

TOURISM AND AGRITOURISM LEGAL FRAMEWORK

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Abstract

Impetuous development of tourism, including tourism development has imposed legal rules governing the conditions, forms, territories, relations, and other aspects that characterize this activity.

Key words: development, tourism and agritourism, legislative framework, legal rules

INTRODUCTION

Legal framework of business travel and tourism, in all its forms is mainly meant to stimulate and protect this activity, to promote studies and research in the field, to regulate relations between the applicants and bidders and obligations as participants to return to work travel both the environment and the state.

MATERIAL AND METHODS

The methodology of permitting the areas of urban planning documentation and technical documentation resorts and construction of tourism

Approval documentation for planning and landscaping, the person concerned shall submit the written and drawn landscaping plan, urban plan.

In order to issue opinion will be presented:

- the request for opinion
- certificate of urbanism
- the technical documentation of manufacturing

The term is issuing the 30 days may be extended by 15 days.

Organizing and conducting the tourism activities in Romania

Accommodation facilities are designed for any construction and development, through design and manufacture, tourist accommodation,

tourist dining, entertainment, special transport for tourists, spa treatment for tourists, along with related services.

Accommodation facilities include:

- tourist reception with functions of food
- tourist reception with functions of spa treatment

Measures of food and non-food marketing in resorts

Selling food is allowed:

- only in tourism accommodation with food functions classified
- in specialized units classified eating functions

Marketing of these products by campers, stalls and kiosks is allowed only in specially designated public areas

Organization and operation of spa tourism companies and recovery

When businesses sign contracts directly with medical structures, must meet the following conditions:

- tourist structure to meet the criteria set by the Min operation. health
- the company have a mandatory medical director, physician who will coordinate base treatment

Authorization beach tourism purposes

Use of beach tourism purposes is made by the operators signed a lease agreement with the National Administration "Romanian Waters" and who have authorization for the portion of beach tourism which ended the lease.

Authorization:

- Is issued by the Ministry of Tourism and require at least 30 days before beginning work.
- Is withdrawn by the Ministry in the following situations:
- Beach user has committed three offenses provided for by Ordinance 19/2006, during a summer
- rental contract between the operator and the beach National Administration "Romanian Waters" is canceled

License and patent of tourism

The person who provides management of a travel agency or tourist reception desk must hold patent. Such travel agencies can develop their trading activity tourism services only based tourism license. Tourism license is the document which certifies the holder the ability to sell travel

services in terms of quality and safety for tourists and can set up a travel agency. Travel patent is a document which certifies tourism professional capacity of the individual to provide leadership travel agency or tourist accommodation structures.

Issuance of patent and tourism license

For license of tourism is required:

- a request
 - a certificate confirming the trade register
 - a copy of the patent of the person leading travel agency
 - a copy of the individual labor contract of the person owning the patent
- Desk

For patent of tourism is necessary:

- a request
- curriculum vitae
- copy of graduation
- copies of documents proving age in tourism
- a certificate of foreign language
- criminal record certificate

Classification certificate

Documents required for obtaining the certificate of classification are:

- a request
- affidavit
- a copy of certificate of registration with the Trade Register
- copy the operating license for PFA and individual enterprises and family
- framing the face sheet of accommodation by category
- record the classification of tourism accommodation structures with functions of food
- specific opinion regarding the location and function of lens
- copy of tourism license of the person who runs the tourist reception and copy individual labor contract

Classification of tourism accommodation

It is forbidden to travel without a functioning certified structures for classification or classification certificates expired. Thus the name, type and markings on the classification of tourist reception exposed to visible place outside the building, and the certificate of classification, phone number ANPC displays visible and legible at reception or dining halls.

Merchantability of holidays packages

The travel agency is obliged to provide written tourist information on:

- destination
- route map
- means of transport
- type of accommodation units
- the meal and classification category
- duration of the program: arrival/departure
- general information on the status of passports, visas, health insurance
- the advance payment for the balance of payment
- the minimum number of people required for trip organization
- operating time for touristic offer

Leisure activities

In order to pursue recreational activities in resorts, interested persons must obtain the opinion or operating permit. Conditions to be met are:

- location to be designated as an area for recreation perimeters set by mayors;
- operation of recreational equipment do not pose any danger or risk of injury to tourists;
- recreational facilities are in perfect working condition, properly maintained (painted, sanitation) and have an aesthetic, which meet the requirements of a civilized tourism
- operation of recreational equipment do not cause noise pollution and other environmental and disturbing in any activity in tourism accommodation;
 - water sports structures will be delimited by buoys and will be assisted by teams "Lifeguard", equipped with all necessary rescue equipment.

Water sports activity is a recreational activity and sport performed with specific equipment and recreational craft in national navigable waters. Shipping pleasure boat is a boat, regardless of the type and method of propulsion, whose body has a length from 2.5 m to 24 m and is intended to be used for sport and recreation.

Nautical recreation area is clearly demarcated area, consisting of an area of land located on the shores of navigable waters, for locating water sports equipment and boats and their launching water and its adjacent lakes, bordered by water the rest of beacons waterways, for practicing water sports. Holder water sports area either natural or legal person is the holder of the right to use the land and water surface composition of water recreation areas

Tourists protection

This bill provides that certain acts which constitute offenses under the criminal law are not considered criminal offenses:

- refusal of tourist accommodation where there are places available
- lack of public order, public peace and morals
- failure to ensure security of tourists and their property
- failure on the schedule of arrival and departure announcement and completion of book building
- transmission of tourism accommodation staff of information on tourist stay, unless such information is required by authorities
- accommodation for minors under 14 who are accompanied by their parents or legal representatives, except those in hiking, camping, tours, contests, accompanied by teachers, coaches and guides
- allowing the staff of the tourism accommodation to tourists visiting without his consent
- allowing the staff of the tourism accommodation overnight stay of a tourist visitor without being drawn sheet for this announcement arrival and departure or without complete book building
- failure to inform the staff of tourism accommodation police on the appearance of people who have committed crimes and have been tracking data and other persons known traffickers, turbulent, prostitutes, pimps

Providing tourists in case of insolvency or bankruptcy of the travel agency

Traders who sell travel services are required to sign insurance policies with insurance companies for reimbursement of the costs of repatriation and the amounts paid by tourists, in case of insolvency or bankruptcy of the travel agency. Is required to record in the package contract concluded between the travel agency and tourist, the tourist is assured that the insolvency or bankruptcy of the travel agency and the terms and conditions that tourists may claim damages.

Unfair terms in contracts concluded between traders and consumers

CONCLUSIONS

MDRT recently developed a software application called "SIET - Integrated Record Tourists" which includes information on tourism accommodation with accommodation functions, classified and recorded in real time tourists staying in tourist accommodation establishments.

Application will be managed and audited by the Special Telecommunications Service requires operators, owners and managers of

tourism accommodation facilities to tourists arriving safe filling in the "sheet announcing the arrival and departure of tourists". These sheets filled with tourists are taken by receptionists IDs that are required to check and sign them to conform.

Administrators of accommodation will be required to register Siete tourists accommodated in the system.

In the explanatory memorandum to the draft law states that the system will create a positive impact "in the sense that it will reduce tax evasion by recording real-time tourists".

Currently working on linking enactment of laws relating to privacy, that is processing personal data.

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