

Summary

IAAPA attended the EU Operators' Forum Hospitality sub-group, a gathering of private sector operators and policy makers to address issues related to security of public spaces and terrorism. IAAPA briefly presented the issues its members are facing in the hospitality side of the business and was proactively asked to contribute to the drafting of guidelines that Commission officials are working on.

MEPs discussed the draft opinion on the Visa Code proposal, which seeks to facilitate tourist visits in European Member States. Some MEPs voiced concerns over the potential abuse of an overly liberal system with short processing times, noting that migration concerns and security issues must be taken into account.

IAAPA attended the 17th European Tourism Forum in Vienna, hosted by the Austrian Presidency of the Council of the EU. The key themes this year were the issue of over-tourism and the potential of digitisation to improve the travel experience and address challenges posed by tourism to local communities.

On the New Deal for Consumers, MEPs discussed both proposals, with concerns raised by a number of parliamentarians over the potential of the proposal on collective redress to create a US-style class action system open to abuse.

Finally, European Commission President Jean-Claude Juncker delivered his last State of the European Union speech, where he emphasised the challenges the EU currently faces in migration and the rule of law, while making the case for more work to be done on trade, foreign policy and defence.

Security

IAAPA attends Operators' Forum hospitality sub-group

Source: Event attendance – 26.09.2018

On 26th September IAAPA attended the EU Operators' Forum Hospitality sub-group meeting. By way of reminder, the Operators' Forum has been set up as a forum bringing together policy makers and private sector operators to discuss issues of security and counter-terrorism, share best practices and identify the most problematic areas. Commission officials will be working on a guidance document addressing security issues and are seeking stakeholder input for this.

IAAPA briefly presented the key issues raised by members with activity in the hospitality sector:

- **Background checks for staff:** the GDPR has limited the amount of information that can be shared or requested and the prior research that can be undertaken for prospective employees.
- **Information sharing with authorities:** it is not always clear how much information authorities share (e.g. on the threat level, on a hotel being a target), and how much parks can, in turn, disseminate to their staff and guests.
- **Blurry outside boundaries:** in cases when evacuation is needed, it is not clear at which point the police and security services take over. Often, security services might arrive when people have already gathered at a designated venue and there is confusion over where the responsibility of the hotel's own security ends and the police takes over

In response to our presentation, a representative of the French authorities informed us that they have been working with SNELAC, the French amusement park association, on a guidance document for security issues.

It is also worth noting that the Commission officials involved in drafting the guidance document have proactively reached out to IAAPA to set up a bilateral meeting to discuss what we would like to see included in this document. This is a testament to IAAPA's strong showing in the Operators' Forum and shows that we are viewed as a credible stakeholder in the eyes of policy makers.

Tourism

MEPs discuss opinion on the visa code proposal

Source: Intelligence gathering

The TRAN Committee held a debate on the Proposal for a Visa Code, following the [publication](#) of the Rapporteur's Draft Opinion in the summer.

Isabella de Monte (S&D, Italy), speaking on behalf of Rapporteur István Ujhelyi (S&D, Hungary) emphasised that “a delicate balance is being struck between economic and security considerations” She reiterated the call to reduce the processing times from 15 days to 10, as well as simplify the online application method. She added that Mr Ujhelyi proposes to maintain the high-tech provisions in the system.

Wim van de Camp (EPP, Netherlands) commented that this is a sensitive issue, adding that the focus should be on tourists and traders who come to the EU often and that it is imperative to ease the granting of their visas. He voiced his support for the digitalization of the process.

Kosma Zlotowski (ECR, Poland) was broadly supportive of the new procedure to facilitate the issuing of visas, but underlined that the EU is under a migratory pressure and the system is open to abuse. He thus disagreed with the proposal to shorten processing times and concluded that any facilitation in gaining a tourist visa should not mean endangering people or compromising security.

Jozo Rados (ALDE, Croatia) agreed with the proposed system and with the calls for further simplification of the visa application system, as well as with creating a system which uses digital technology optimally.

