



2022/0358(COD)

20.7.2023

OPINION

of the Committee on Transport and Tourism

for the Committee on the Internal Market and Consumer Protection

on the proposal for a regulation of the European Parliament and of the Council
Proposal for a Regulation of the European Parliament and of the Council on
data collection and sharing relating to short-term accommodation rental
services and amending Regulation (EU) 2018/1724
(COMCOM(2022)0571 – C9-0371/2022 – 2022/0358(COD))

Rapporteur for opinion: Josianne Cutajar

PA_Legam

SHORT JUSTIFICATION

The Rapporteur supports the development of a harmonized legislative framework that aims to enhance transparency in the field of short-term accommodation rentals (STR), which will help public authorities ensure the positive STR development as part of a sustainable tourism sector. A balanced approach to the collection and sharing of data from hosts and online short-term rental platforms will give the national, regional and local authorities the tools necessary to create effective, evidence-based and proportionate policies able to address the challenges and opportunities related to the short-term rental sector.

Tourism is one of the sectors in which the collaborative economy has flourished due to the link between the two; both tourism and the collaborative economy rely on connectivity between people, regions and cultures, depending on the sharing of experiences that benefit both consumers and entrepreneurs.

Nevertheless, tourism and short-term rentals are human and spatial selective activities, and, therefore, the prosperity of collaborative platforms is challenging for existing market operators, that are very often subject to high and strict market access requirements, and for the established practices of the local authorities.

Whilst the uncontrolled proliferation of the short-term rentals can lead to the commodification of housing, to gentrification of cities and to local communities experiencing the negative side effects of the activity, more transparency and a better enforcement of the rules can potentially lead to promoting a safe, more fair and sustainable ecosystem. This ecosystem would be defined not only by a level playing field and by the mitigation of any negative impacts on the local community, but also by the empowerment of homeowners and those providing the myriad of auxiliary services they generate, supporting local businesses and new employment opportunities.

In order to preserve and amplify the benefits of the short-term rentals, while guaranteeing fair conditions for all actors in the tourism sector, the Rapporteur distinguishes between the registration process, which shall be user-friendly, free of charge or at a minimal cost, and the authorisation procedure along with any market access requirements Member States may choose to impose in line with EU law.

Consequently, with an aim to ensure a good knowledge and understanding of EU law and a uniform application of guiding principles such as proportionality and non-discrimination, as enshrined in our legislation and in the jurisprudence of the Court of Justice of the European Union, the Rapporteur proposes that the Commission is tasked with assisting and training in this field. In this regard, the Commission shall make available training courses and material concerning the abovementioned notions, which training should be mandatory for national coordinators established under this Regulation and for national, regional and local authorities entrusted with the implementation and enforcement of rules pertaining to the provision of short-term rental services.

On the other hand, with a view to increasing the transparency within the short-term rentals ecosystem and to encourage the active involvement of hosts who use this activity as a source of additional income, while sharing their home, their traditions and their personal experience, the

Rapporteur proposes that the Commission, supported by Member States, maintains a portal ('the European Short-Term Rentals Portal') as a point of entry for centralised information related to the national and local regulations concerning the provision of short-term rental services in the EU countries applying a registration system as set up in this Regulation. The European Short-Term Rentals Portal shall be easily accessible in all official languages of the Union and free of charge.

Additionally, in light of the objectives of this Regulation, the Rapporteur limitedly widens the category of data to be shared with the competent authorities and with the entities or persons carrying out scientific research and analytical activities.

Finally, as the competent authority in each Member State shall report on the implementation of the Regulation every two years, the Rapporteur considers that the evaluation conducted by the Commission should be done earlier than initially proposed. She also introduces an amendment stating that the obligations imposed by this Regulation on online short-term rental platforms and hosts shall apply as of three months from the moment the Member State concerned has set up its Single Digital Entry Points in line with the provisions of this Regulation.

AMENDMENTS

The Committee on Transport and Tourism calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to take the following into account:

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) Short-term accommodation rental services offered by hosts have existed for many years as a complement to other accommodation services such as hotels, hostels, or bed and breakfasts. The volume of short-term accommodation rental services is increasing significantly across the Union as a result of the growth of the platform economy. While short-term accommodation rental services create many opportunities for guests, hosts and the entire tourism ecosystem, their rapid growth has also triggered concerns and challenges, in particular for local communities and public authorities. One of the main challenges is the lack of reliable

Amendment

(1) Short-term accommodation rental services offered by hosts have existed for many years as a complement to other accommodation services such as hotels, hostels, or bed and breakfasts. The volume of short-term accommodation rental services is increasing significantly across the Union as a result of the growth of the platform economy. While short-term accommodation rental services create many opportunities for guests, hosts and the entire tourism ecosystem, their rapid growth has also triggered concerns and challenges, in particular for local communities and public authorities.
Stricter regulation and monitoring of the

information about short-term accommodation rental services, such as the identity of the host, the location where those services are being offered, and their duration, making it difficult for authorities to assess the impact of short-term accommodation rental services and develop and enforce appropriate and proportionate policy responses.

rental conditions at the local, regional, national and European levels would ensure the sustainable control of short-term rental accommodations in touristic areas, addressing any negative consequences, especially for vulnerable households^{1a}. One of the main challenges is the lack of reliable information about short-term accommodation rental services, such as the identity of the host, the location where those services are being offered, and their duration, making it difficult for authorities to assess the impact of short-term accommodation rental services and develop and enforce appropriate and proportionate policy responses.

