Panel 3 - "Streamlining Regulatory and Administrative Framework"

The Lisbon Treaty calls on the Europe Union to encourage the creation of a favourable environment for the development of undertakings in the tourism sector (art. 195), with the exclusion of harmonization of the laws and regulations of the Member States, in order to promote the competitiveness of EU tourism-related businesses.

Several EU legislative and policy initiatives taken in other policy areas have an important impact on the tourism industry, given its cross-cutting nature (from visa policy to consumers' protection, from taxation to the internal market, from environment to safety, just to mention few examples).

Besides these EU initiatives, tourism is an industrial sector which is regulated under the competences of the Member States at national, regional and local level. Moreover, it is also regulated by non-legislative acts, standards, guidelines and administrative practices.

Currently over 99% of the 2.2 million tourism businesses in the EU are small and medium-sized enterprises. Moreover, the vast majority of them are micro enterprises. Enterprises, and in particular SMEs and micro, may bear significant administrative or operational burdens through their compliance with EU, national, regional or even local regulations, be they legislative or not.

Cutting red tape and reducing administrative burdens, therefore, creating a regulatory and administrative environment for EU businesses as simple as possible is a top priority for the EU and the new Commission.

EU legislation, including tourism related legislation, is already undergoing scrutiny under the REFIT exercise[1]. To get a better overview of the origin of regulatory and administrative burdens, which may impede the capacity of growth and impact the competitiveness of tourism businesses, or sometimes hinder the effectiveness of tourism policies at national, regional or local level, the Commission launched in December 2013 an open public consultation. Its aim was to identify all EU, national, regional and local policy initiatives (legislative or not) and administrative practices, where there may still be scope for further reducing the burdens for SMEs, and in particular for micro businesses, as well as for EU tourism destinations, public administrations and tourists. In addition to this, the consultation also asked for possible examples of good practices and initiatives that brought or could bring positive impacts on the tourism industry public and private stakeholders and tourists.

The consultation results[2] and the views of the European associations on the regulatory and administrative framework, mainly the EU level framework, provide useful information for the formulation of future policy actions at all policy-making levels. However, given the quite reduced number of replies to the public consultation, the Commission considers that it is important to further consult EU tourism industry public

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[1] This exercise, under the framework of "Smart Regulation", has already achieved significant results: since 2005, the Commission approved 660 initiatives aimed at simplification, codification or recasting. More than 5.590 legal acts have been repealed. Between 2007 and 2012, a decrease of 26% of administrative burden for businesses has been achieved, equivalent to savings of EUR 32.3 billion per year. The Commission continues this exercise with a new approach to ensure that the EU responds better to the needs of small businesses under its "Regulatory Fitness and Performance" (REFIT) exercise.

[2] An overview of the consultation results will be published on the European Tourism Day site (http://www.etd2014.eu)

and private stakeholders so as to have a better understanding of the points of view of as many and diverse categories of stakeholders as possible.

DISCUSSION POINTS:

1. What are the areas where the regulatory and administrative framework could be simplified at EU level?

2. Which are the national/regional/local regulatory and administrative rules that are hampering the development of tourism-related activities?

3. Are you aware of any simplification practice which have been successfully implement at any level thus creating a better framework for tourism businesses?

4. Would you be willing to engage in a peer-to-peer review exercise? Would you be available to share good practices with relevant stakeholders?