Finally, in the [tabled amendments](#) to the proposal MEPs called for a reduction in the processing fee from €80 to €60; for the processing time to be further reduced to seven days, instead of the proposed 10; and for an electronic visa application system to be presented by 2025.

This proposal's expressed goal is the facilitation of tourism in the EU. It shows a clear wish for the EU to benefit from the global increase in tourism by taking an increased share of the expanding pie. The proposal will not have a direct impact on the amusement parks and attractions sector and will not place any burdens on industry. If it goes through, it is expected to increase tourism in the EU, which could be beneficial for the sector.

However, it is worth noting that there is a risk that, if the Parliament pushes too far towards visa liberalization, Member States might reject the proposal, as was the case in 2014, when a similar proposal was eventually withdrawn.

Meanwhile, the proposal for the European Travel Information and Authorisation System (ETIAS) was [published](#) in the Official Journal of the EU on 19th September.

By way of reminder, ETIAS will carry out pre-travel screening for security and migration risks of travellers benefiting from visa-free access to the Schengen area. When arriving at the EU borders travellers will need to have both a valid travel document and an ETIAS authorisation. It is set to commence in 2021.

This proposal aims to facilitate visits to the EU by travelers, boosting tourism in the Member States. As such, it is a welcome move by

amusement park operators, as an increase in tourism is likely to result in an increase in visits.

IAAPA attends the European Tourism Forum

Source: Event attendance – 1-2.10.2018

IAAPA attended the 17th European Tourism Forum, organized by the Austrian presidency of the Council of the EU in Vienna on 1st-2nd October 2018. The Forum's key themes were quality of life and added value, with over-tourism being a key thread across the presentations, along with technological advancements and digitalisation.

Andrew Van Der Feltz from the Expedia Group covered the importance of big data in determining how people travel, decide on a trip, choose destination and what they expect there, as well as how generational differences affect travel habits and expectations.

Thomas Sauter-Servaes from the University of Zurich placed the emphasis on mobility, noting the dramatic increase in air travel. He stated that the future of mobility is linked to smartphones, inviting the audience to imagine having an app managing different transport options, "instead of 20". In addition, he identified mobility as a service (MaaS) as the areas with the most intense competition at the moment, suggesting that this will enable seamless journeys and trips from the same interface.

Sharing is also an important trend, as current car use is completely inefficient (stationary for most of the day and with low numbers of people in there).

His key conclusion was that instead of building more capacity, we should change the way we do things.

Doug Lansky, Travel Writer and Tourism Development Advisor addressed the issue of over-tourism, which he re-named as "unbalanced tourism". He suggested identifying where the bottlenecks are in the system and address those, giving amusement parks as an example where, if visitor numbers increase, then the corresponding services also increase (e.g. toilets, games, shops etc.)

The second day of the Forum was devoted to identifying practical issues in the tourism industry and examining practical examples from innovative actions from various countries.

General

New Deal for Consumers: MEPs discuss draft report on new consumer rules and collective redress proposals

Source: Intelligence gathering, [European Parliament](#) – 04.09.2018

Modernisation and enforcement proposal

The Committee on Internal Market and Consumer Protection (IMCO) held a discussion on Dan Dalton's (ECR, UK) draft report on the modernisation and enforcement of consumer rules proposal (covered in the previous monitoring report). The key issue in the debate is the right of withdrawal and whether its abuse is such a problem that regulation is needed. Some MEPs are also referencing the need for transparency in the ranking criteria of online platforms. Neither of these issues are critical for the amusement parks and attractions sector.

Collective redress proposal

IMCO proposals

IMCO has also [published](#) the draft opinion by Dennis de Jong (GUE / NGL, Netherlands) on the collective redress proposal. Mr de Jong does not propose any amendments to the criteria for establishing a qualified entity, a key point of concern for businesses. He also notes that a representative action can be launched before a decision that a practice constitutes an infringement of the law has been reached, as a way to shorten delay times.

Mr de Jong also adds that, on small claims, it must be ensured that the qualified entity bringing the action and the institution receiving redress are separate and independent.

