



Live from Brussels - Issue 79 - 16 January 2017

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GENERAL POLICY ISSUES

Interview from Ms. Susanne Kraus-Winkler, President of HOTREC



The hospitality industry employs 10 million people in Europe, i.e. 80% of the total tourism workforce. During the last decade, the sector created 2.5 million jobs: a 29% growth versus the 7% in the overall economy, and still keeps creating tens of thousands of jobs every year. However, the hospitality industry could be an even stronger driving force for job creation and growth. Susanne Kraus-Winkler, President of HOTREC, presents HOTREC's 2017 proposals to foster jobs and growth.

1) Due to the massive development of digitalisation, the face of tourism has changed dramatically, therefore changing the way we work and the way we connect. According to you, what should the digital agenda achieve for the tourism industry to flourish and how do you envision the role of the EU to make it stronger?

With new businesses models in place, tourism offers become even more fragmented and new forms of competition have emerged, bringing a set of new opportunities and challenges. As tourist arrivals grow by 4% on average per year in Europe, tourism has a bright future, and digitalisation acts undoubtedly as a driver for market growth. However, platforms are still unregulated and unfair commercial practices in B to B relationships directly affect the whole tourism value chain including 1.7 million hospitality micro-sized enterprises. We trust that the initiatives taken by DG GROW and DG CNECT for online transparency will soon be followed by a set of measures to restore fair commercial practices, therefore allowing for healthy competition. Looking at the contracts between hotels and online travel agencies, after Germany and France, Austria banned parity clauses, therefore restoring the entrepreneurial freedom of hoteliers. We also look forward to the results of the surveys conducted by national competition authorities on potential market distortions by online travel agencies. Last but not least, considering short term rentals, the HOTREC's Chart towards a responsible and sustainable collaborative economy starts to be implemented, in particular concerning the registration of activity, but we need to go faster as the time of the legislator is not the time of the industry. Urgent action is therefore needed if we wish to keep a vivid and sustainable European hospitality industry!

2) In 2016, the European Commission has come up with an action plan to clamp down on VAT fraud and update current VAT rules that have been left unchanged since 1993. The reduction of administrative and fiscal burdens is being called upon by all tourism stakeholders alike represented in the Manifesto, whose HOTREC is a Member of the Steering Group. What should be according to you the measures to be taken by the Member States regarding taxation in general and taxes on labour in particular?

High VAT is a disincentive. HOTREC will publish a study in the 1st quarter of 2017, which demonstrates the positive impact of low VAT on job creation and competitiveness. Beyond VAT, all tourism taxes and levies should be reconsidered by authorities in order to maximise competitiveness. High tax wedge on labour constitutes as well a strong disincentive for companies to create more jobs. Especially when taking into account that the hospitality industry is composed for 91% by micro-sized enterprises (1.7 million), high tax burdens on labour constitute not only a barrier to growth and innovation, but also a barrier to invest in further training and to retain workers, and even more to invest in additional workforce. National Public authorities should reduce the tax wedge on labour and shift taxation away from labour. Ensuring a more favourable tax framework for SMEs in the tourism sector will contribute to keeping in the long term Europe as world's number 1 tourist destination.

3) The hospitality industry as the tourism industry is known for its shortage of skills. What could be done to improve the situation and avoid tens of thousands of jobs being unfulfilled every year? Do you have any proposal regarding seasonality?

The hospitality sector is currently facing a huge shortage of skills in particular in ICT. Indeed technological changes have created new needs for instance to manage bookings and customer services. Societal change drive as well new demands, for instance in food services where chefs and qualified personnel are strongly missing. While the average job vacancy rate is 1.7% in the EU, it can reach 4% in Austria and up to 7% in Greece. If you look at EURES, there are currently 433.575 vacancies for cooks out of 208.000 are vacant in Germany. Tourism SMEs are willing to create more jobs but are unable to find the skilled employees they need. This important skills mismatch needs to be addressed. Therefore, EU and national funding should be redeployed to make new investments in further training more attractive for SMEs. Training and upskilling employees is critical to create more employment, deliver quality service, and retain employees in the sector. Online training is part of the answer, as it is accessible everywhere and does not require the trainee to be away from work. The EU, national authorities and social partners should continue promoting the quality, and attractiveness of apprenticeship schemes

