LUCRĂRI ŞTIINŢIFICE, SERIA I, VOL. XIII (4)

ANALYSIS OF NEW LAW ON TOURISM IN ROMANIA AND ITS IMPLICATIONS ON OUR ECONOMY

ANALIZA NOII LEGI A TURISMULUI ÎN ROMÂNIA ŞI IMPLICAŢIILE EI ASUPRA ECONOMIEI ŢĂRII NOASTRE

S.M. STANCIU[1], ANDREEA FEHER[1], G.C. TABĂRĂ-AMÂNAR[1]

[1]Banat's University of Agricultural Sciences and Veterinary Medicine Timisoara, Agricultural Management Faculty, Timisoara, Romania; sorinmstanciu@yahoo.com

Abstract: *This paper regulates the organization, coordination and development of tourism, an area of strategic importance for Romania's national economy and tourism resources management in accordance with the principles of competitiveness, sustainability and sustainable development. The provisions of this paper apply to public authorities involved in organizing and conducting the business of tourism associations, economic operators and to all natural or legal persons engaged in tourism activities.*

Key words: *development, management, tourism, rural area, activity.*

INTRODUCTION

The new Law on Tourism in Romania since its preamble states, new definitions of terms commonly used in this crucial area of the Romanian economy. I would like to say only a small part of them, so that to accomplish this work required [2]:

- tourism - a form of rural tourism, organized and conducted in close relation to occupation of the inhabitants of rural areas - agriculture, livestock, crafts and other activities specific activity is secondary to agricultural tourism; whose date / time and venue are predetermined;

- traditional house - a structure to receive tourists with accommodation, which presents following characteristics: it can accommodate up to three rooms, is the main home Location locals in rural areas, respect traditional architectural style regional, zonal or locally, as

appropriate, the property owner directly organizes and provides travel services without staff, offering tourists the opportunity to experience the lifestyle of the household specific rural areas to take part in activities related to agriculture and animal husbandry and cultivation plants / fruit trees, and craft activities in general and life habits Traditional specific location / area, tourist services offered within this structure are of casual and seasonal, being offered especially during summer, the holidays or religious;

- classification certificate - a document issued by government authority central charge of tourism, which is a coded form of summary the level of comfort, quality facilities and services for shelters in tourism;

- menu - proposal of the traditional menu of services offered by mass Agro hostels and traditional houses, tourists only stay inside the guesthouse, which landlord / traditional cash available to a limited range of dishes tourists cuisine and local culinary products derived mainly from their household or authorized by local producers

- urban boarding house - a structure to receive tourists with accommodation, located in urban areas, with the following characteristics: it can accommodate up to 15 rooms, working in the architectural style of buildings that comply with regional or local area, as appropriate; provide accommodation and training conditions and dining in special places;

- rural boarding house - a structure to receive tourists with accommodation, located in rural areas, with the following characteristics: it can accommodate up to 15 rooms; work in buildings that comply with regional architectural style, regional or local level, as appropriate, is placed in an environment characterized by conserving natural tourism resources, ensure accommodation and training conditions and dining in special places;

- rural locations - structure of tourist accommodation with accommodation, which presents following characteristics: it can accommodate up to 8 cameras, operating in buildings comply with regional architectural style, regional or local level, as appropriate, is placed in an environment characterized by conserving natural tourism resources, provide accommodation and conditions of preparation and serving of meals in specially designed, mass produced and is made from raw materials derived mainly from their household or authorized producer of the local plan, offering tourists the opportunity to take part in activities related to agriculture, increasing animals, cultivation of different types of plants, orchards, craft activities and in general to the specific customs and

traditional life of the place / area, the land is located has a minimum area of 1000 square meters, excluding garden and parking. [3]

- tourism areas - priority sector of tourism that includes all activities, tourism products and services organized and conducted in rural areas, mainly by local people in close contact with the environment and basic activities of local people by tourism resources are exploited, cultural heritage, traditions, structures and products of interest local.

MATERIAL AND METHOD

Central government authority responsible tourism [1] supports development of rural tourism and agro tourism in the following specific measures:

a) promote rural areas with tourism potential, in order to assert effective and sustainable natural resources, cultural and historical traditions and local cuisine, and all other goods and rural community services;

b) provide information on tourism opportunities in rural areas, including accommodation, activities, festivals and traditional events and customs;

c) has the necessary measures to identify, develop and promote products the tourism areas and tourism, as tourism products brand, and to ensure enhancement of the reputation of local tourism and local identity preservation and cultivation;

d) authorizes the operation of hostels and guesthouses agro rural tourism, new constructed through the certificate of classification under the law.