IMCO also held a debate on this proposal, following the publication of the draft opinion. MEPs are clearly concerned the proposal may result in US-style class actions, where legal firms stand to profit more from the system than consumers.

Andreas Schwab (EPP, Germany) was critical of the draft opinion for not putting sufficient safeguards in place, noting that companies should not have to set aside more money to cope with collective actions and adding that more money is spent to avoid class actions than is spent on R&D in the US. He also called for more robust criteria for qualified entities, a loser-pays system regarding legal fees, and ensuring third party finance is not allowed. MEPs Richard Sulík (ECR, Slovakia) and Matthijs Van Miltenburg (ALDE, Netherlands) both agreed they did not want to see a US style system implemented in Europe.

TRAN proposal

The TRAN Committee has also [published](#) the draft opinion of Rapporteur Georg Mayer (ENF, Austria) on the proposal collective redress proposal. The Rapporteur has tabled amendments to the following key areas:

- **Definition of qualified entities:** The prerequisite conditions need to be more tightly defined and all conditions must be sound in the relevant qualified entities for the duration of the representative action.
- **Opt-in regime:** A rejection of representative actions under private law with no mandate from the consumers concerned. A prerequisite for collective remedies must be the agreement of consumers that their claims be sustained. However, we must assume that the application of an

opt-in regime in 'small' disputes would meet with little overall agreement among the putative injured persons, since any potential compensation would not benefit them directly.

- **Funding of qualified entities:** these should, under no circumstances, be funded with government support to preserve the principle of equality.
- **Legal fees:** Representative actions should not provide an incentive for disputes which are unnecessary for the parties concerned. The Member States should ensure that there is no possibility for contingency fees (amendment 4, 17). In unsuccessful cases, legal costs must be borne by the qualified entity.
- **Penal process:** The amount of any potential compensation should not be greater than the extent of the remedy which might have been obtained in individual litigation.

The proposals making up the New Deal for Consumers do not present IAAPA members with any issues specific to the sector. The amusement parks and attractions industry's concerns, especially on collective redress and its potential for abuse, are shared by the business community at large.

President Juncker delivers his last State of the European Union address

Source: Intelligence gathering - 10.09.2018

President of the European Commission Jean-Claude Juncker delivered his last State of the European Union speech. Mr Juncker used his speech to outline in broad strokes where the EU's focus should be in the future, noting that he will not take stock, as there is still work to be done in the current Commission "to ensure that our imperfect European Union becomes more perfect every day".

The Commission President defended trade agreements, which enable the EU to export food safety standards, environmental standards etc, adding that when Europe is united, it is a force to be reckoned with and can impose its position.

Mr Juncker also stressed a Europe that is working for peace, trade agreements and stable economic arrangements. He noted the need for the EU to **enhance its defence cooperation**, but without becoming militarised. At the same time, he insisted that the bloc must **speak with a single voice in foreign policy matters**. The President thus called for qualified majority voting to be employed in matters of foreign policy, as well as tax matters.

The **migration issue and nationalism** featured heavily throughout the speech, with, among other things, a proposal for migration agencies and a proposal to extend the European refugee agency to provide support in processing applications.

This year's State of the European Union speech placed the emphasis on the challenges the EU currently faces. Despite mentioning some achievements, it was clear that the President sought to address the big concerns, such as migration and the rule of law, while making the case for more work to be done on trade, foreign policy and defence. This was in line with the theme "A Europe that protects", which was trailed as the main theme for this year's speech. The spotlight was squarely placed on migration and the theme of nationalism, in an implicit acknowledgement that these issues are to a large extent dominating the political debate, especially with the European elections coming up in May 2019.

Concerns about migration are an issue with the potential to affect the tourism sector, as a number of policy makers view tourism as a potential way for illegal migrants to enter European countries. Such concerns have already been raised in the case of the visa code proposal, both by MEPs and Member State representatives.

EU events

- 7 Nov – [European Tourism Day](#), Brussels
- 26 Nov – Operators' Forum plenary meeting, Brussels