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<https://ec.europa.eu/eurostat/web/product-s-eurostat-news/w/DDN-20230404-2>

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) To that end, harmonised rules on data generation and data sharing for short-term accommodation rental services should be laid down to increase access to and quality of data for public authorities on the provision of short-term accommodation rental services, which in turn should enable them to design and implement policies on such services in an effective and proportionate manner.

Amendment

(3) To that end, harmonised rules on data generation and data sharing for short-term accommodation rental services should be laid down to increase access to and quality of data for public authorities on the provision of short-term accommodation rental services, which in turn should enable them to design and implement policies on such services in an effective and proportionate manner, ***in accordance with national and European law. This implies maintaining opportunities for platforms while respecting public policy objectives like available and affordable housing and protecting urban centres and rural areas, especially when economic conditions in Europe are characterised by challenges and opportunities for growth. Short-term accommodation rental services via***

platforms shall align with sustainable and quality tourism standards of Europe's regions and cities, supporting the high acceptance of tourism in Europe and enhancing the liveability of neighbourhoods. They should respect local communities and promote sustainability from an ecological and socioeconomic point of view.

Amendment 3

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3 a) The data sharing and collection obligations established under this Regulation shall lead to more effective enforcement of rules at national, regional and local level, ensuring fair competition, leading to a safer and more sustainable tourism ecosystem and enhancing the standard of consumer protection within the EU market. As a result, consumers' trust in the short-term rentals field is expected to increase, given that consumers would be able to assume that only legal listings are online and that hosts comply with the legal requirements and offer fair conditions.

Amendment 4

Proposal for a regulation Recital 6

Text proposed by the Commission

Amendment

(6) This Regulation should apply to services consisting in the short-term letting of furnished accommodation, against remuneration, whether on a professional or non-professional basis. Short-term accommodation rental services can

(6) This Regulation should apply to services consisting in the short-term letting of furnished accommodation, against remuneration whether on a professional or non-professional basis. Short-term accommodation rental services can

concern, for example, a room in a host's primary residence with the host present, a host's primary or secondary residence rented out for a limited number of days per year, or one or more properties bought by the host as an investment to be rented out on a short-term basis, typically for less than a year throughout the year. The provision of furnished accommodation for more permanent use, typically for one year or more, should not be considered to be provided on short-term basis. Short-term accommodation rental services are not limited to units let for touristic or leisure purposes but should include short-term stays for other purposes, such as business or study.

concern, for example, a room in a host's primary residence with the host present, a host's primary or secondary residence, ***either on land or on water***, rented out for a limited number of days per year, or one or more properties bought by the host as an investment to be rented out on a short-term basis, typically for less than a year throughout the year ***and/or according to national law***. The provision of furnished accommodation for more permanent use, typically for one year or more, should not be considered to be provided on short-term basis. Short-term accommodation rental services are not limited to units let for touristic or leisure purposes but should include short-term stays for other purposes, such as business or study.

Amendment 5

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The rules laid down in this Regulation should apply to online platforms within the meaning of Article 3 point (i) of Regulation (EU) 2022/2065 of the European Parliament and the Council²⁷, which allow guests to conclude distance contracts with hosts for the provision of short-term accommodation rental services. ***Therefore, webpages connecting hosts with guests without any further role in the conclusion of direct transactions should be excluded from the scope of this Regulation.*** Online platforms intermediating the provision of short-term accommodation rental services without payment (for example, online platforms intermediating the exchange of dwellings) are not covered by these rules, given that only short-term accommodation rental services provided against remuneration are covered.

Amendment

(8) The rules laid down in this Regulation should apply to online platforms within the meaning of Article 3 point (i) of Regulation (EU) 2022/2065 of the European Parliament and the Council²⁷, which allow guests to conclude distance contracts with hosts for the provision of short-term accommodation rental services. ***It should also apply to online short-term rental advertising platforms within the meaning of article 3, point (j), of Regulation 2022 / 2065 of the European Parliament and the Council that display on their platform advertising on short-term rental*** without any further role in the conclusion of direct transactions. Online platforms intermediating the provision of short-term accommodation rental services without payment (for example, online platforms intermediating the exchange of dwellings) are not covered by these rules, given that only short-term accommodation

rental services provided against remuneration are covered.

²⁷ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act), (OJ L 277, 27.10.22, p. 1).

²⁷ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act), (OJ L 277, 27.10.22, p. 1).

Amendment 6

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) Registration procedures enable competent authorities to collect information on hosts and units relating to short-term accommodation rental services. The registration number, which is a unique identifier of a unit rented, should ensure that the data collected and shared by platforms can be properly attributed to hosts and units. It should therefore be for competent authorities, where they wish to receive data from providers of online short-term rental platforms, to put in place or maintain registration procedures for hosts and their units, either at national, regional or local level.

Amendment

(9) Registration procedures enable competent authorities to collect information on hosts and units relating to short-term accommodation rental services. The registration number, which is a unique identifier of a unit rented, should ensure that the data collected and shared by platforms can be properly attributed to hosts and units. It should therefore be for competent authorities, where they wish to receive data from providers of online short-term rental platforms, to put in place or maintain registration procedures for hosts and their units, either at national, regional or local level. ***This Regulation is without prejudice to other registration and information obligations under Union and national law, including but not limited to obligations related to the fields of taxation, population registration and statistics.***

Amendment 7

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) In order to ensure that competent authorities obtain the information and data they need, without imposing disproportionate burdens on online platforms and hosts, it is necessary to lay out a common approach to registration procedures within Member States that is limited to basic information allowing the identification of the unit and the host. To that end, Member States should ensure that, upon the submission of all relevant information and documents, hosts and units are given a registration number. Hosts should be able to identify and authenticate themselves using electronic identification means issued under a notified electronic identity scheme pursuant to Regulation (EU) No 910/2014 of the European Parliament and of the Council²⁸ to complete those registration procedures.

