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THE TOURISTICS SERVICES IN ROMANIA AND SOME ETHICAL ASPECTS OF CONSUMERS PROTECTION

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Review

The paper deals with the protection of consumers of touristic services as well as some of its ethical aspects, it is a part of a more ample study.

The assurance of the protection of consumer begin since information phase, it continues with his transport and with the situations that can appears once he arrived at destination. Ethical issues that are likely to come up in the area of tourist services are multiple. The main domains that can generate ethical problems are going to be presented are: problems regarding the product, publicity, actual performing, the price, and distribution.

Key words: touristic services, consumer protection, compulsory regulations, ethical problems, ethical behavior.

INTRODUCTION

Tourism, belonging to the category of services, is associated to a series of benefits rather than to a tangible product. The consumer pays so as to obtain certain advantages, buying something more like a promise, while the only way to test the services is in fact, to use them. The performer offer advantage, which can or cannot be real, and consumer has less possibility to control the situation if the services does not meet the expectations.

Consumers face a high level of uncertainty when purchasing a service as this is intangible and variable, the risk they perceive being either financial or regarding the unwanted consequences. [1]

1. GENERAL ASPECTS OF TOURISTIC SERVICES AND CONSUMERS PROTECTION

Tourism - according to its definition- is a specific form of people's spending the spare time. From an economic-social point of view the demand of the population for an evolved form of such a product is congruent to the process of modernizing the society, to the evolution and fluidity of the informational flow, to the economic globalization.

The physical and psychical need for relaxing, renewing the labor capacity are decided by the necessity of a high-leveled professional training, by the change of the work features as a result of mechanization and automatization, by the movement of the stress from physical to psychical aspects.

Together with this needs the aspiration to know other geographical, spiritual domains can be noticed. Traveling in order to find out more things and get informed are, besides relaxing, practicing sports and other non-professional activities a natural component of the quality of life. Tourists want services in tourism to offer them something different from the everyday environment. [2]

The quality has an indissoluble connection to any service, being the measure for the degree of getting the client satisfied. The general degree of satisfaction obtained as a result of tourist input does not reside in the mere addition of the each service input. The estimation of the quality level of the whole product in tourism might be influenced by the inadequate quality of one or other of its components. If, out of certain subjective or objective reasons, at a specific moment or in a specific place, one of the links in the chain of services does not meet the demands of the tourist, the repine he endures does not have momentary effects, it can deform the image of the entire offer. [2]

The tourist, as a consumer, must be aware of the fact that in what his relationship with the economic agents is concerned, the law provides him with a series of rights and protects him from the abuses that could endanger his health and life, as well as his legitimate interests.

The protection of the rights of tourists enters the area of human rights, within the framework of protection of the consumer rights to health, security, economic protection, adequate informing, consuming education, doing up in case of suffered prejudice and possibility to associate and to be represented. The input in tourism during holidays is considered as an expensive one, whose inadequate results cannot be make up for and which can be compromised even if one single component element is not properly offered.

According to the ONU General Meeting Resolution No. 39/248/1985, which sanctioned "The Directing Principles for the Consumer Protection", the Romanian legislation adopted a series of compulsory regulations for the consumer protection in general, Law 21/1992 and L.11/1994 and for the tourist protection in particular issued by Romanian Parliament, Romanian Government and Tourism Ministry. [3]

The Romanian legislation concerning touristic services is rich, as well as the rules concerning the consumer's protection.

The Romanian Touristic Agents may act on the market only if they receive a license issued by the Tourism Ministry, this license authorize the agent and confirm its capability to accomplish offered services.

More than in other domains of activity, in tourism it is very important to protect the tourists as consumers, as unlike consumers generally speaking, tourists are more vulnerable to disloyal and inadequate treatments of different performers, and also to unexpected events. This vulnerability is due to the fact that basically tourism supposes the changing of the usual environment of the tourists and the input of the product in places that tourists are less familiar to.

In this case the necessity to assure accommodation, alimentation at least similar if not better than those at residence is compulsory.