in the tourism sector. Public authorities and social partners should facilitate the transition from education to work and Partnerships between businesses and training providers, to better meet labour market needs, should be strengthened. Existing tools, such as the European Hospitality Skills Passport, should be further promoted, to ease employers and job seekers match on the labour market. Emerging skills needs should be early detected and anticipated in order to train employees and employers on the industry's requirements.

Indeed seasonality is one of our biggest challenges, the reason why many companies cannot afford to propose permanent working contracts. Moreover, customers expect hospitality businesses to be open outside normal working time, week-ends included. For these reasons flexibility is needed. EU and national public authorities as well as social partners should secure the possibility of using flexible working arrangements. Moreover, a new concept of flexicurity should contribute to maintain the attractiveness of different forms of employment contracts for employers and workers while ensuring adequate protection for workers, to facilitate transitions between them.

MEP breakfast on food waste reduction in the hospitality sector: join us on 31 January!



31 January 2017

08:00 - 09:30

European
Parliament

room ASP A5 G 305

The Executive Committee and Mr. Christian de Barrin, CEO of HOTREC,
the umbrella Association of the European Hospitality Industry,
and MEP Biljana Borzan, rapporteur for the report
"Initiative on resource efficiency: reducing food waste, improving food safety"

Kindly invite you to a

MEP breakfast event on food waste reduction in the hospitality sector

Speakers will include:

- MEP Biljana Borzan
- Mr. Adrian Cummins, CEO of Restaurant Association of Ireland (RAI) and Member of HOTREC Executive Committee
- Mr. Danny van Assche, CEO of HORECA Vlaanderen and Member of HOTREC Executive Committee
- Mr. Emilio Gallego Zuazo, Secretary General of Federación Española de Hostelería (FEHR)
- Mr. Christian Reuter, Legal Adviser on food law, DEHOGA - Deutsche Hotel- und Gaststättenverband
- Mr. Patrick Aitx, Secretary General of the European Federation of Food Banks (FEBA)
- Ms. Maria Helder, Director EU Affairs, METRO GROUP

For registration: please email guillaume.brouillet@hotrec.eu with your first name, last name and organisation. If you need an EP entrance badge, please mention your nationality, date of birth, type of ID and ID number.

In the framework of the discussions on the circular economy package, HOTREC and MEP Biljana Borzan (S&D, Croatia), rapporteur for the European Parliament initiative report on food waste, organise on 31 January 2017 an MEP breakfast event in the European Parliament on food waste reduction in the hospitality sector.

On this occasion, HOTREC will present its new guidelines to reduce food waste in hospitality businesses, as well as its joint recommendations with FEBA (The European Federation of Food Banks) to manage food donations. During the event, some best-practices from the hospitality sector in Belgium, Germany and Spain will also be presented, together with similar examples from METRO.

To register, please contact Guillaume Brouillet at 02 513 63 23 or at Guillaume.Brouillet@hotrec.eu

SHADOW HOSPITALITY

European Parliament draft own-initiative report on collaborative economy published

In response to the European Commission Communication on the collaborative economy of 2 June 2016, the European Parliament decided to issue an own-initiative report on the matter. On 22 December 2016, the draft report of the EP rapporteur Nicola Danti (S&D, Italy) was published.

In the draft report the rapporteur emphasises the need for a horizontal European framework consisting of general principles and specific rules for paving the way for an EU level playing field. He furthermore calls for clarity when it comes to the distinction between peers and professionals, to the duties and responsibilities of the platforms as well as to a high level of consumer protection even in the transactions between peers.

The draft report also calls for a strong cooperation in the field of taxation between Member States and the platforms and considers that functionally similar tax obligations should be applied to businesses providing comparable services and that taxes need to be paid wherever profits are generated.