²⁸ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).

Amendment 8

Proposal for a regulation Recital 11

Amendment

(10) In order to ensure that competent authorities obtain the information and data they need, without imposing disproportionate burdens on online platforms and hosts, it is necessary to lay out a common approach to **online** registration procedures within Member States that is limited to basic information allowing the identification of the unit and the host. To that end, Member States should ensure that, upon the submission of all relevant information and documents, hosts and units are given a registration number. Hosts should be able to identify and authenticate themselves using electronic identification means issued under a notified electronic identity scheme pursuant to Regulation (EU) No 910/2014 of the European Parliament and of the Council²⁸ to complete those registration procedures. ***Registration should be free of charge or at a minimal cost for the host. Hosts should be able to submit all required documents digitally. However, an offline service for the submission of documents shall still be made available, taking into account the needs of the less digitally-skilled or equipped, especially the elderly.***

²⁸ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).

Text proposed by the Commission

(11) Hosts should provide information regarding themselves, the units they offer for short-term accommodation rental services and other necessary information so that the competent authorities know the identity of the host and their contact details, as well as the **location**, the type (e.g. house, apartment, room) and characteristics of the unit. Such information is needed to ensure traceability of hosts and units offered. The description of the unit's characteristics should include an indication of whether the unit is offered in whole or part and whether the host uses the unit for residential purposes as a primary or secondary residence or for other purposes. Hosts should also provide information on the maximum number of guests that the unit is capable of accommodating.

Amendment

(11) Hosts should provide information regarding themselves, the units they offer for short-term accommodation rental services and other necessary information so that the competent authorities know the identity of the host and their contact details, as well as the **full address, including, where applicable, the flat number or land registry**, the type (e.g. house, apartment, room, **shared room, or relevant category provided in national law**) and characteristics of the unit. Such information is needed to ensure traceability of hosts and units offered. **Where relevant, hosts can also be required to indicate whether they have obtained an authorisation to provide services in accordance with Article 9 of Directive 2006/123/EC, granted that such authorisation requirement is in line with Union law. Information on the rights of hosts with regards to the authorisation scheme as well as to the means of redress available in the event of dispute, should be easily available to hosts as provided for by Directive 2006/123/EC.** The description of the unit's characteristics should include an indication of whether the unit is offered in whole or part and whether the host uses the unit for residential purposes as a primary or secondary residence or for other purposes. Hosts should also provide information on the maximum number of guests that the unit is capable of accommodating, **the number of rooms and the number of beds in the unit.**

Amendment 9

**Proposal for a regulation
Recital 11 a (new)**

Text proposed by the Commission

Amendment

(11 a) All obligations concerning the declaration with regards to authorisation schemes and the provision of proof in this regard shall be applicable only where such market access rules exist in the Member States. No provision under this Regulation shall, otherwise, be interpreted as a legal basis for market access rules, which shall remain regulated by the applicable Union law, most notably, the Services Directive.

Amendment 10

Proposal for a regulation Recital 12

Text proposed by the Commission

Amendment

(12) It should be possible for Member States to require hosts to submit additional information and documentation attesting compliance with requirements established by national law, such as health and safety and consumer protection requirements. Member States *may*, in particular, in order to ensure equal access and inclusion, require hosts to provide information concerning the accessibility for persons with disabilities of the units offered for short-term accommodation rental services in relation to national or local accessibility requirements. However, any requirements should comply with the principles of non-discrimination and proportionality, meaning that they must be appropriate and necessary to achieve a legitimate regulatory objective, and with the Treaty on the Functioning of the European Union and Directive 2006/123/EC. Furthermore, Member States should be able to impose information requirements on hosts that comply with Union law concerning issues not covered by this Regulation, such as non-remunerated stays including where

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hosting arrangements concern vulnerable individuals, such as refugees or beneficiaries of temporary protection.

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Amendment 11

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) The information and documentation provided by hosts via the registration procedure should be verified by competent authorities only after the issuance of the registration number. It is appropriate to enable hosts, within a reasonable period of time, to rectify the information and documentation submitted which a competent authority considers to be incomplete or inaccurate. *Where* the host fails to rectify the information *and documentation* within the period *indicated*, the competent authority *should have the power to* suspend *the validity of* the registration number. The competent authority should have the power to suspend the validity of the registration number also in cases where it finds that there are manifest and serious doubts as regards the authenticity and validity of the information or documentation provided by the host. In those cases, competent authorities should inform hosts about their intention to suspend the validity of the registration number and the reasons for it. Hosts should have the possibility to be heard and, where appropriate, to rectify the information and documentation provided within a reasonable period of time. Where the validity of the registration number has been suspended, competent authorities should have the power to issue an order requesting the online short-term rental platforms to remove or disable access to the listing relating to the unit in question without undue delay. Those orders should include all necessary information to identify the

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(14) The information and documentation provided by hosts via the registration procedure should be verified by competent authorities only after the issuance of the registration number. It is appropriate to enable hosts, within a reasonable period of time, to rectify the information and documentation submitted which a competent authority considers to be incomplete or inaccurate. *During this period as well as if* the host fails to rectify the information within the *stipulated* period, the competent authority *may* suspend the registration number, *and, if necessary, take action to avoid the commercialisation of the unit*. The competent authority should have the power to suspend the validity of the registration number also in cases where it finds that there are manifest and serious doubts as regards the authenticity and validity of the information or documentation provided by the host. In those cases, competent authorities should inform hosts about their intention to suspend the validity of the registration number and the reasons for it. Hosts should have the possibility to be heard and, where appropriate, to rectify the information and documentation provided within a reasonable period of time. Where the validity of the registration number has been suspended, competent authorities should have the power to issue an order requesting the online short-term rental platforms to remove or disable access to the listing relating to the unit in question without undue delay. Those orders should

listing, including the individual Uniform Resource Locator (URL) of the listings.

include all necessary information to identify the listing, including the individual Uniform Resource Locator (URL) of the listings.