A better protection of the tourists as consumers will be accomplished by:

- Planning some regulations and rules besides the existing ones regarding all the services that can be part of a product in tourism, that aims at continuously improving the quality of the services;
- Permanently monitoring and controlling all the economic agents that perform services in tourism and proper sanctioning of those who do not follow the stipulations of the rules and regulations regarding the area of activity;
- A better informing of the tourists regarding the quality of the tourist services that are performed by different economic agents, using the mass-media;
- A better education of the tourists regarding their self-protective possibilities in what the inadequate treatments of different economic agents that perform tourist's services is concerned, this being the most effective way to avoid the prejudices caused by such treatments.

2. ETHICAL ASPECTS OF TOURISTIC SERVICES IN RELATION TO CONSUMERS PROTECTION

In **our opinion**, besides the legal rules, one solution for de facto protection of tourists as consumers in Romania would be the development of the ethic behavior of firms in general and performing personnel in particular. A special attention oriented to the organizational culture can provide higher quality services, too.

The personnel of an institution that offers tourist services will not make a decision unless it admits that a particular problem or a palpable situation proves to have a moral component. An ethical issue means a situation or an identified opportunity that implies that an individual person or an organization should choose among most of the actions that need to be regarded as good or bad, moral or immoral. Every time an activity brings people to be disappointed, manipulated or betrayed, there is an ethic problem regardless the legitimacy of that activity.

The ethical problems come up due to the conflicts between moral personal philosophies, adopted strategies and the organizational environment where the working personnel develop its activity. The ethical problems can appear as a result of the friction between managers' wish to fulfill their established aims and the clients' wish to get safe high quality services.

There no doubt, ethical issues that are likely to come up in the area of tourist services are multiple. The main domains that can generate ethical problems are going to be presented further:

- **The ethical problems regarding the product.** Generally speaking, the ethical problems that have to do with the product show up when performers in the field of tourism do not manage to underline the risks related to the use, value and functioning of services or products. The pressure of the competition in its turn also generates a series of ethical problems regarding the product. As long as competition goes up and marginal profits go down, the pressure brings along replacements of the tangible elements of the raw materials aiming at reducing the costs. The ethical problem appears the moment the performers do not let the clients

know about these changes; this elision being a type of moral attitude regarding the type of the offered service.

- **Ethical problems regarding publicity.** The immoral actions in publicity can destroy the clients' trust in the performing enterprises, especially in the tourist field. Sometimes, certain service enterprises can be made responsible for disloyal behavior, vis-a-vis competition. Excess in publicity, can also range from supporting some exaggerate claims regarding the activity of the enterprise or the nature and quality of its offer. In most of the cases, the exaggerate claims cannot be supported during its performing and this makes consumers be disappointed. On the other side elisions of some aspects that have to do with the offered service (concrete tangible facts omitted from the advertisement) can generate confusion in the consumers' behavior making them suspicious and incredulous. The performers who by means of their advertisements do not offer all the information concerning the quality of the services at the time, place and price of the accommodation or those who transmit false information take the risk of loosing the trust of their real clients and of generating lack of trust among the potential once. Another form of immoral publicity is the one that uses ambiguous statements (sentences that use words that are so vague that the one who sees, reads, or listens to them can hardly perceive the intended message. Being called weasel words these vague expressions allow the advertiser to deny any deceiving intention if the performance is under consumers' expectation such vague messages generate the apparition of some ethical problems in publicity.
- **Ethical problems regarding the actual performing.** A frequent problem that appears in the activity of performing services in tourism represents the option for a certain type of behavior in front of the client. Pretty often consumers of tourist services consider performers as being immoral because they are forced to purchase services or goods they do not actually need. Practice underlines that enterprises offering quality services have a highly trained and educated personnel, with a moral behavior thing that sometimes decisively contributes to action of turning the clients into loyal supporters. At one point or another, most of the performers can face ethical problems during their activity. For instance, in a hotel that faces the problem of water supply during the night, the worker will have to decide whether to tell the client the truth taking the risk that the client leaves giving up the accommodation service or to cheat him to assure the 'sale of the service'. The employees' inadequate education determine their confusion and offhand when encountering such ethical problems. Moreover, once the performer has deceived a client, he will find it more difficult to tell the truth later. While the client learns out of a deception, the performer loses his credibility not only in front of his clients but also in front of all his friends and acquaintances. Thus, the way such an ethical problem is being dealt with may have more serious consequences on the individual or on the enterprise. Influencing the potential consumers so as to change their buying decision is also an important source of ethical problems. When specific payments, gifts, or favors are granted in order to obtain a sale or out of other reasons, there is always a bribery situation.