The draft report is available [here](#).

Next Steps:

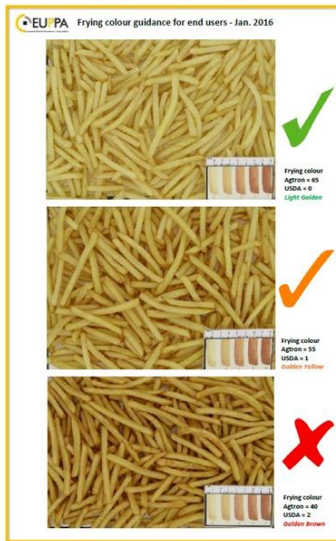
MEPs member of the ENVI Committee can table amendments until 7 February 2017.

HOTREC position:

- *The extensively regulated European hospitality industry is mainly composed of micro-enterprises, often comparable in size to so called collaborative type of economic activities.*
 - *HOTREC welcomes the approach of the rapporteur calling for clear rules and responsibilities in the collaborative economy.*
 - *HOTREC is of the opinion that similar economic activities shall be subject to similar rules, no matter who is providing the given services.*
 - *HOTREC also agrees about the importance of the fiscal duties to be complied with by all stakeholders and economic actors.*
-

FOOD

Acrylamide in food: final Regulation to be adopted after last consultation



On 12 December 2016, the European Commission organised a new meeting with stakeholders and representatives of the Member States to discuss the last draft text of its future Regulation "on the application of codes of good practice to reduce the presence of acrylamide in food".

The last draft Regulation still consists of:

- A list of mandatory sectoral Codes of Practices (among which the HOTREC Code for the hospitality sector); and
- A list of indicative acrylamide levels in food.

However, by opposition to previous versions, it now provides that if Food Business Operators fail to apply the Codes of practices, they could potentially face new binding measures (including new binding maximum acrylamide levels).

Next Steps:

The Commission announced that a final draft text will be circulated in the beginning of 2017 for a four weeks consultation. After that the final text will be submitted for approval to the Member States.

Actions:

HOTREC, which drafted the code of practice for the hospitality sector mentioned in the draft Regulation and participated to the December meeting with Member States, will inform its members once the formal proposal will be officially released.

HOTREC position:

- Given the potentially carcinogenic effect of acrylamide, HOTREC is taking its responsibility by promoting a flexible code of practice for the restaurant sector, with a focus on concrete and easy to follow recommendations, so as to diminish acrylamide levels in food served by restaurants, without burdening them un-necessarily.
 - HOTREC however opposes any obligation for restaurants to make the colour guide on French fries available to consumers. Hospitality businesses should not be responsible for educating consumers about the safety aspects of the food consumers prepare themselves at home with products provided by other food business operators.
-

Food Waste Reduction targets: European Parliament committee vote postponed until end January



The adoption by the ENVI (Environment, Public Health & Food Safety) Committee of its report on the revision of the Waste Framework Directive, which was initially supposed to take place last November, is currently postponed to the end of January 2017.

The delays in the adoption of the ENVI report seems to be motivated by a difficulty to come-up with compromise amendments widely agreed by the most important political groups on some major issues such as the definition of food waste or the issue of the targets in food waste reduction. These compromise amendments are critical to ensure a smooth and coherent vote in the ENVI, as MEPs have tabled over a thousand amendments to the initial draft report and as a split appeared between the biggest political groups over the extent of the food waste reduction targets.

Next Steps:

The ENVI Committee is expected to adopt its report at the end of January 2017.

