The impression created is that the operator protects the estuary directly. The activities they are involved in are not on the estuary. Further, their tours, while operated responsibly, do have some impact on the estuary environment and this was overlooked by the claim.
Substantiation	The ACCC requires that a company has evidence to support its claims. The ACCC does not prescribe what evidence to provide. A claim must be a reasonable interpretation of the evidence and must reach a logical conclusion. A company must take reasonable steps to verify its claims. Company size, resourcing, expertise and the nature of the claim will inform what is considered ‘reasonable’.	The Directive is prescriptive in what evidence it requires to substantiate claims, in many cases. The Directive has rules about claims relating to: • carbon emissions • certifications • future performance • comparative claims This is more stringent than the Australian approach, there is no allowance for company type or size.	A travel booking website has made misleading claims about the sustainability of travel. The site assessed sustainability credentials of different service providers in order to award its own certifications. This would now be prohibited in the EU. In Australia, if labels make a claim, those claims are assessed against the same standard, that is claims must be able to be substantiated.
Audience	When the ACCC is assessing whether a claim is greenwashing, consideration is given to how the audience could be expected to understand a message. What would a reasonable person, who is a member of the intended audience, understand about the claim being made?	The Directive defines the audience to be ‘reasonably well informed’. The implication of a well-informed audience is that businesses are compelled to provide a level of detail and nuance in their communications.	Different types of communications may be designed for different audiences, e.g. a corporate report designed for investors may include more technical information or assume a higher level of understanding than a broader consumer audience. In all cases, information published must be representative of that product or brand. Claims should be tailored to improve understanding in specific audience segments.

Topic	Australia	European Union	Examples
Relevance	Information should not be hidden or omitted. The ACCC provides an example of a claim of a 'biodegradable' product. This claim could be misleading if it is only biodegradable in certain conditions or manufacturing processes and those conditions are not shared. Marketing should not promote one aspect of a product or service, but overlook another, where both are relevant to a claim.	The Directive expressly bans promoting irrelevant and common characteristics. It provides the example that bottled water should not claim to be 'gluten free'.	A travel tour company promoted itself as a 'planet friendly' based on steps it took to minimise environmental impact through the operation of its tours. However, the tour company failed to account for the air travel that would be required for guests to be able to take part in their tours. Air travel has significant environmental impact and therefore the claim 'planet friendly' was found to be misleading. ⁶ The term 'planet friendly' would be considered a generic term by EU, and a broad claim within AU. It is best avoided.
Comparisons	Under the ACCC Guide, making truthful claims means only making comparisons that: • can be verified; • use up-to-date information; • only compare like-for-like information; and • include all information relevant to the comparison.	In the EU, the comparison information that must be provided is: • the method of comparison; • the products that have been compared; and • measures in place for comparisons to be kept up-to-date.	A beachfront hotel wants to promote the steps it has taken to regenerate local nature and coastline. It wishes to make the claim 'The beach hotel that does more to look after you and the beach.' This claim may breach EU and AU laws, unless the communications also articulated what specifically was being compared and the required comparative information was publicly available.
Future performance	The ACCC Guide stipulates that a company must have 'reasonable grounds' for making a claim about expected future performance. Purely aspirational goals – sometimes called 'green-wishing' – are regarded as a misrepresentation of business activity. A goal is to be supported by resourcing, budgets, partnerships, or other business activity that indicate the business is taking steps towards achieving its stated goals.	The EU Directive sets out requirements how to make claims about future performance. The approach prescribes the steps that must be taken, in order to make compliant claims about future performance.	A sponsor of a television cooking show is an energy company promoting 'renewable gas'. The promotion claimed that renewable gas would soon be available to all consumers in their home kitchens. The future of renewable gas was not certain or immediate. If an impression that this innovation would soon be available in all residential settings was created the claim could be misleading in Australia. ⁷ It would be a breach of the Directive, unless the specific future representation rules are met.

⁶ ASA Ruling on Intrepid Travel Group UK Ltd

⁷ ACCC: Australian Gas Networks in Court

Checklist towards compliance

How to apply rules, find the opportunities and use sustainability communications effectively.

1

Review your marketing and communications

Review all channels where sustainability messages may appear, including:

- Websites and web pages
- Social media content
- ATDW listings
- Booking platforms, including online travel agency (OTA) or wholesaler materials
- Brochures and promotional materials
- Consumer campaigns and advertising
- Brand positioning
- Visitor guides and itineraries
- Sponsored content, influencer activity, and media partners
- Photography, video, imagery and other visual assets

Further guidance

ATDW has further tailored information for its members available on [its website](#).

Remember

Look beyond written statements and consider the overall impression your communications create. Images, branding, colours and labels can all contribute to how sustainability messages are understood.

