



End of the moratorium on the application of RD 933/2021 on documentary registration obligations

Travel Agencies warn of a risk of collapse of their human and administrative resources in the face of the imminent entry into force of RD 933/2021

The Government confirms the end of the moratorium on October 1 without the prior approval of a Ministerial Order that limits and clarifies its scope

Madrid, July 10, 2024 – The Business Federation of Territorial Associations of Spanish Travel Agencies (**FETAVE**), the Corporate Association of Specialized Travel Agencies (**ACAVE**) and the National Union of Travel Agencies (**UNAV**) launch a cry for help in the face of the imminent application of Royal Decree 933/2021, which will enter into force on October 1 without the necessary regulations that clarify and limit their scope. The three associations consider it unacceptable that the Ministry of the Interior has taken this decision ignoring their warnings, knowing that this measure will lead travel agencies to a serious situation of legal uncertainty due to the objective impossibility of complying with current regulations.

The travel agencies, represented by FETAVE, ACAVe and UNAV, reiterate their **urgent request that the Ministry of the Interior reconsider its unjustified decision** and have transferred this both to the Ministry itself and to the Secretary of State for Tourism. Without rapid and decisive intervention, the sector is facing an unprecedented disaster that could have been avoided with adequate planning and active listening by the Government. The **main consequences that are expected** are:

- **Impossibility of complying with the information requirements** in many operations within the deadline set by the standard, since the agencies do not hold all the requested data and depend on other providers (accommodations, transport companies, etc.) to obtain them.
- **A large number of travel agencies sanctioned** in the short term for incorrectly applying the confusing instructions contained in the Royal Decree.
- **Collapse of the administrative means of the agencies**, which in Spain are mostly SMEs and micro-SMEs. These efforts will require extending working hours or hiring professionals exclusively dedicated to this function, which requires an economic investment beyond the reach of many of these companies.
- **Serious commercial impact:** international markets have shown their concern about the high volume of personal data that the Ministry of the Interior requires to communicate, as well as about the treatment that will be carried out on them.

The situation is critical and demands an immediate solution. The lack of action by the Ministry of the Interior not only threatens the stability and operability of travel agencies, but also affects international markets.

The Ministry of the Interior turns its back on the agencies

Despite repeated requests and warnings, in a meeting held on 4 July, the Ministry of the Interior confirmed to the signatory associations that it will not extend the moratorium beyond 1 October and that it will not publish any Ministerial Order to clarify and limit the scope of the Royal Decree, ignoring the legitimate concerns of the sector and exposing the agencies of travel to severe and unavoidable sanctions due to regulations that are impossible to comply with. The lack of interest and lack of response from the Ministry have left the sector in a situation of defenselessness and legal uncertainty.

It is important to remember that Royal Decree 933/2021 was approved by the Ministry of the Interior without consulting the representative associations of travel agencies and ignoring the complexity and casuistry of the

operations of travel agencies. For this reason, since the publication of Royal Decree 933/2021 in October 2021, ACAVE, FETAVE and UNAV have repeatedly pointed out the operational problems that the regulations impose. These include, among others, data management in tour groups, MICE events, school tourism, collaboration between different agencies, as well as the obligation to provide a large amount of data that is only known to the direct providers of the services and not to the travel agencies. However, the Government has not only turned a deaf ear, but has also set aside the promised Ministerial Order, which should have mitigated these problems and facilitated compliance with the rule. It is important to note that the draft of this Ministerial Order, which recognised the need to clarify and limit the content of Royal Decree 933/2021, was sent to the signatory associations by the Ministry of the Interior on 31 October 2023, without the three signatory associations ever receiving a response from the Ministry to the allegations of improvement presented a few days later.

The impact of this regulation is not limited to the national level, but also affects international travelers. FETAVE has denounced to the European Commission the possible illegality of Royal Decree 933/2021, stressing that the regulation is disproportionate and unnecessary, in violation of several European directives, including Directive 2000/31/EC on electronic commerce. The European Travel Agents' and Tour Operators' Associations (ECTAA), of which ACAVe is a member, has expressed its deep concern and has taken the matter to the European Commission, warning about the serious repercussions for the European tourism market and the protection of travelers' personal data.

Forced non-compliance due to the lack of accurate data by agencies will not only bring sanctions, but will also negatively affect the tourism industry as a whole, generating distrust in international markets.

FETAVE, ACAVe and UNAV will continue to fight for the interests of the sector, seeking the exclusion of travel agencies from the scope of application of RD 933/2021 or, at least, the implementation of measures that make compliance viable

to prevent the collapse of a vital sector for the Spanish economy and to protect the privacy and interests of millions of travellers.

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