HOTREC position:

- *The hospitality industry is a small waster compared to other segments of the food chain, but is nonetheless acting in a responsible manner by promoting best practices to reduce food waste;*
 - *Targets for the reduction of food waste throughout the food chain should take the form of an obligation of means, but not of results. Moreover, they should primarily focus on bigger wasters.*
 - *Funding should be provided to incentivize the development of schemes meant to collect unsold food in restaurants in view of their re-use as a source of feed or energy. Similar funding should be available for donations to charitable organizations*
 - *Measurement of food waste should be the responsibility of the Member States authorities.*
-

European Parliament own-initiative report on food waste: draft report published

In parallel to the revision of the Waste Framework Directive, the European Parliament has decided to issue an own-initiative report untitled "Initiative on resource efficiency: reducing food waste, improving food safety".

This non-legislative report is intended to outline the European Parliament's position on food-waste related issues which are not part of the Waste Framework Directive.

On 13 December 2016, the rapporteur for the ENVI (Environment, Public Health & food Safety) Committee, MEP Biljana Borzan (S&D, Croatia) presented her draft report. The draft report:

- Proposes to support a binding 50% food waste reduction target by 2030;
- Calls for the establishment in EU legislation of a hierarchy for the management of unsold food;
- Urges the Commission to adopt a methodology to measure food waste;
- Calls on the Commission to propose a change in the VAT Directive that would explicitly authorise tax exemptions on food donations;
- Calls on Member States to create economic incentives for limiting food waste.

The draft report from MEP Borzan is available here: [link](#)

Next Steps:

MEPs member of the ENVI Committee can table amendments until the end of January 2017.

HOTREC position:

- *Targets for the reduction of food waste throughout the food chain should take the form of an obligation of means, not of results.*
 - *HOTREC supports MEP Borzan's call for the creation of economic incentives, in particular for the collection of unsold food in restaurants in view of their re-use as a source of feed or energy or for donations to charitable organizations.*
 - *HOTREC supports the call for donations to charities to be VAT exempt.*
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ACCESSIBILITY

AppTourYou free online training starting now!



app tour you

On 17 January 2017, the Erasmus+ funded free Massive Open Online Course (MOOC) of AppTourYou will be launched officially.

This training is available to anyone for free but is mainly targeted at tourism entrepreneurs with the specific aim of increasing their awareness about the accessibility features of their establishment and how to provide information about them.

Furthermore, this online training is providing some background on the importance of accessibility in tourism and on the needs of and responses to people with special needs. The training will be delivered in 4 modules, each of them released every 2 weeks. At the end of the modules every second Friday a webinar will be organized for possible questions and further discussion.

At the end of the training, tourism entrepreneurs should be more aware about the accessibility of their establishment and will hopefully increase the quality of information provided to potential guests about them. Indeed, the lack of information about to what extent the different areas and services of a tourism establishment are accessible is often the biggest obstacle for people with special needs to decide for themselves, whether they could be a guest in the establishment or not.

Besides the training tool, a specific free APP will help enterprises participating to the training to make their own evaluation of their establishment and thus communicate the relevant information to their potential guests. The self-assessments can be published on www.pantou.org the European Directory of Accessible Tourism.

Further information on the MOOC and registration to the training is available via <http://www.apptouryou.eu/index.php/mooc>. The training will be available in English.

Registration to the online course is open <http://www.apptouryou.eu/mooc/login/index.php>.

DIGITAL ISSUES

Parity clauses banned in Turkey



On 11 January 2017, the Turkish competition authority decided that the application of Booking.com's parity clauses need to be discontinued.

The Competition authority's decision says that the platform's provisions relating to price parity, conditions parity, and the best-price guarantee in hotel contracts infringed Turkey's Competition Law. The authority declined the platform's proposal for the application of so-called 'narrow-parity clauses', applied by the company in most of the countries in Europe. Furthermore, the authority fined the company to 2,54 million Turkish liras (around 630.000 EUR) as part of the authorities investigation into the company's 'best price guarantee' practice.

With this decision, following earlier measures taken by different authorities, German, French, Austrian and now also Turkish hoteliers enjoy their basic entrepreneurial freedom to set their prices and conditions freely on the market.

