RIGHTS, OBLIGATIONS AND PENALTIES OF THE PARTICIPANTS IN TOURISM ACTIVITIES DUE THE NEW LAW OF TOURISM

DREPTURILE, OBLIGAȚIILE ŞI SANCȚIUNILE PARTICIPANȚILOR LA ACTIVITĂȚIILE DE TURISM, POTRIVIT NOII LEGI A TURISMULUI

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Abstract: *This law introduces a clarification, an explanation of duties related to developing, promoting tourism in the central public authority, between local authorities, and setting for each of them is its role in tourism development, tourism infrastructure development, organization of tourist resorts in Romanian tourism promotion. Between news that the law brings to the Romanian tourism is that pays special attention to the various branches of tourism.*

Key words: *promoting, regulations, tourism, season, penalties, coast, rights*

INTRODUCTION

We have separate sections for different types of tourism, the most important being that on seaside tourism. Seaside tourism is a challenge, continuing to be a challenge for 20 years, a great challenge for those who maintain the Romanian tourism, and without a coherent regulatory and special, it is obvious that we can not solve the problems the Romanian coast and has on who created them in the last 20 years.

By this New Law of Tourism, the tourist season begins on 1st May and ends on 1st October, the summer tourist season. All operators have a requirement under strong sanctions set forth, to be open for the duration of this season. It establishes the requirement of having tourist accommodation,

tourist structures, either with accommodation or with functions of food stuffs, rehabilitated, so as to provide optimal scenery, attractive, and a fund to be built by nature to enchant and attract tourists on the Romanian coast.

We also have a requirement regarding the management of tourist beaches, as those who today have the right management, namely the Ministry of Environment, in Dobrogea Sea Coast Water Directorate, to allow the use of interest only to beaches and tourist resort operators on season, because it is an eternal problem that the seaside hoteliers have not come into use during the season, a beach on which it put at your disposal that accommodates them. [2]

Another new provision refers to 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 now operates the way, but will have a special law. It also establishes the possibility or requirement that a government decision, issued after the approval of this law of tourism, to establish a special body to deal with the promotion of Romanian tourism.

MATERIAL AND METHOD

Authorized economic operators to engage in tourism following rights [3]:

a) to provide and market holiday in the law;

b) receive general information on strategy and tourism development from central government authority responsible tourism;

c) participate in actions to promote national and international and to be included in catalogs, guides and other means of launching the national supply of tourist services;

d) have facilities for state and other bodies and organizations under law in order to boost tourism;

e) to obtain permits / approvals / certificates issued by the appropriate conduct of business central government authority responsible for tourism, for each unit providing its own interest, it met the appropriate criteria;

f) obtain upon request reclassification of their units as a result of improvements level and quality equipment.

Economic authorized to conduct business in tourism must:

a) only work with classified or tourist reception facilities authorized by central government authority responsible tourism;

b) operate only during the validity of approvals necessary to conduct business according to law;

c) to provide travel services and within the travel and license provisions specific insurance policies concluded in accordance with the law;

d) to provide tourist services at least at grade level the unit, according to classification certificate held;

e) to work with qualified, specialized and authorized in accordance with regulations and professional standards in force;

f) inform tourists accurate, complete, adequate and clear about the tourist services that engaged in any form or manner of information used;

g) to protect its tourists using tourist reception structures in accordance with the law;

h) protect qualifying service tourist type trips, during the tour, according to travel guides;

i) to protect goods to tourists in the tourist reception given against loss or theft and ensure their compensation in the event of damage by insurance to insurance companies under the law;

j) to transmit data and information requested by the central government Responsible tourism, local government authorities or Institute National Statistics, to complement and update the National Information System for Tourism;

Business operators who manages beaches, swimming pools, swimming pools or water parks have required to ensure that aquatic rescue stations, and medical first aid stations. Travel agency selling service or package holidays and tourist buyer have to sign a contract for the purchase of a tourist service and / or a package of travel services to tourists and the issuing of receipts and travel documents by the travel agency. Travel agency selling service or respond to the package holiday tourists to the buyer to carry out his obligations under the contract between them, including where these obligations to be met by another travel agency tour operator or retailer or by other service providers. [3]

Managers of protected areas, national parks and the reserves of natural require sustainable tourism development plans for areas of administration, and making them subject to the approval of central government authority responsible tourism.