Amendment 12

Proposal for a regulation Recital 15

Text proposed by the Commission

(15) Where a registration procedure applies, hosts should be required to provide online short-term rental platforms with their registration numbers, display them in each respective unit listing and provide guests with the unit's registration number. Members States should ensure that, where a registration procedure applies, national law enables competent authorities to order online short-term rental platforms to remove listings related to units offered without a registration number or offered with an invalid registration number.

Amendment

(15) Where a registration procedure applies, hosts should be required to provide online short-term rental platforms with their registration numbers, display them in each respective unit listing and provide guests with the unit's registration number. Members States should ensure that, where a registration procedure applies, national law enables competent authorities to order online short-term rental platforms to remove listings related to units offered without a registration number or offered with an invalid registration number. ***In areas where a registration procedure applies, hosts should not be allowed to commercialise a unit without a valid registration number. Where it finds that the registration number is missing or not valid, or that the authorisation has not been granted, after having heard the host, the competent authority can require the online short-term rental platforms to remove access to the unit without undue delay.***

Amendment 13

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) Article 31 of the Regulation (EU) 2022/2065 lays down certain due diligence

Amendment

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requirements for providers of online platforms allowing consumers to conclude distance contracts with traders. Those requirements apply to online short-term rental platforms with respect to short-term accommodation rental services offered by hosts that qualify as traders. However, the short-term accommodation rental sector is characterised by the fact that hosts are often private individuals offering short-term accommodation rental services on an occasional peer-to-peer basis, who do not necessarily meet the conditions to be categorised as ‘traders’ under Union law. Therefore, in line with the concept and objective of ‘compliance by design’ under Article 31 of Regulation (EU) 2022/2065, and in order to enable competent authorities to verify whether applicable registration obligations are complied with, it is appropriate to apply specific conditions for compliance by design in the context of short-term accommodation rental services, including those offered by hosts that do not qualify as traders pursuant to Union law. Online short-term rental platforms should ensure that services are not offered where no registration number has been provided, in cases where a host declares that such a registration number applies. This should not amount to an obligation for online short-term rental platforms to generally monitor the services offered by hosts through their platform, nor to a general fact-finding obligation aimed at assessing the accuracy of the registration number prior to the publication of the offer of short-term accommodation rental services.

requirements for providers of online platforms allowing consumers to conclude distance contracts with traders. Those requirements apply to online short-term rental platforms with respect to short-term accommodation rental services offered by hosts that qualify as traders. However, the short-term accommodation rental sector is characterised by the fact that hosts are often private individuals offering short-term accommodation rental services on an occasional peer-to-peer basis, who do not necessarily meet the conditions to be categorised as ‘traders’ under Union law. Therefore, in line with the concept and objective of ‘compliance by design’ under Article 31 of Regulation (EU) 2022/2065, and in order to enable competent authorities to verify whether applicable registration obligations are complied with, it is appropriate to apply specific conditions for compliance by design in the context of short-term accommodation rental services, including those offered by hosts that do not qualify as traders pursuant to Union law. Online short-term rental platforms should ensure that services are not offered where no registration number has been provided, in cases where a host declares that such a registration number applies, *where there is no exemption from the registration obligation, and they should carry out random checks*. This should not amount to an obligation for online short-term rental platforms to generally monitor the services offered by hosts through their platform, nor to a general fact-finding obligation aimed at assessing the accuracy of the registration number prior to the publication of the offer of short-term accommodation rental services.

Amendment 14

Proposal for a regulation Recital 18

Text proposed by the Commission

(18) Competent authorities that wish to receive from online short-term rental platforms information about hosts' activities and have registration systems in place should be able to obtain activity data from online platforms on a regular basis. The type of data that may be obtained should be fully harmonised and include information on the number of nights for which a registered unit has been rented, the number of guests that **stayed in** the unit per night, the registration number and the URL of the listing of the unit, which is needed in order to facilitate the identification of the host and the unit offered for short-term accommodation rental services in cases where the registration number is missing or incorrect. Only online platforms that have effectively facilitated the conclusion of direct transactions between hosts and guests are covered by the obligation to provide the activity data, the registration number and the URL of the listing of the unit, as only those platforms are in a position to collect data, such as on the number of nights for which a unit is rented and the number of guests **that stayed in** the unit per night. Member States should not maintain or introduce measures that require platforms to report on short-term accommodation rental service providers and their activities diverging from those laid down in this Regulation, unless otherwise provided under Union law.