HOTREC position:

- *HOTREC welcomes this decision of the Turkish authorities, restoring the entrepreneurial freedom of hoteliers to set the prices and conditions of their services freely.*
 - *HOTREC encourages other countries in Europe, following also the earlier examples of Germany, France and Austria, to step up measures against the unfair parity clauses imposed by the dominant Online Travel Agents on hoteliers.*
-

TOURISM

European Tourism Day: synergies between tourism and cultural and creative industries should be enhanced!



On 29 November 2016, the European Tourism Day counted with the participation of three Commissioners: Commissioner Vella, responsible for the portfolio of Environment, Maritime Affairs and Fisheries; Commissioner Bienkowska, responsible for the portfolio of Internal Market, Industry, Entrepreneurship and SMEs and Commissioner Tibor Navracsics, Commissioner for Education, Culture, Youth and Sport.

The event also counted with the active participation of Members of the European Parliament (Cláudia Monteiro de Aguiar (EPP/Portugal); Isabella de Monte (S&D/Italy); Claudia Tapardel (S&D/Romania), high-level representatives of public authorities at EU, national and regional level; representatives of tourism and travel industry and other relevant stakeholders.

The main conference topic was: "Enhancing synergies between tourism and cultural and creative industries. Innovative solutions as the driver for jobs and growth". The conference included a political debate and exchange of good practices on how to better exploit the synergies between tourism, cultural heritage and creativity for the competitiveness and sustainable growth of the European tourism sector. Possible solutions included the need to build on attractive destination offers, which combine culture heritage, living culture, traditions, local cuisine. Digital and ICT technology should be used to better serve traveller's needs. Moreover, EU funding continues to be put forward by the EU to promote tourism and cultural and creative industries in third countries.

Commission officially presents the ETIAS System



On 16 November 2016, the European Commission officially proposed a European Travel Information and Authorisation System (ETIAS). ETIAS will be an automated IT system created to identify any risks associated with visa-exempt visitor travelling to the Schengen area.

In this sense, all visa-exempt third-country nationals who plan to travel to the Schengen area will have to apply to travel authorisation through the system prior to their trip. The objective is to allow for advance verification of potential security or irregular migration risks. ETIAS will require €5 from each traveller and this authorisation will be valid for five years.

The authorisation can be revoked at any time should the situation of the traveller concerned change and be flagged up by one of the different European police databases. ETIAS will be linked to different existing systems such as the Schengen Information System; Visa Information System; Eurodac; Europol. In the future it aims at being linked as well to the Entry/Exit system, which still needs to be approved by the Council and the Parliament.

Next steps:

The European Parliament and the Council will adopt the proposal through the ordinary legislative procedure.

HOTREC position:

- *HOTREC considers that the Schengen Area is one of the biggest achievements of the EU;*
- *But, Europe needs to maintain security, while keeping Europe open;*
- *If a fee is to be paid by travellers exempted of a visa requirement, the fee should be kept in a minimum level (not more than 5€) to cover the maintenance expenses of the system;*
- *In any case, an impact assessment regarding the implementation of the ETIAS system should be deployed by the European Commission;*
- *Both DG Home Affairs and DG GROWTH should be involved in the implementation of the procedure.*

European Capital of Tourism project to be launched

In a stakeholder meeting organized by MEP István Ujhelyi (S&D, Hungary) on 7 December 2016, the MEP presented his proposal for a project to establish a European Capital of Tourism Award.

Following the example of the European Capital of Culture, a European Capital of Tourism should be awarded year by year. It is to be a real tourism award, going much broader than the cultural aspect and shall be a long-term project over decades. The project idea is supported by the European Commission and the European Parliament. Moreover, the project proposal found very positive echo also from the side of UNWTO. Mr. Taleb Rifai, the Secretary General of UNWTO expressed in the meeting his explicit support to the idea, stressing that this project would even more raise awareness for better promotion of cities and other destinations and further enforce responsible and sustainable developments.

The details of the project shall be elaborated in the next months together with various stakeholders.