Rural tourist pensions, pensions to rural locations and traditional homes meet a minimum set of specific regulations in the veterinary field for safety food regulations issued by the central authority in the field of veterinary and food safety, in collaboration with central government authority responsible tourism and adopted by order of the leaders of the two institutions.

Pension rural tourism, agro hostels and traditional homes must comply with a minimum set of specific regulations to prevent and developed by the General Inspectorate for Emergencies, in collaboration with the leaders of the two institutions.

Pensions and hostels agro rural tourism uses on the flowers fall, with daisy symbol, and traditional houses attest to the central government authority. Responsible tourism issues the certificate of classification and that certificate. [4]

The conditions and the methodology for classification / certification of tourist accommodation structures characteristic of rural tourism and agro tourism, as well as specific regulations are developed and approved by order of the head of central government authority in charge tourism or as appropriate, by government decision.

Licensing and control in the field of tourism

To protect the tourists, the quality and safety provision tourism services and to establish qualitative and quantitative standards [2], the central government responsible for issuing tourism operators tourism and personnel in the following authorizations:

a) certificate of classification for tourist reception than traditional houses for which the certificate is issued;

b) certified for traditional house;

c) tourism license for travel agents;

d) patent tourism

e) certified tour guide;

f) technical opinion specialist training programs related

Occupations specific to tourism, for which there are special requirements organizing training for their authorization for these programs, providers training by the National Council for Adult Vocational Training, under the conditions law;

g) tourist permit water recreational activities;

h) authorization to conduct tourist activities tourist on the beach;

i) certificate of approval for the ski slopes and tourist routes;

j) expert advice for planning and documentation on spatial zones and tourist resorts and spas, as well as technical documentation for construction classified as tourist reception structures;

k) certificate of accreditation and promote tourist information centers;

l) certificate heritage tourism.

Authorized economic operators in the tourism sector have a duty to services involving specific responsibility for the protection of tourists by personal qualified and experienced in the law. Specific professions are those

in the tourism domain classification Occupations in Romania (COR) approved the law in force.

Control of compliance with specific standards in the tourism industry is performed by all personnel involved in control designated government authority Responsible tourism central. In order to conduct comprehensive checks on compliance with specific rules tourism and complementary rules and incidents of tourism, it is a mixed team control, depending on the complexity and specificity control. [3]

Mixed control teams are coordinated by the government authority Responsible tourism central and can be made up of representatives of the gendarmerie, Police, local government authorities, the National Authority for Protection Consumers, the National Sanitary Veterinary and Food Safety and / or other bodies responsible for control.

Joint control teams can be convened at the initiative of any of its constituent parts. Joint control teams can do in terms of legal provisions in force controls on individuals and legal persons engaged in tourism. The structure of tourist accommodation and travel agencies will be checked periodically by central government authority responsible for tourism, with regard to maintaining criteria and considered in their classification, namely the maintenance of licensing criteria and conditions.

RESULTS AND DISCUSSIONS

State tourism activity supports the economic and financial policies and mechanisms.

Areas with high or very high tourist resources have facilities for:

a) general construction of the infrastructure necessary for tourism development;

b) improvement and environmental protection measures and special programs aimed at ensuring and encouraging the development of tourism function, developed by the government central tasks in the field of tourism in collaboration with the central government responsible for environmental protection and local government authorities, and other interested bodies;

c) promotion of tourism. To stay in an accommodation unit, local council set up a hospitality tax, the share 1% of the total accommodation / accommodation fee for each day of stay of tourists, which is charged by

legal entities through accommodation, is made upon taking out the persons accommodated.

Management of hotel tax monies collected by local councils [1] will be directed exclusively for the promotion of tourism and investment in tourist infrastructure their administrative territory and will do so:

a) minimum 50% from hotel tax will be collected and used for tourism promotion distribution of funds will be made mandatory consultation with associations to promote regional counties or regions in which they exist, the remaining 50% of hotel tax will be collected used for investment in tourism infrastructure;

b) tourist resorts in rural or no association works to promote regional hotel tax revenue from the local councils will be managed by those with Under the same proportions of allocation. [4]

Tax rate for buildings with tourist destination that does not work during a calendar year is 5% of asset value of the building is exempt from the provisions of par. The structures that have planning permission in validity period, if work started within 3 months from date of issue building permit. Tax on buildings and land tax will be reduced by 50% for those buildings and land related, under the Black Sea, which are used exclusively for services interest on a minimum of six months during a calendar year.