Amendment

(18) Competent authorities that wish to receive from online short-term rental platforms information about hosts' activities and have registration systems in place should be able to obtain activity data from online platforms on a regular basis. The type of data that may be obtained should be fully harmonised and include information on the number of nights for which a registered unit has been rented, the number of guests that the unit **was rented for** per night, the registration number and the URL of the listing of the unit, **and the full address of the unit, and, in cases where the registration number is missing or incorrect, the identity of the host in line with the GDPR**, which is needed in order to facilitate the identification of the host and the unit offered for short-term accommodation rental services in cases where the registration number is missing or incorrect. Only online platforms that have effectively facilitated the conclusion of direct transactions between hosts and guests are covered by the obligation to provide the activity data, the registration number and the URL of the listing of the unit, as only those platforms are in a position to collect data, such as on the number of nights for which a unit is rented and the number of guests the unit **was rented for** per night. **To prevent multiple transmissions of the same information from various platforms, only the platform where the contract is concluded with the host shall be required to provide the aforementioned information.** Member States should not maintain or introduce measures that require platforms to report on short-term accommodation rental service providers and their activities diverging from those laid down in this Regulation, unless otherwise provided under Union law.

Amendment 15

Proposal for a regulation Recital 18 a (new)

Text proposed by the Commission

Amendment

(18 a) Additionally, Member States should be able to require hosts to declare whether they are acting for the purpose of their trade, business or profession, or otherwise, as well as the number of units they are renting on the short-term rentals market. This data can facilitate a better understanding of the short-term rentals market, also impacting eventual policymaking.

Amendment 16

Proposal for a regulation Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) This Regulation ensures that hosts can self-declare whether a unit offered for short-term accommodation rental services is located in an area where a registration procedure has been established or applies, and where that is the case, to identify that unit through a valid registration number or, where relevant, to indicate that the unit benefits from an exemption of registration. Therefore, platforms have to design their interfaces in a way to facilitate this self-declaration and to ensure that hosts have provided the relevant information prior to listing. Self-declaration is an important and proportionate tool. It ensures that hosts remain primarily responsible for compliance of their activity with local rules and for communicating the necessary information on their status under the relevant registration procedures to platforms, without requiring platforms to conduct burdensome and disproportionate ex-ante verification

mechanisms for each host.

Amendment 17

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Alignment should be ensured between the various registries in a Member State as well as their interoperability with the Single Digital Entry Point in order to remove semantic and technical barriers to data sharing and to ensure more effective and efficient administrative procedures. The entities in charge of creating the Single Digital Entry Points at national level and the Commission should facilitate implementation at national level and cooperation between Member States.

Amendment

(25) Alignment should be ensured between the various registries in a Member State as well as their interoperability with the Single Digital Entry Point in order to remove semantic and technical barriers to data sharing and to ensure more effective and efficient administrative procedures. The entities in charge of creating the Single Digital Entry Points at national level and the Commission should facilitate implementation at national level and cooperation between Member States.
Before adopting implementing acts, laying down common technical specifications and procedures for interoperability, the Commission shall establish technical discussions with platforms and Member States.

Amendment 18

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) ***Aggregated data sets based on the available*** activity data, would also be important for the compilation of official statistics. ***Those*** data, together with information ***on the total number of units and on the maximum number of guests that the unit can accommodate in each geographical subdivision***, should be transmitted to national statistical offices and Eurostat every month for the purposes of compiling statistics in line with the

Amendment

(27) Activity data would also be important for the compilation of official statistics. ***Such*** data, together with information ***provided by hosts pursuant to a registration procedure along with the registration*** number, should be transmitted to national statistical offices and Eurostat every month for the purposes of compiling statistics in line with the requirements applicable to other service providers in the accommodation sector as laid in

requirements applicable to other service providers in the accommodation sector as laid in Regulation 692/2011 concerning European statistics on tourism. Member States should designate the national entity responsible for **aggregating data and transmitting it**. Competent authorities should also be able to share activity data, without any data that could enable the identification of individual units or hosts, such as registration numbers and URLs, with entities and persons when this is needed to carry out scientific research or analytical activities as well as to produce new business models and services. Under the same conditions, activity data could be made available via sectorial data spaces, when established.

Regulation 692/2011 concerning European statistics on tourism. Member States should designate the national entity responsible for transmitting **and pseudoanonymising the data**. Competent authorities should also be able to share activity data, without any data that could enable the identification of individual units or hosts, such as registration numbers and URLs, with entities and persons when this is needed to carry out scientific research or analytical activities as well as to produce new business models and services. Under the same conditions, activity data could be made available via sectorial data spaces, when established.

Amendment 19

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) Member States should provide the necessary information to allow public authorities, online short-term rental platforms, hosts and citizens to understand the laws, procedures and requirements relating to the provision of short-term accommodation rental services within their territory. Those include registration procedures as well as any requirements concerning access to, and the provision of, short-term accommodation rental services.

Amendment

(28) Member States should provide the necessary information, **including available on national websites, in a clear manner**, to allow public authorities, online short-term rental platforms, hosts and citizens to understand the laws, procedures and requirements relating to the provision of short-term accommodation rental services within their territory. Those include registration procedures as well as any requirements concerning access to, and the provision of, short-term accommodation rental services.

Amendment 20

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) Member States should ensure an effective enforcement of this Regulation as regards the provisions of this Regulation concerning the results of the random checks, the obligation to include a reference to the information to be made available by Member States on rules governing the provision of short-term accommodation rental services and the data sharing obligations of short-term rental platforms. Due to the specific nature of those obligations, it should be for authorities designated by the Member State of the Single Digital Entry Point, in which the relevant unit is located, to enforce them. Member States should also lay down rules setting out penalties for the infringement of these provisions of this Regulation that apply to online short-term rental platforms and should ensure that such penalties are implemented and notified in accordance with Directive 2000/31/EC of the European Parliament and of the Council³². Such penalties should be effective, proportionate and dissuasive. These penalties should ensure an effective enforcement of this Regulation, notably as regards data sharing obligations.