- **Ethical problems regarding the price.** Establishing the price, the use of imposed prices and elisions in the complete communication of the prices are typical ethical problems in the field of tourist services. The emotional and subjective nature of the price creates a lot of situations where the misunderstandings between performer and consumer bring about moral problems. The performers have the right to include a profit quote as high as possible in the price. The ethical problems show up when the service enterprise wants to obtain unreasonable profits in connection with the prejudice of consumers. In this case consumers perceive that it is not the price immoral - they know there is a legal framework that enterprises have to follow - it is the difference between the prices asked by different performers, which are analyzed from an ethical point of view. If prices aim at diminishing competition or they benefit from a certain circumstance on the market (the demand is greater than the offer), to the prejudice of consumers, it is that moment prices are immoral and they have to be modified. The effect of practicing immoral prices may be to the benefit of the performer for a short term. Still, on the a long term such a strategy proves to have negative effects making the consumers postpone their decision to purchase or to orient to other performers.
- **Ethical problems regarding distribution** focus on the relationships between performer and intermediary agent and/or intermediary agent and consumer.

Even if thanks to their intangibility and inseparability a great range of services take advantage of a direct distribution and yet, the apparition of some new services favored the development of distribution based on intermediary agents. These facilitate accessibility of the service for the consumer on one hand, also assures a competitive advantage for the service enterprises on the other hand [4].

In the next stage we will study these four problems and how they are resolved in Romanian touristic marketplace.

CONCLUSIONS

Within this context, ethical problems may come up between intermediary agents and the service enterprises and/or between intermediary agents and consumer. In the first case the complex relationship between intermediary agent and performer may generate more prejudices for the ethical conflicts and problems. Being dependent on performer the intermediary often has to give up his own ethic principles and to follow the politics of the enterprise, not offering all the information regarding the complete price of the performed services, at the time, place the service is accessible. In the second case, intermediary agent may use a series of less ethical actions so as to make consumers buy the service. They can offer information that present the service as being more attractive than it really is, thus manipulating the purchasing decision of the consumer.

Irrespective of their source, the practices perceived as immoral by consumers have negative consequences both on the activity of service enterprise and also on the activity of intermediary agent leading to the decline of the prestige and the loss of clients.

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Sažetak

TURISTIČKE USLUGE U RUMUNJSKOJ I NEKI ETIČKI ASPEKTI ZAŠTITE POTROŠAČA

Rad govori o zaštiti potrošača turističkih usluga i o nekim njihovim etičkim aspektima, a dio je opsežnije studije.

Osiguravanje zaštite potrošača počinje s fazom informiranja, nastavlja se transportom potrošača i situacijom koju on po svom dolasku nalazi na mjestu destinacije. Mnogobrojni su etički problemi, koji se mogu pojaviti na području turističkih usluga. Glavna područja, koja mogu stvarati etičke probleme su: problemi u svezi proizvoda, reklama, nova izvedba, cijena i distribucija.

Ključne riječi: turističke usluge, zaštita potrošača, obvezna pravila, etički problemi, etičko ponašanje.

Zusammenfassung

TOURISTISCHE DIENSTLEISTUNGEN IN RUMENIEN UND EINIGE ETHISCHE ASPEKTE DES KONSUMENTENSCHUTZES

In dieser Arbeit, welche zugleich Teil einer umfangreicheren Studie ist, wird der Konsumentenschutz der touristischen Dienstleistungen und einige ethische Aspekte dargestellt.

Der Konsumentenschutz beginnt mit der Informationsphase, setzt sich fort mit dem Transport der Konsumenten und mit der Situation, welche der Kunde nach seiner Ankunft in der Destination vorfindet. Die ethischen Probleme, welche im Bereich der touristischen Dienstleistungen erscheinen können sind zahlreich. Die Hauptbereiche, welche die ethischen Probleme hervorrufen können werden hier vorgestellt: Probleme bezüglich des Produktes, die Werbung, neue Ausarbeitung, der Preis und der Warenvertrieb.

Schlüsselwörter: touristische Dienstleistungen, Konsumentenschutz, feste Regeln, ethische Probleme, ethisches Verhalten.