The state supports and encourages private enterprise in promoting and development of tourism activity, the following measures:

a) concession of priority, under the law of the land belonging state or public or private administrative territorial units, to build structures tourist accommodation;

b) the provision of transfers from the state budget to local budgets, the budget authority central public administration in tourism to finance documentation technical and implementation work related to tourism investment objectives listed in program Multi Tourism Development;

c) travel vouchers system.

If the entity authorized by the central public administration tourism and other activities conducted, the rate of 9% applies only on activities with accommodation and meal. Rate applies only if economic activity in tourism, authorized by the central public administration in tourism and only validity period of approval.

Operators authorized by the central government responsible tourism, which makes investments in tourism are exempt from income tax, after the commissioning of that investment, according to the following scale:

a) for the investment of between 500,000 and EUR 5,000,000, the period of exemption is of a fiscal year end date of investment;

b) the amount goes over 5 million euro investment, the exemption period is 2 years the end date of the investment tax.

Funds necessary to finance or co-technical documentation, feasibility studies, designs and other studies, as well as making centers and tourist information systems, investment objectives related to tourism and jobs related to investment performance objectives set out in the Multi-Annual Development Programme Tourism, approved by the Government, is offered in reimbursable funds from state budget and local budgets through the budget or administrative-territorial units of the central recipient of investment. [4]

Co-financing investment projects included in the Multi-Annual Programmed Tourism Development [3], approved by the Government are provided from the following sources:

a) the state budget, the amounts approved annually for this purpose in the budget central public authority concerned;

b) local authorities;

c) through public private partnerships in the law.

Amounts necessary to achieve the technical documentation and work performance targets investment under the Multi-Tourism Development Program, approved by the Government, whose beneficiaries are local public authorities, shall be allocated through budget transfers central public administration authorities in the field of tourism to local budgets.

CONCLUSIONS

Probably the most likely approach by the tourism industry operators has been completed Tourism Law was debated for months, civil society and the Advisory Board of the Ministry. What was needed was a law of tourism, because tourism regulations are found today in innumerable acts issued over several years, so it is very hard to be able to get a unified view on the legislative on Tourism, which is seen in the way Romanian tourism works.

Theoretically at least, this law introduces a clarification of the tasks related to developing, promoting tourism between the central authority, between local authorities and sets for each of them is its role in tourism development, [4] tourism infrastructure development, organization and tourist resorts the promotion of Romanian tourism.

We have separate sections for different types of tourism, the most important being that on seaside tourism. By law, all operators have a requirement under strong sanctions, to be open for the period May 1 to October 1 and provide a framework for conducting its own tourism activities. However, the use of tourist beaches will be permitted to tour operators and resorts on the coast. This law creates the framework and criteria by which to give the tourist resorts spas resources are to be defined, as happened in the past.

Another new provision is the establishment of tourist parks. Also, by this law, associations are established to develop and promote regional tourism. Actually it is a regulation of these associations, which today operates the way, but will have a special law. Also now has created a legal framework for the establishment of a special entity to handle the promotion of Romanian tourism, which will play an important role and industry representatives. It creates also a proper system of management and analysis of useful information on tourism, so far used the information given by the National Institute of Statistics, all information not relevant to the realities of tourism today.

Items of heritage tourism will be entered in the register of heritage tourism, which will be owned and managed the MDRT and the resulting certification provides the owner or administrative objective right to exploit those assets for tourism travel certificates.

REFERENCES

1. **MIFF ANGELA**, (2005) - Dreptul afacerilor şi legislaţie în turism. Note de curs, Ed. EFES, Cluj-Napoca;
2. **NISTOREANU P.,** (2003) - Ecoturism şi turism rural -, Ed. ASE, Bucuresti;
3. **NEDELEA A.,** (2003), Piaţa turistică -, Ed. Didactică şi Pedagogică, Bucureşti.
4. **LEGIS ROMÂNIA**