

MALTA HOTELS
& RESTAURANTS
ASSOCIATION

Malta Hotels & Restaurants Association
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THE CHAIRMAN
LIBE Committee
European Parliament
60, Rue Wiertz
1047 Brussels

Malta, 17 February 2014

Dear Mr Chairman

RE: Compromise amendments approved by the LIBE committee on the Proposal for a Regulation on Data Protection (COM(2012)0011- C7-0025/2012 – 2012/0011(COD))

Taking into account the vote at the LIBE Committee on the compromise amendments regarding the proposal for a Regulation on Data Protection (COM(2012)0011), and considering that the report is scheduled to be voted in plenary, at the European Parliament, on 11 March 2014, we take this opportunity to address you.

Overall, the **Malta Hotels & Restaurants Association (MHRA)** considers that the Data Protection topic is quite important for the hospitality sector, as any establishment which deals with the processing of personal data (including names, telephone contacts, e-mail addresses, etc.) would be impacted by the new rules. Therefore, we would like to bring to your attention the position of the Maltese hospitality industry on this proposal.

The Malta Hotels & Restaurants Association (MHRA) fully shares the position and concerns expressed by HOTREC¹, our European umbrella association. Indeed, we believe that certain compromise amendments would bring extra administrative and economic costs, which in time of crisis are simply unbearable for the industry to cope with (e.g.: obligation for SME's to designate a data protection officer; obligation for SME's to develop impact assessments, even if their activities do not constitute a risk to the data subject).

You will find annexed to this letter HOTREC's detailed position and proposals, which we fully support. We consider that these proposals would considerably improve the text that has been approved by the LIBE Committee and would ensure that the hospitality industry is not overburdened during these times of economic crisis.

Given the importance of the hospitality sector in Malta and the potential impact this Regulation may have, we hope that you will be able to support our position and proposals during the vote in plenary scheduled for March 2014.

Yours Sincerely

Chief Executive Officer

¹HOTREC represents the hotel, restaurant and café industry at European level. The sector counts 1.8 million businesses, with almost 91% of them being micro enterprises employing less than 10 people. The micro and small enterprises (having less than 50 employees) represent more than 99,5% of businesses and make up some 60% of value added. The industry provides more than 10 million jobs in the EU alone. HOTREC brings together 44 National Associations representing the interest of the industry in 27 different European countries.

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Action Plan
Vote in Plenary (European Parliament)
Proposal for a Regulation on Data Protection

Executive Summary

Content: This note describes a proposal for National Associations to develop lobbying activities in preparation of the European Parliaments' vote in plenary, on the proposal for a Regulation on Data Protection. Model letters are made available for National Associations to contact **their own Members of the European Parliament** (MEP's) and to request their support with regard to HOTREC's position, **until 26 February 2014**.

Relevance: The proposed Regulation is relevant for all establishments which need to process personal data of clients (data subjects). The referred personal data includes names, e-mails, telephone numbers, credit card numbers, etc.

1. State of play regarding the legislative procedure

The Commission proposal is being debated by the Council and the European Parliament under the ordinary legislative procedure (former co-decision), meaning that both the Council and the European Parliament must agree on the final text of the Regulation.

In the European Parliament, the main committee in charge of the file - the LIBE Committee (Committee of Civil Liberties, Justice and Home Affairs) has voted on 21 October 2013 on compromise amendments regarding the report of Mr. Albrecht (Greens/Germany) on the proposal for a Data Protection Regulation. During the vote, Mr. Albrecht has also received a mandate from the LIBE Committee in order to start negotiations with the Council (trialogues). Nevertheless, as the Council has not reached a common position yet on the topic, the trialogues could not take place so far. For this reason, **the LIBE's Committee position is now scheduled to be voted in the plenary session of the European Parliament on 11 March 2014.**

In the Council, Justice and Home Affairs experts are also holding intense meetings in order to advance quickly through the file. The Hellenic Presidency of the Council hopes to reach a partial agreement on certain key chapters of the proposed Regulation by March 2014. A general approach agreement should be reached in June 2014 regarding all aspects of the reform. Nevertheless, the current proposed timetable seems to be quite tight. In any case, as soon as the Council reaches a common position from its side, trialogues with the European Parliament can then start.

2. Action plan for national associations

a) Actions towards the European Parliament: model letter and HOTREC position

As the European Parliament vote in the plenary is scheduled for 11 March 2014, and as the different political groups will agree on their positions during the first week of March 2014, **HOTREC recommends all**

National Associations to convey as soon as possible HOTREC's position on the compromise amendments voted at the LIBE committee to all your respective Members of the European Parliament, until 26 February 2014. During the week after 26 February 2014, the different political groups will meet and decide the political orientation of the vote that will take place on 11 March 2013 in plenary (indicative date).

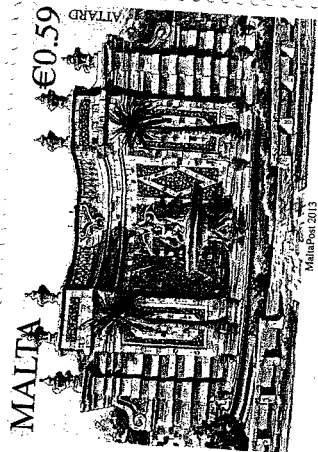
In this sense, we kindly ask national associations to:

- Use the model letter available in annex 1 and translate it into their language;
- Annex to the letter HOTREC's position on the compromise amendments voted at the LIBE committee;
- Send before 26 February 2014 the letters and HOTREC's position to the Members of the European Parliament who are nationals of your respective countries. You can find the contacts of the Members of the European Parliament in the following [link](#).
- Inform HOTREC secretariat (marta.machado@hotrec.eu) about your lobbying activities.

Please see annexe 1 below

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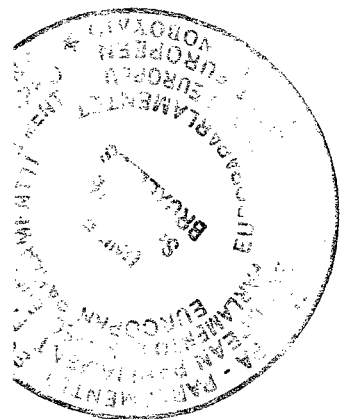
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