HOTREC position:

- *HOTREC supports this project proposal, as it can be an important tool for the further promotion of tourism in the EU and also may contribute to the sustainable development of destinations.*
-

HEALTH

“Health at Glance” OECD/European Commission 2016 report released



On 23 November 2016, the European Commission together with OECD launched the report: "[Health at a glance](#)". The report shows that policies that aim at promoting good health and preventing diseases as well as more effective healthcare could save lives across the EU. Life expectancy now exceeds 80 years in most EU countries.

However, this number is not always matched by healthy life years. Around 50 million people in the EU suffer from several chronic diseases, and more than half a million people of working age die from them every year, representing an annual cost of some 115 billion EUR for EU economies. Regarding alcohol, the latter was appointed as the third leading risk factor for disease and mortality after tobacco and high blood pressure. High alcohol intake is associated with increased risk of the heart, stroke and vascular diseases and certain cancers. The report considers that even moderate consumption increases the long term risk of developing such diseases.

HOTREC position:

- *As an active member of the European Alcohol and Health Forum, HOTREC is fully committed in encouraging its members to take measures to curb alcohol-related harm in Europe.*
 - *HOTREC encourages its members to develop voluntary actions according with the Charter of the Alcohol Forum, especially focusing on:*
 - *Continuing enforcing age limits when serving and selling alcohol according to existing legislation;*
 - *Developing information and education programmes on responsible drinking (in order to facilitate informed choices by consumers).*
-

CONSUMER AFFAIRS

UNWTO Convention on tourists' protection: discussions to speed-up



The UNWTO is currently trying to accelerate the pace of the discussions on the draft UNWTO Convention on the protection of tourists and the rights and obligations of Tourism Service providers. Indeed, after a two month consultation of its Member States during the autumn 2016, the UNWTO secretariat has put forward a 9th draft for discussion in the relevant working group.

Besides, the European Commission has announced its intention to request from the Member States a mandate to negotiate the Convention on behalf of the EU on the different areas which are already subject to harmonised EU legislation.

Overall, the intention of the UNWTO secretariat is to finalise the discussion during the spring, in order to have a final text ready for the next General Assembly of UNWTO, as a failure to send a consolidated text to the UNWTO General Assembly could jeopardise the adoption of the Convention.

Next Steps:

The European Commission is expected to request a formal mandate in March 2017. The UNWTO working group will further discuss the Convention in the end of January 2017 and in the end of March 2017.

Actions:

HOTREC will participate to the next UNWTO Working Group discussions in order to ensure a full coherence between the Convention and the relevant EU legislation.

HOTREC position:

- *HOTREC considers that any UNWTO Convention should be fully coherent with the relevant EU legislation covering the same field (e.g. Package Travel Directive, Consumer Rights Directive) and should not extend further the already numerous legal obligations arising from such legislation.*
-

INTERNAL MARKET

New EU measures to facilitate the cross-border provision of services and access to professions

On 10 January 2017, the European Commission put forward a new package which aims at facilitating the cross-border provision of services and the access to regulated professions and professional titles.

The package is made of:

- A Regulation introducing a European services e-card to facilitate administrative procedures for companies willing to provide services on a cross-border basis (e.g. to facilitate establishment in another country)
- A Directive setting-out a proportionality test to be used by Member States before adopting new measures regulating professions.
- A Communication with reform recommendations on the regulation of some specific professional services.

The scope of the recommendations contained in the Communication is limited to a few identified sectors of activities, among which only one is related to tourism (national rules to access the profession of tourist guide).

However, the proposal of Directive has a larger scope, as it tackles national rules to access professions. Indeed, it is frequent for Member States to condition the access to a certain profession to the possession of a specific qualification or to the use of a specific title. To ensure a coherent approach in Europe and prevent un-necessary barriers to free movement of workers and professionals, the proposed Directive would clarify how Member States should undertake a comprehensive proportionality test before adopting or amending national rules on professional services and access to professions.