Destinations and Tourism Organisations

Tourism organisations, such as State, Regional and Local tourism and marketing organisations, and marketers and distributors, who receive or rely on information from outside their organisations for their own communications or marketing, can also help by engaging key stakeholders on the changes in the Directive.

Where a sustainable travel 'tag' is used to curate a list of tourism experiences, or a hub

is created, the owner of platform (e.g. website) would be responsible for making sure the overarching category title isn't misleading to consumers. It may help to include a clear definition and criteria for "sustainable tourism" where relevant, and acknowledging that progress towards that criteria is continuing, to communicate effectively to consumers.



Step 2 and 3

Checklist towards compliance

How to apply rules, find the opportunities and use sustainability communications effectively.

2 Replace broad claims with specific, evidence-based claims

Replace generic sustainability language with clear descriptions of the actions your business is taking. You might consider:

1. What action have we taken?
2. What impact or outcome did it achieve?
3. How can we demonstrate this if asked?

Remember

The most effective claims use everyday language and can be supported by evidence.

3 Keep communicating about sustainability

The Directive does not prevent businesses from communicating sustainability initiatives. Rather, it encourages organisations to communicate in ways that are clear, credible and meaningful to consumers. For further practical advice on sharing sustainability messaging with clarity and confidence, Tourism Australia partnered with EarthCheck in 2024 to develop advice for tourism and hospitality operators, as well as destinations.

1. [Sustainable Storytelling for Destinations](#)
2. [Sustainable Storytelling for Tourism and Hospitality Operators](#)

Remember

Sustainability stories that stand out connect real actions to the things visitors value about a destination or experience. Use specific examples, authentic imagery and real stories to bring outcomes to life.

Useful links

The Directive notice is available at data.europa.eu/eli/dir/2024/825/oj.

This [downloadable document](#) provides answers to frequently asked questions by stakeholders related to the Directive.

Contacts

Please refer to the relevant corporate website for more information on industry development tools and industry contacts.

Destination NSW

destinationnsw.com.au

South Australian Tourism Commission

tourism.sa.gov.au

Tourism and Events Northern Territory

tourismandeventsnnt.com.au

Tourism and Events Queensland

teq.queensland.com

Tourism Tasmania

tourismtasmania.com.au

Tourism Western Australia

tourism.wa.gov.au

Visit Canberra

tourism.act.gov.au

Visit Victoria

corporate.visitvictoria.com

Austrade

Austrade.gov.au

Tourism Australia

Tourism.australia.com



Appendix A - Definitions

The Directive defines key terms

Product characteristics: 'Characteristics' is the term used to broadly define the different features of a product or service. Characteristics extend to product purpose, design, manufacture and use, and may even include country of origin and associated customer assistance.

Claims: 'Claims' are messages or information about a product or service. Examples of how claims are conveyed include words (written or spoken), pictures, colours, brand names and labels.

Greenwashing: Misleading environmental claims are also called 'greenwashing'. For some practices, the Directive sets out rules to specify what is considered misleading, such as for communication about carbon offsets.

Sustainability labels: A 'sustainability label' is a voluntary mark that highlights a sustainability characteristic in order to differentiate that product or service. Marks may be public (available for general participation) or private (a company or industry own label). Third-party certifications are a common type of label.

The United Nations World Tourism Organisation defines Sustainable Tourism

Sustainable tourism: Sustainable tourism takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities.⁸

⁸ United Nations Environment Program and World Tourism Organisation, Making tourism more sustainable A Guide for Policy Makers, 2005

Appendix B - Frequently asked questions (FAQs)

1. Do I need to change my content immediately?

All external consumer communications and marketing content appearing in the EU must adhere to the EU Directive by 27 September 2026. This includes removing or updating any content currently in use that may be in breach of the Directive.

2. I am confident that my content follows the ACCC's [guidance](#), will that be enough?

Adhering to the Australian law may not be sufficient to meet all the specific requirements of the EU Directive.

3. What if my website is in English and only targets domestic travellers, but an EU traveller books through it?

The Directive is designed for commercial practices within the EU market. Caution should be taken in understanding what constitutes a commercial practice within the EU market. If in doubt, seek additional advice for your specific circumstances. The language in which sustainability claims are made is not a relevant consideration. If your business has a substantial European customer base, it may be relevant and desirable to your customers that your marketing and communications is in line with the standard required by the Directive.

4. Are values-based statements like “We love our local environment” considered claims?

Where a value-based statement implies an environmental benefit that statement would be considered an environmental claim and therefore be required to adhere to the Directive.

Specific statements are assessed on a case-by-case basis. It is important to consider the overall impression of your content. What words and visuals (or sounds) accompany that statement? Where are customers seeing the statement? What impression is being created in the mind of the customer?

5. What are the actual penalties if an EU country investigates my business?

Penalties will be determined by each country. Penalties may include financial penalties (for corporations and individuals), publication of findings and judgments, and orders to remediate the breach.