

RESEARCHES ON THE IMPACT OF THE 2011 NORMATIVE ACTS ON AUTHORISING AGROTOURIST GUESTHOUSES IN ROMANIA

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Abstract

In this paper, we aimed at analysing the impact of the normative acts elaborated by the Ministry of Regional Development and Tourism in 2011 on authorising agrotourist guesthouses in Romania. The survey targeted the comparative analysis of the minister's orders in 2008-2010 and of the Minister's Order No. 1051/2011 regarding the agrotourist guesthouses classification criteria and classification procedure. In the second part of the survey, we performed a comparative analysis of the number of agrotourist guesthouses classified by the ministry in the interval January-June 2010 as compared to 2011. A first conclusion of this survey is represented by the fact that the Minister's Order issued in 2011 simplified the bureaucracy of authorising agrotourist guesthouses and the other accommodation and public catering units. Practically, according to the new regulations, the authorisation file contains an application and three more documents, as compared to the old requirements, according to which the file was quite sizeable. Through the adopted measures, the interval between the date the standardised statement accompanied by the full classification documentation is submitted and the date the classification certificate is issued is decreased to 30 days. The fulfilment of the classification criteria is verified after the authorisation within the control activities performed by the representatives with specific responsibilities within the central public administration authority responsible in the field of tourism. A second conclusion is that there is an increase in the number of classified agrotourist guesthouses and that they progress from the black tourism market area to that of the authorised, legal tourism.

Key words: agrotourism, authorisation, agrotourist guesthouse, legislation

In this paper, we aimed at analysing the impact of the normative acts elaborated by the Ministry of Regional Development and Tourism in 2011 on authorising agrotourist guesthouses in Romania. The survey targeted the comparative analysis of the minister's orders in the interval 2008-2010 and of the Minister's Order No. 1051/2011 regarding the agrotourist guesthouses classification criteria and classification procedure. In the second part of the survey, we performed a comparative analysis of the number of agrotourist guesthouses classified by the ministry in the interval January-June 2010 as compared to the same interval in 2011.

MATERIAL AND METHOD

The tourist reception structures with accommodation functions are classified according to stars and, respectively, flowers in the case of agrotourist guesthouses and tourist guesthouses in the rural environment, according to the constructions characteristics, the equipment and the services they provide. The classification of the tourist reception structures is made by the central public administration authority responsible in the field of tourism, in order to protect tourists, and it

represents a codified form of synthetic presentation of the comfort level and services supply.

RESULTS AND DISCUSSIONS

1. According to the old normative acts, in order to obtain the classification certificate the economic agents owners and/or administrators of tourist reception structures elaborated a documentation with the following content:

- application for issuing the classification certificate;
- company extract from the trade register, containing the object of activity and the shareholder structure;
- registration certificate;
- certificate of incorporation or operation authorisation in the case of family associations and authorised natural persons.
- registration certificate from the Trade register office, accompanied by the annexes regarding the legal approvals/agreements and/or authorisations (fire protection, sanitary, sanitary-veterinary and labour protection, as the case be, for each tourist structure which is being classified);

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- the plan regarding the location and address of the unit;
- plan regarding the structure, location and ranking of the rooms, respectively the catering facilities;
- form regarding the nominal ranking of the rooms and catering facilities according to classification categories;
- specific approval regarding the location and operation of the unit, issued by the Ministry of Tourism in the case of new buildings;
- copy of the tourism certificate for the hotel, restaurant, motel, camping (except for the structures organised in the people's households), holiday village or chalet managers;
- copies of the reception and catering units personnel qualification documents.

The classification documentation was sent to the Ministry of Tourism – the General Direction for Authorisation and Control (hereinafter called GDAC), which verified the fulfilment of the classification criteria and issued the classification certificate.

The classification certificate was accompanied by the form regarding the nominal ranking of the rooms and, respectively, the form regarding the structure of the catering facilities destined to serving tourists, through which the unit capacity and structure are established.