Lastly, the proposal for a Regulation introducing a European services e-card intends to create a simplified electronic procedure which will make it easier for providers of business services (e.g. travel agencies, tour operators and other reservation service agencies, organisers of trade shows, consultants, etc.) to complete the administrative formalities required to provide services in another Member States. The e-card will be available both for temporary provision of services and for opening up branches and agencies.

Next steps:

The proposed Directive and Regulation are subject to the ordinary legislative procedure, meaning both the European Parliament and Council will now examine the proposals and shall find an agreement on the final texts.

SOCIAL AFFAIRS

EU Platform on undeclared Work: seminar to develop a holistic approach



On 2 December 2016, the EU platform on Undeclared Work organised a seminar on "Developing a Holistic Approach to tackling Undeclared Work". The meeting was organised in order for Member States to exchange best practices on how to tackle undeclared work.

Member States pointed out the following different measures:

- Direct approaches: deterrence measures to detect undeclared work by raising sanctions; preventive measures: such as simplifying compliance or using direct and indirect tax incentives to make it beneficial to operate on a declared basis; curative measures: such as amnesties; tax incentive, etc.;
- Indirect approaches (e.g. developing awareness raising campaigns or pursuing wider economic and social measures).

Member States are steadily moving from direct to indirect approaches.

Next steps:

The European Commission will continue organising other conferences, trainings and seminars to tackle any forms of undeclared work during 2017.

HOTREC position:

- *HOTREC attends the Platform of Undeclared Work with an Observer Status;*
- *HOTREC supports measures that will tackle undeclared work. This will help curbing black economy and will secure legal working conditions for all citizens.*

Draft report on Posted Workers issued by the European Parliament



On 29 November 2016 the draft report on the revision of the Directive on Posted Workers of the Employment and Social Affairs Committee of the European Parliament was released ([2016/0070\(COD\)](#)).

The text of the co-rapporteurs, MEP Morin-Chartier (EPP, France) and MEP Agnes Jongerius (S&D, Netherlands) goes in the Direction of the Commission proposal. The main aim of the reform is to ensure that workers carrying out work at one same location are protected by the same mandatory rules, irrespective of whether they are local workers or posted workers.

The proposed amendments of the European Parliament include:

- Option for Member States to be able to apply their regional and sectoral collective agreements for posted workers (instead of the collective-agreements of general application proposed by the Commission);
- Addition of conditions for collective accommodation;
- Reference to the need to mention the elements of remuneration by the party issuing the order to the subcontractor before conclusion of the contract.

Next steps:

The deadline for amendments is 9 February 2017. After that the report will be voted at Committee level in the European Parliament. The Council to issue a first reading position.

DATA PROTECTION

Data Protection authorities issue guidelines on how to apply the General Data Protection Regulation (GDPR)



Data Protection authorities (Article 29 Working Party) have started issuing [guidelines](#) to ensure the consistent application of key principles of new regulation across the European Union.

Adopted in April 2016, the new Regulation will enter into force in May 2018 and replace the national legislation substituting the current Data Protection Directive.

Guidelines so far cover the following topics:

- [Data Protection Officer](#) (DPO);
- [Right to Data Portability](#);
- Identifying a controller or processor's lead supervisory authority

According to the GDPR, it is mandatory for certain controllers and processors to designate a DPO. This will be the case for all public authorities and bodies (irrespective of what data they process), and for other organisations that - as a core activity - monitor individuals systematically and on a large scale, or that process special categories of personal data on a large scale (which is not the case of the hospitality sector, except if the DPO is required by Member State Law). Nevertheless, the Data Protection Working Party ('WP29') advises that even when the GDPR does not specifically require the appointment of a DPO, organisations may sometimes find it useful to designate a DPO on a voluntary basis.

Actions:

HOTREC members and the hospitality sector to fully implement the General Data Protection Regulation from May 2018 onwards.

INSTITUTIONS

Programme of the Maltese Presidency of the EU

As Malta just took over the Presidency of the EU for 6 months (1 January 2017 – 30 June 2017), the Maltese government published its list of priorities for its presidency.