Tourist / final consumer have the following rights:

a) to obtain from an economic operator, accurate, complete, adequate and clear price, conditions and facilities provided by it on tourist services tendered;

b) the benefit of tourist products and services offered and the price and conditions contracted;

c) to purchase travel services or packages under a contract which are mentioned explicitly and in detail all costs and conditions of contract;

d) To enjoy tourism services and products purchased, under hygienic conditions sanitary rules in force;

e) to obtain adequate information regarding potential health and safety risks for each tourist activity, to prevent accidents and diseases;

f) to submit petitions on tourism products and services purchased.

Tourist / final consumer must comply with legal requirements, the report from tourism operators and others participating in tourism activities; not cause damage or other damage to the environment, heritage elements travel and tourism infrastructure; not make complaints, unjustified complaints or other complaints, which may cause damage provider entity, services and tourism products available; comply with regulations imposed by the operators on the use of base materials and facilities provided to them during their use as tourists / customers; to conduct tourist activities in accordance with the values, traditions and customs host communities.

RESULTS AND DISCUSSIONS

This paper presents the following criminal offenses: run on the beach without a building permit or demolition, or in breach its provisions other than those buildings or facilities permitted under the law and continuation of the works by stopping their disposal to control bodies jurisdiction under the law. [1]

The following deeds have been committed if such conditions that, according to criminal law are offenses:

- providing, marketing, selling services and / or packages of travel services natural or legal persons authorized by the central government authority responsible tourism

- providing false information in promotional material, the deals on their own pages Internet and companies of tourist reception and tour operators;

- the marketing of tourist services to travel agencies have signed contracts insurance for the return of tourists and / or reimbursement amounts paid by them in case of insolvency or bankruptcy;

- the marketing of tourism services by operators who have not completed insurance contracts for buildings classified as tourist accommodation structures with functions accommodation and property available in these buildings at risk of fires, earthquakes, flooding, existing buildings HitPark for property risks to fires, earthquakes, floods and theft;

- development of tourist activities on the beach without having tourist permit;

- failure to free beach access and free movement of persons beach area;

- noncompliance with the maintenance and daily cleaning of the beach area leased;

- failure to comply in good condition for continued operation of the facilities beach, including recreation;

- Failure to provide sanitary conditions and environmental protection and beach bathing areas;

- non improvement beach tourist destination in the early summer tourist season;

- failure of the sewage and water supply to the area adjacent to the beach;

- allow camping on the beach with a tourist destination;

- failure of public service or not to organize rescue and first aid stations;

- allowing the completion of street trading activities on the beach;

The offenses referred there, shall be punished as follows: the facts set out in point. a), by a fine of 12,000 to 16,000 lei; the facts set out in point. b) e), f), g), with a fine of 8000 to 12,000 lei; the facts set out in point. c) and d) the suspension of the authorization issued by the central government responsible tourism by the end of insurance those with a fine of 16,000 to 20,000 lei; the facts set out in point. h) as follows: 10,000 lei fine structures tourism accommodation that does not work since May 15 of each year, 30,000 lei tourist reception structures which do not operate from June

1 of each year, 40,000 lei for tourist accommodation structures that do not work on 15 June each year and 50,000 lei and withdrawal of the classification of accommodation establishments that do not work after 1 July each year to the end of summer. [1]

The facts set out in point. i) and j) with a fine of 12,000 to 16,000 lei; the facts set out in point. k) with a fine of 4000 to 12,000 lei; the facts set out in point. l) - z) a fine of 10,000 to 40,000 lei.

CONCLUSIONS

An entity will have a leader, appointed by the Minister of Regional Development and Tourism, but both will be created through the participation of representatives from government, local authority, especially of the industry. Cream also own system of management and analysis of useful travel information, so that today, as we know, we operate with information given by National Institute of Statistics, the information that you do not believe at all relevant to the realities of tourism today.

It set up a 1% hotel tax and provides that this tax, collected by local government to share in equal shares, 50% -50% for promoting tourism activities and tourism infrastructure development projects, resort or locality.

Items of heritage tourism will be entered in the register of heritage tourism, who owned and managed the MDRT. Dam can be reclassified spas. In Romania, in recent years, spas have gone classified as such. By this law, we create the framework and criteria by which resorts spas resources where there are defined, as happens in the past. It is a law that says we will be able to regulate the Romanian tourism will provide coordination and, in the near future will be able to place the road sector - Romanian tourism

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