The economic agent required from the GDAC within the Ministry of Tourism the classification of the tourist reception structures and/or catering structures destined to serving tourists at least 60 days before they were put into operation.

The on-site verification of meeting the criteria was performed by the specialists within the Ministry of Tourism – GDAC with the support and collaboration of specialists appointed by the county councils, local councils and by the representatives of professional associations in tourism, in the presence of the representative of the respective economic agent.

According to the actual conditions noticed in the unit that was being verified, certain compensations for equipment and services could be proposed exceptionally in order to grant or maintain the category.

The classification certificate was issued within at most 60 days from the date of receiving the complete classification documentation.

When this deadline expired, the economic agent could operate on his own responsibility the respective tourist structure at the required number of stars (flowers), and on the actual receipt of the classification certificate he continued his activity in the category mentioned in the awarded certificate.

The operation may begin on condition that he has the legal authorisations:

- the sanitary operation authorisation;
- the sanitary-veterinary authorisation (only for the catering units);
- the approval/authorisation for preventing and extinguishing fires - P.S.I.;
- the environment authorisation.

2. According to the new regulations, in order to obtain the classification certificate for the tourist reception structures, the economic operators owners and/or administrators of tourist reception structures submit, before the structures are put into operation, at the headquarters of the central public administration authority in the domain of tourism, the standardised statement on their own responsibility, accompanied by the complete documentation, elaborated in compliance with the legal norms.

In order to have the classification certificate issued, the economic operators and/or administrators of tourist reception structures submit at the headquarters of the central public administration authority responsible in the domain of tourism a standardised statement on their own responsibility, accompanied by the documentation with the following content:

- a) company extract, original or notarized copy, issued by the Trade Register Office in compliance with the Law no. 26/1990 regarding the trade register, republished, as subsequently amended and supplemented, which gives information about the full identification data of the economic operator, as well as information about the declared length of operation, the main activity, the secondary activities, the equity and the authorised activities;
- b) form regarding the ranking of the accommodation spaces according to categories;
- c) form regarding the ranking of the catering facilities according to the case.

The application of the economic operator and/or administrator of tourist reception structures is processed within a maximum of 30 days.

After the documentation submitted by the economic operator is verified, the central public administration authority responsible in the domain of tourism draws up the classification certificate and the form/forms regarding the ranking of the accommodation spaces and respectively the form/forms regarding the ranking of the catering facilities.

The economic operator owner and/or administrator of tourist reception structures has the following obligations:

a) to ensure the maintenance and functionality of the equipment during the entire operation interval of the tourist reception structures;

b) to display, at the reception, the rates established for the respective tourist reception structure. In case in the same tourist reception structure there are accommodation spaces ranked in different category from the one in the classification certificate, they will be displayed distinctly together with the associated rates;

c) to ensure that there is hot and cold water permanently at the restrooms in the tourist reception structures with accommodation and catering functions;

d) to ensure, in the accommodation, serving and common spaces, a minimum temperature of 21degrees Celsius in the cold season and a maximum of 25 degrees Celsius in the warm season;

e) to have skilled staff, according to the specifications to the present norms. The serving personnel in the tourist reception structures will wear the specific outfits established by the respective economic operator, differentiated according to the conditions in which they perform their activities and a tag with their surname and name, and the rest of the staff will wear work equipment specific to their activity;

f) to provide the necessary conditions so that the tourists are not disturbed by the noise produced by the technical equipment in the building or other polluting factors;

g) to provide accommodation spaces with direct natural light and ventilation;

h) not to locate accommodation spaces in the basement;

i) to display in a visible place, outside the building: the name, type and symbols regarding the classification category of the tourist reception structure;

j) to display in a visible and legible way in the reception, in the entrance hall of the tourist reception structures with no reception and at the entrance to the food serving halls the classification certificate, the phone number – green line – of the central public administration authority responsible in the domain of tourism so that the tourists know them;

k) to provide authentic information about the name, type, classification category and services offered in all the promotional materials, according to the classification certificate obtained;

l) to always have the original of the classification certificate and its annex(es) in the tourist reception structure;

m) to provide a various range of additional services, included in the accommodation rate or with separate rates, according to the list below:

1. in 4 and 5-star units – at least 15 services;
2. in 3-star units – at least 12 services;
3. in 2-star units – at least 8 services;
4. in 1-star units – at least 5 services.

n) to provide, in the accommodation spaces, printed materials, aesthetically designed and published in Romanian and in at least two international languages, including useful information for the tourists about:

- instructions as to how to use the phone, as the case be;

- the national and international phone call rates;

- the list including the additional services provided and the rates for those that have to be paid, indicating the ways of requesting room service;

- the room service price list;

- the list including the prices for the mini-bar products, as the case be;

- instructions as to how to use the TV, the air conditioning unit, as the case be;

- tourist information regarding the region or the locality;

- any information that could make the tourist's stay pleasant.

CONCLUSIONS

A first conclusion to this survey is represented by the fact that the Minister's Order from 2011 simplified very much the bureaucracy of authorising agrotourist guesthouses and the other accommodation and catering units.

Practically, according to the new regulations, the authorisation file contains an application and three more documents, as compared to the old requirements, according to which the file was quite bulky. Through the measures that were taken, the interval between the date that the full classification documentation is submitted and the date that the classification certificate is issued is shortened to 30 days.

Verifying whether the classification criteria are met is performed after the authorisation within the control actions taken by the representatives with specific duties within the central public administration authority responsible in the domain of tourism.

This system streamlines the authorisation procedure in the domain of tourism, renders more responsible the economic operator or the natural person owner and/or administrator of the tourist reception structure who, on their own

responsibility, state that they meet the classification criteria when the tourism structure becomes operational.

In addition, the deadlines by which the verifications made on site were postponed are now eliminated, thus accelerating the tourist accommodation structures' access to the economic circuit.

The second conclusion drawn from the analysis of the data provided by the Ministry of Regional Development and Tourism is that, at the level of all the counties in our country, there is an increase in the number of classified agrotourist guesthouses and implicitly their progress from the black tourism market area to that of the authorised, legal tourism.

Table 1

Number of guesthouses

County	1 January - 1 June 2010	2011
ALBA	0	28
ARGES	1	16
BACAU	0	4
BOTOSANI	0	1
BRASOV	9	54
BUZAU	0	8
CLUJ	0	1
CONSTANTA	0	1
COVASNA	0	4
DAMBOVITA	1	2
GALATI	0	1
HARGHITA	0	34
HUNEDOARA	6	9
IASI	0	2
MARAMURES	4	0
MURES	0	10
NEAMT	0	6
PRAHOVA	0	4
S.A.I.	0	1
SALAJ	1	1
SIBIU	0	38
SUCEAVA	0	12
TULCEA	1	7
VASLUI	0	1
VRANCEA	0	1
TOTAL		

According to the data provided by the Ministry of Regional Development and Tourism, in the first six months of this year, 2,355 accommodation structures received operation authorisations, an increase of 250% as compared to the ones granted in 2010. In the above-mentioned interval, 551 tourism agencies received their authorisation, their number increasing by 23.5% as compared to the year 2010 and, also, 1,456 catering structures received operation authorisations, their number being 160% higher than the one in 2010.

BIBLIOGRAPHY

- Antonoaie, N., Foriș, T., Crețu, R., ș.a., 2002** – *Management in Tourism. Ecotourism – Component of Modern Tourism*, Psihomedica Publishing House, Sibiu.
- Crețu, Romeo Cătălin, 2005** – *Legislation in Catering and Agrotourism*, CERES Publishing House, Bucharest.
- ***, **1997-2011** - *The Official Gazette of Romania*, The legislation in the domain of tourism.
- ***, **2000-2011** - *The National Institute of Statistics – Romania's Tourism – statistical abstract*.