Among the most important priorities for the European hospitality industry are the following ones:

- Taxation: a particular focus will be given on the re-launch of the Common Consolidated Corporate Tax Base, which was contained in the direct and indirect tax packages released by the Commission in Autumn 2016;
- Employment & Social Affairs: Following the public consultation of the European Pillar of Social Rights, the Maltese presidency will initiate discussions in Council targeting initiatives aimed at addressing the challenges of work-life balance faced by working families, access to social protection, as well as the implementation of the Working Time Directive, among others. The Presidency will also continue the discussion on the proposal for a Directive on implementing the principle of equal treatment between persons, irrespective of religion or belief, disability, age, sexual orientation which would prohibit discrimination on such grounds (Anti-discrimination Directive). Moreover, it will initiate discussion on the revision of Regulation 883/2004 on the coordination of social security systems;
- Internal Market: the Presidency intends to focus on the REFIT programme and scoreboard, to promote the Better Regulation agenda;
- Home Affairs: Visa Facilitation and Visa Liberalisation Agreements will continue to be established with third countries; a way forward on the recast of the Visa Code will be put sought; progress on the proposals of the Entry/Exit system and on the establishment of the European Travel Information and Authorisation System (ETIAS) will be developed;
- Tourism: A high-level conference will be organised on the completion of the Digital Single Market as a tool for the European Tourism industry to tap into new global markets while increasing intra-EU tourism.
- Circular economy package: the Presidency intends to make substantial progress in the negotiations relating to the revision of the Waste Framework Directive (which incorporates measures on food waste reduction).

The full programme of the Maltese Presidency is available here: [link](#)

STATISTICS

Recent publications

Eurostat – Compact guide 2016 tourism statistics: On 14 November 2016, Eurostat, the statistical office of the European Union, published its most recent pocket guide on tourism statistics. It provides for some key figures on the tourism industries, nights spent and trips of EU residents.

UNWTO – World Tourism Barometer: International tourist arrivals on a global level grew by 4% between January and September 2016, compared to the previous year's same period. In Europe, the growth amounted to 2%, with strong variations between the different regions.

GENERAL ACTIVITIES

Next Meetings and General Assemblies

In the coming months, HOTREC will organise and/or participate to the following meetings

- 18 January 2017: Launch Ceremony of the UN's International Year of Sustainable Tourism for Development: as a Member of the Steering Group, HOTREC will unveil its policy brochure: Guidelines to reduce food waste and recommendations to manage food donations jointly developed with the European Federation of Food Banks (FEBA)
 - 18 January 2017 (Brussels, Belgium) – NET Meeting with Director General of DG Home and Director General of DG Growth on the ETIAS system
 - 23 January 2017 (Brussels, Belgium) – High level conference – launch of the European Pillar of Social Rights
 - 26 January 2017 (Brussels, Belgium) – Liaison Forum
 - 26 January 2017 – Videoconference of the UNWTO working group on the Convention on the protection of tourists and on the rights and obligations of tourism service providers. HOTREC will participate.
 - 31 January 2017 (Brussels, Belgium) – MEP breakfast event on food waste reduction in the hospitality sector. HOTREC, which organises this event together with MEP Biljana Borzan (S&D, Croatia), will present its new brochure entitled "*European Hospitality Guidelines to reduce food waste and recommendations to manage food donations*".
 - 2 February 2017 (Milan, Italy) – High-level event on "*Synergies between cultural and creative industries and tourism as a flywheel for growth and jobs in Europe: a new public-private partnership*" organised by the European Commission and the Italian Ministry of Cultural heritage and Activities. HOTREC will participate.
 - 24 March 2017 (Brussels, Belgium) – Sectorial Social Dialogue Committee meeting
 - 28 March 2017 (Madrid, Spain) – Meeting of the UNWTO working group on the Convention on the protection of tourists and on the rights and obligations of tourism service providers. HOTREC will participate.
 - 27-28 April 2017 (Tallin, Estonia) – HOTREC holds its 74th General Assembly.
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