Amendment

(31) Member States should ensure an effective enforcement of this Regulation as regards the provisions of this Regulation concerning ***the verification by the competent authorities***, the results of the random checks, the obligation to include a reference to the information to be made available by Member States on rules governing the provision of short-term accommodation rental services and the data sharing obligations of short-term rental platforms. Due to the specific nature of those obligations, it should be for authorities designated by the Member State of the Single Digital Entry Point, in which the relevant unit is located, to enforce them. Member States should also lay down rules setting out penalties for the infringement of these provisions of this Regulation that apply to online short-term rental platforms and should ensure that such penalties are implemented and notified in accordance with Directive 2000/31/EC of the European Parliament and of the Council³². Such penalties should be effective, proportionate and dissuasive. These penalties should ensure an effective enforcement of this Regulation, notably as regards data sharing obligations. ***Where a registration procedure applies, Member States shall establish legal provisions that empower competent authorities, after having heard the host, to instruct providers of online platforms for short-term rentals to delete listings associated with units that are either offered without a valid registration number or with an invalid registration number. Similarly, when an authorization process is applicable, Member States should ensure that national legislation grants competent authorities the authority to compel providers of online short-term rental platforms to remove listings linked to units offered without the required authorization from the competent***

authority. In both scenarios, competent authorities shall be enabled to mandate platforms to provide information. Member States should have the capacity to establish regulations pertaining to the respective penalties for non-compliance.

³² Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1).

³² Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1).

Amendment 21

Proposal for a regulation Recital 34

Text proposed by the Commission

(34) The Commission should periodically evaluate this Regulation and monitor its effects on the provision of short-term accommodation rental services offered through online short-term rental platforms in the Union. That evaluation should include any effects on providers of online short-term rental platforms **and** any effects of the increased availability of data on the content and proportionality of national, regional and local rules relating to the provision of short-term accommodation rental services. In order to obtain a broad view of developments in the sector, the evaluation should take into account the experiences of Member States and relevant stakeholders.

Amendment

(34) The Commission should periodically evaluate this Regulation and monitor its effects on the provision of short-term accommodation rental services offered through online short-term rental platforms in the Union. That evaluation should include any effects on providers of online short-term rental platforms, any effects of the increased availability, ***usability and quality*** of data on the content and proportionality of national, regional and local rules relating to the provision of short-term accommodation rental services. In order to obtain a broad view of developments in the sector, the evaluation should take into account the experiences of Member States and relevant stakeholders, ***including in particular the effectiveness of cross-border cooperation and enforcement mechanisms.***

Amendment 22

Proposal for a regulation
Recital 34 a (new)

Text proposed by the Commission

Amendment

(34 a) National and/or local authorities should also carry out periodic assessments and evaluations on short-term rentals activities with regard to, amongst others, the impact on the local communities, including housing availability and affordability, the impact on local businesses and the impact on the local tourism ecosystem and its sustainability.

Amendment 23

Proposal for a regulation
Recital 37

Text proposed by the Commission

Amendment

(37) The fundamental right to the protection of personal data is safeguarded in particular by Regulation (EU) 2016/679. That Regulation provides the basis for rules and requirements of personal data processing, including where datasets include a mix of personal and non-personal data and such data are inextricably linked. Any personal data processing under the present Regulation must comply with Regulation (EU) 2016/679. ***Therefore the data protection supervisory authorities are responsible for the supervision of the processing of personal data carried out in the context of this Regulation.***

(37) The fundamental right to the protection of personal data is safeguarded in particular by Regulation (EU) 2016/679. That Regulation provides the basis for rules and requirements of personal data processing, including where datasets include a mix of personal and non-personal data and such data are inextricably linked. Any personal data processing under the present Regulation must comply with Regulation (EU) 2016/679.

Amendment 24

Proposal for a regulation
Recital 37 a (new)

Text proposed by the Commission

Amendment

(37 a) In order to achieve the objectives

of this Regulation, leading to the accurate interpretation of the data collected and to evidence-based policymaking, Member States are encouraged to regularly hold consultation sessions with the Commission and/or short-term rentals stakeholders. The consultation sessions can be used as tools to better understand the impact of the short-term rentals on their respective local community, leading to the clear formulation of regulatory objectives and to informed decision-making, in accordance with Union law and principles.

Amendment 25

Proposal for a regulation Recital 37 b (new)

Text proposed by the Commission

Amendment

(37 b) With an aim to facilitate the implementation of this Regulation, promoting awareness of the rights and obligations thereunder, as well as disseminating measures taken by national, regional and local authorities with regards to the provision of short-term rental services and in order to facilitate the free movement of people and of services, the Commission and the Member States shall collaborate for the timely and efficient update of the Single European Gateway in light of Article 17 of this Regulation. The Single European Gateway will contain information on procedures that must be undertaken locally for a host to be able to register and to seek authorisation, if applicable, along with other market access conditions in place in the Member States at national, regional or local level as well as the contact information of relevant local authorities. The information will be made available free of charge in a user-friendly format, in all official languages of the

Union.

