



ACAVE, CEAV AND UNAV REGRET THAT THE SPANISH GOVERNMENT IMPOSES ON TRAVEL AGENCIES THE OBLIGATION TO COMMUNICATE DETAILS OF ACCOMMODATION AND CAR RENTAL RESERVATIONS

- **As of January 2, 2023, travel agencies, in application of Royal Decree 933/2021, must communicate data on accommodation reservations and motor vehicle rentals in Spanish territory.**
- **ACAVE, CEAV and UNAV consider that it is totally inappropriate that this obligation has been attributed to travel agencies, when they lack the means to deal with it and when they can be provided directly by the service providers.**

As of January 2, 2023, travel agencies, in application of Royal Decree 933/2021, of October 26, which establishes the obligations of documentary registration and information of natural or legal persons who carry out activities accommodation and motor vehicle rental, they will be obliged to notify the Ministry of the Interior of the reservation data of natural persons who stay in Spanish accommodation or who rent a motor vehicle in Spanish territory.

Until now, the obligation to communicate the data of people staying in establishments in Spanish territory only affected accommodation establishments, which had to communicate this data at the time the traveler entered the establishment. However, now Royal Decree 933/2021 establishes that prior communication of the data must also be made at the time the reservation is made, attributing this obligation to travel agencies in their capacity as intermediaries between the lodging establishment and the consumer, an obligation that also extends to motor vehicle rental reservations.

ACAVE, CEAV and UNAV consider that it is totally inappropriate that this obligation to communicate data has been attributed to travel agencies. In their capacity as reservation intermediaries, travel agencies transfer traveler data to accommodation establishments or motor vehicle rental companies so that reservations can be perfected, which is why establishments should be Accommodation and car rental companies are obliged to this communication, and not travel agencies. This is already the case in other similar regulations, such as the one referring to the communication of the data included in the PNRs of air ticket reservations, in which the Spanish legislator chose to attribute this responsibility to the airlines and not to the travel agencies. trips, being totally incomprehensible that now the Spanish Government has chosen to attribute the obligation of communication to travel agencies.

The three organizations recall that Organic Law 4/2015, from which this Royal Decree emanates, only refers to accommodation and transport companies, it being totally disproportionate that the Spanish Government has made an extensive definition of these sectors, including This is the case with travel agencies, when they do not provide either the lodging service or the vehicle rental service.

Likewise, travel agencies, today, lack sufficient means to face this new obligation imposed by Royal Decree 933/2021, since it is important to remember that the vast majority of travel agencies are SMEs and Micro-SMEs, the which will be totally prevented from carrying out a technological integration for the machine-to-machine communication of this large volume of data required by the new regulations, being forced to carry out a manual communication of this data, through the platform that the Ministry of the Interior enabled on December 19, a few days after the entry into force of this communication obligation. This manual communication of data, which the regulations establish that must be communicated within a period not exceeding 24 hours, will mean that travel agencies have to face significant personnel costs at a time when these companies are still recovering from the serious economic damage produced by the pandemic.

Likewise, ACAVe, CEAV and UNAV regret that this regulation has been approved without the opinion of the travel agency sector and without knowing the actual operations of the sector. In this sense, they point out that it was not until this year, when, once the regulations were approved and published, the Ministry of the Interior met, at their request, with the three representative organizations of the travel agency sector, meetings in which the inconsistency of the regulations regarding their application to travel agencies has been revealed.

However, they regret that, after the meetings held with the Ministry of the Interior and the problems exposed in the application of this regulation in travel agencies, as well as its inconsistency with Organic Law 4/2015, the Ministry has simply accepted reduce the data that will have to be provided regarding the reservations made, since it was impossible for travel agencies to provide many of these data because they did not know it, maintaining the obligation of travel agencies regarding the communication of the rest of the data.

On January 2, the obligation to communicate the data will come into force, with a transitional adaptation period until June 2, 2023 that the Spanish Government has been forced to establish to ensure the correct functioning of the Ses.Hospedajes platform and ACAVE, CEAV and UNAV are working together to study the possible actions that can be undertaken in this regard.

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