

Position Paper

UEAPME¹ position on the Green Paper on Safety of Tourism Accommodation Services (COM (2014) 464 final)

Introduction

UEAPME welcomes the European Commission initiative to launch a public consultation on safety of tourism accommodation services. The consultation aims at evaluating five macro questions:

- The evaluation of how safety in the field of tourism accommodation is regulated and monitored across the Member States and whether existing instruments are sufficient
- Eventual existing gaps in the legislative frameworks for tourism providers operating across borders
- The impact of the different national systems on the provision of accommodation services across borders
- The impact of the regulatory environment on SMEs and whether the use of standards is integrated in the existing regulatory framework
- The adequacy of current level of tourism accommodation services

UEAPME in particular appreciates the Commission's attention on the indispensable role of SMEs in tourism accommodation, as 90% of tourism enterprises in Europe are SMEs and micro SMEs.

Better improvement of existing legislation

UEAPME is of the opinion that before creating new legislation on safety of tourism accommodation, it is necessary to better enforce the existing one, since at national level there are sufficient and adequate rules, at times too demanding for SMEs. National laws already define type, size and safety requirements of tourist accommodations. However, these rules are often not respected or they are more respected in certain regions and less in others. The lack of enforcement of existing legislation is probably due to culture, insufficient knowledge on safety and absence of political willingness.

European cooperation among Member States could be useful for sharing Best Practices and exchanging knowledge and experiences, especially from the most virtuous regions. While avoiding to create new burdensome legislation, it is however important to make sure that the same level of safety exists throughout Europe, as some Member States are lagging behind and do not always have enough knowledge or means to keep up. Exchange of Best Practices, knowledge and experiences could help create a common European culture on safety in tourism and raise awareness on the importance of tourism accommodation safety that is currently insufficient.

¹UEAPME subscribes to the European Commission's Register of Interest Representatives and to the related code of conduct as requested by the European Transparency Initiative. Our ID number is [55820581197-35](https://ec.europa.eu/transparency/regexp1/index.cfm?do=groupDetail.groupDetail&id=55820581197-35).

How to improve safety without increasing burdens for SMEs

The existing safety rules are often administrative burdensome and costly for SMEs working in tourism, in particular concerning requirements on fire safety. In addition, in some cases safety cannot be fully guaranteed, for example in camping, because entrepreneurs do not have access to “private accommodations” such as tents, caravans or small chalets.

It is important to communicate the eventual availability of emergency services, doctors and first aid and information on escaping routes, especially for the ageing population. It could also be useful to provide information on accessibility for people with disabilities and visually impaired people. In particular, on accessibility, in some countries there are contradictions between the obligations related to the accessibility of people with disabilities in camping and other regulations in force. For example, pool safety standard requires a gate of a certain height to restrict access to children which is in contrast with the accessibility standard. Existing safety rules should be harmonised. As regards safety of children, sockets should be safe and fences in staircases could be added, even though safety of children remains the responsibility of the parents.

A clear picture of injuries and accidents related to tourism accommodation is difficult to collect as in some cases an exact definition is missing and no reliable data are available. The most appropriate way to collect a minimum of harmonised data on accidents and injuries could be through the insurance sector.

European legislation, without adding extra burdens, should harmonise the different systems and help fight unfair competition, even if enforcement at EU level would be challenging. Improving enforcement at national local level and market surveillance of the existing national legislation would be the most effective solution. The European Commission should intervene with new pieces of legislation only if there are structural safety problems.

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