Amendment 26

Proposal for a regulation Recital 37 c (new)

Text proposed by the Commission

Amendment

(37 c) Given the complexity of the Union legislation and of the guiding principles protecting the free movement of people and services as well as the right to dispose of one's private property, it is appropriate for the Commission to provide assistance guidelines, reference training materials and workshops aimed at ensuring a broad understanding of the fair, proportionate and justified application of Union rules to the provision of short-term rental services. In this regard, all national coordinators and all national, regional and local authorities tasked with regulation, implementation and/or enforcement of rules applicable to the provision of short-term rental services should benefit from the aforementioned resources.

Amendment 27

Proposal for a regulation Recital 37 d (new)

Text proposed by the Commission

Amendment

(37 d) The transparency requirements set out in this Regulation and the increased volume of data resulting from the reporting obligations established thereunder shall determine positive effects that extend beyond the limits of this Act, leading to a better understanding of the short-term rentals market and to the development and sharing of good practices, such as the inclusion of a 'Good neighbour' guide in the short-term

rental contracts referring to the local waste management and public order rules, local holidays and traditions, amongst others.

Amendment 28

Proposal for a regulation Article 2 – paragraph 1

Text proposed by the Commission

1. This Regulation applies to providers of online short-term rental platforms that offer services to hosts providing short-term accommodation **rental** services in the Union, irrespective of their place of establishment.

Amendment

1. This Regulation applies to providers of online short-term rental platforms that offer services to **the** hosts providing short-term **rental** accommodation services in the Union, irrespective of their place of establishment, **as well as to hosts within the limits of their obligations.**

It also applies to online short-term rental advertising platforms, within the limits of Article 7 paragraph 1, points (a) and (b).

Amendment 29

Proposal for a regulation Article 2 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(d a) Union or national law regulating the development, production and dissemination of European statistics or national official statistics.

Amendment 30

Proposal for a regulation Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘active hosts’ means hosts who have at least one unit listed during a period

Amendment

(3) ‘active hosts’ means hosts who have at least one unit listed during a period

of 1 month on an online short-term rental platform;

of 1 month **and have been booked at least once during the period of reference** on an online short-term rental platform;

Amendment 31

Proposal for a regulation

Article 3 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

(6 a) ‘online short-term rental advertising platform’ means a service within the meaning of Article 3, point (i) and (j) of Regulation (EU) 2022/2065, including advertising for short-term rental services and online search engines, that displays advertising of short-term rental services;

Amendment 32

Proposal for a regulation

Article 3 – paragraph 1 – point 7

Text proposed by the Commission

Amendment

(7) ‘registration number’ means a unique identifier issued by the competent Member State, which identifies a unit in that Member State;

(7) ‘registration number’ means a unique identifier issued by the competent **authority of the relevant** Member State, which identifies a unit in that Member State;

Amendment 33

Proposal for a regulation

Article 3 – paragraph 1 – point 8 a (new)

Text proposed by the Commission

Amendment

(8 a) ‘authorisation scheme’ means the authorisation scheme within the meaning of Article 4 (6) of Directive 2006/123/EC;

Amendment 34

Proposal for a regulation Article 3 – paragraph 1 – point 11

Text proposed by the Commission

(11) ‘activity data’ means the number of nights for which a unit is rented and the number of guests that *stayed in the unit* per night;

Amendment

(11) ‘activity data’ means the number of nights for which a unit is rented and the number of guests that *have been declared to stay per night, and their country of residence, in accordance with (EU) Regulation 692/2011*;

Amendment 35

Proposal for a regulation Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) registration procedures operate on the basis of declarations made by hosts;

Amendment

(a) registration procedures, *which are proportionate, non-discriminatory and justified*, operate on the basis of declarations made by hosts;

Amendment 36

Proposal for a regulation Article 4 – paragraph 2 – point b

Text proposed by the Commission

(b) registration procedures allow for *the* automatic and immediate issue of a registration number for a specific unit upon the submission by the host of the information referred to in Article 5(1) and, where appropriate, any supporting documentation required pursuant to Article 5(2);

Amendment

(b) registration procedures allow for *online*, automatic and immediate issue, *free of charge or at a minimal cost*, of a registration number for a specific unit upon the submission by the host of the information referred to in Article 5(1) and, where appropriate, any supporting documentation required pursuant to Article 5(2);

Amendment 37

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Member States shall ensure that hosts are able to request that the information or documentation provided pursuant to Article 5(1) and (2) can be re-used for the purposes of subsequent registrations.

Amendment

3. Member States shall ensure that hosts are able to request that the information or documentation provided pursuant to Article 5(1) and (2) can be re-used for the purposes of subsequent registrations, ***if the subsequent registrations occur within one year since the initial moment when information and the documentation was provided.***

Amendment 38

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that registration numbers are included in a registry. The competent authority issuing the registration number shall be responsible for establishing and maintaining the registry.

Amendment

4. Member States shall ensure that registration numbers are included in a ***public and easily accessible*** registry. The competent authority issuing the registration number shall be responsible for establishing and maintaining the registry.

Amendment 39

Proposal for a regulation
Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Member States shall ensure that hosts are able to submit all required documents digitally. However, offline services for the submission of documents shall still be made available, taking into account the needs of the less digitally-skilled or equipped.

Amendment 40

Proposal for a regulation

Article 5 – paragraph 1 – point a – point 1

Text proposed by the Commission

(1) the address of the unit;

Amendment

(1) the **full** address of the unit;

Amendment 41

Proposal for a regulation

Article 5 – paragraph 1 – point a – point 4

Text proposed by the Commission

(4) the maximum number of guests that the unit can accommodate;

Amendment

(4) the maximum number of guests, **beds and rooms** that the unit can accommodate;

Amendment 42

Proposal for a regulation

Article 5 – paragraph 1 – point a – point 4 a (new)

Text proposed by the Commission

Amendment

(4 a) whether the unit is subject to, and if so, whether the host has obtained an authorisation to offer short term rental accommodation services from the relevant authorities, where such authorisation requirement is mandatory and in line with Union law, and the number of such authorisation;

Amendment 43

Proposal for a regulation

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Additionally, Member States may decide to require hosts to declare whether

they are acting for the purpose of their trade, business or profession, or otherwise. They may also request information on whether the unit is offered together with additional services available in exchange for remuneration or on accessibility for persons with disabilities or persons with reduced mobility of the unit/units offered for short-term accommodation rental services in relation to national or local accessibility requirements.

Amendment 44

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. Member States may require that the information submitted pursuant to paragraph 1 is accompanied by appropriate supporting documentation.

Amendment

2. Member States may require that the information submitted pursuant to paragraph 1 is accompanied by appropriate **online** supporting documentation, **the submission of which shall also be possible offline. With respect to the information referred to in point 4a of subparagraph (a) of paragraph 1, where the host declares that the unit is subject to authorisation, or where the other information referred to in paragraph 1 allows an automatic determination that an authorisation requirement applies, Member States may request a copy of, or reference to, the authorisation.**

Amendment 45

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

3. Where a Member State requires hosts to submit further information and documentation, the submission of that

Amendment

3. Where a Member State requires hosts to submit further information and documentation, **including information and**

information and documentation is without prejudice to the issuance of the registration number in accordance with Article 4(2), point (b).

documentation about the compliance with national, regional or local rules referred to in Article 2(2), point (a), the submission of that information and documentation ***shall also be possible online through digital means and*** is without prejudice to the issuance of the registration number in accordance with Article 4(2), point (b).

Amendment 46

Proposal for a regulation Article 5 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that the information or documentation submitted pursuant to a registration procedure referred to in Article 4 is retained in a secure and confidential manner and only for a period which is necessary for the identification of the unit and for a maximum of **1 year** after the host has indicated via the functionality referred to in Article 4(2), point (f) that the unit should be removed from the registry. Member States shall ensure that the information and documentation provided by the host pursuant to paragraphs 1 and 2 is only processed for the purpose of issuing the registration number and ensuring compliance with the applicable rules of the Member State concerning the access to and provision of short-term accommodation rental services.

Amendment

5. Member States shall ensure that the information or documentation submitted pursuant to a registration procedure referred to in Article 4 is retained in a secure and confidential manner and only for a period which is necessary for the identification of the unit and, ***in any case***, for a maximum of **2 years** after the host has indicated via the functionality referred to in Article 4(2), point (f) that the unit should be removed from the registry. Member States shall ensure that the information and documentation provided by the host pursuant to paragraphs 1 and 2 is only processed for the purpose of issuing the registration number and ensuring compliance with the applicable rules of the Member State concerning the access to and provision of short-term accommodation rental services.

Amendment 47

Proposal for a regulation Article 6 – paragraph 1

Text proposed by the Commission

1. Competent authorities may, at any time after issuing a registration number, verify the declaration and any supporting

Amendment

1. Competent authorities may, at any time after issuing a registration number, verify the declaration and any supporting

documentation submitted by a host pursuant to Article 5(1) and 5(2).

documentation submitted by a host pursuant to Article 5(1) and 5(2), **including the existence of exemptions from the registration obligation.**

Amendment 48

Proposal for a regulation Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Where the competent authorities have evidence that applicable national, regional or local legislation has been breached, they may initiate a platform inspection procedure. The competent authority shall request information that it considers relevant from the host in order to seek out and analyse the alleged infringements.

Amendment 49

Proposal for a regulation Article 6 – paragraph 6 – point c

Text proposed by the Commission

Amendment

(c) the identity of the host and of the unit offered for short-term accommodation rental services.

(c) the identity of the host and **registration number** of the unit offered for short-term accommodation rental services.

Amendment 50

Proposal for a regulation Article 6 – paragraph 8

Text proposed by the Commission

Amendment

8. The competent authority shall inform the hosts about the redress mechanisms available in relation to the steps taken pursuant to paragraphs 2 **to 5 and 7.**

8. The competent authority shall inform the hosts about the redress mechanisms available in relation to the steps taken pursuant to paragraphs 2, **5, 7 and 10 a (new).**

Amendment 51
Proposal for a regulation
Article 6 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. *Competent authorities have the authority to cross-check the information provided by online platforms regarding hosts who have claimed their listing is exempt from the registration process, as outlined in Article 7 paragraph 1(b) and (d). They can also utilize the powers specified in paragraphs 6 (2) to 6 (9), if necessary, when dealing with the hosts concerned.*

Amendment 52

Proposal for a regulation
Article 6 – paragraph 10 a (new)

Text proposed by the Commission

Amendment

10 a. *Where an authorisation procedure applies, Member States shall ensure that national legislation enables competent authorities to request providers of online short-term rental platforms to provide information and remove listings related to units offered without authorisation.*

Amendment 53
Proposal for a regulation
Article 7 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) where the host declares that the unit offered for short-term accommodation rental services is located in an area where a registration procedure has been established or applies, design and organise their online interface in a way that enables hosts to let users identify the unit through a

(b) where the host declares that the unit offered for short-term accommodation rental services is located in an area where a registration procedure has been established or applies, design and organise their online interface in a way that enables hosts to let users **to either (i)** identify the unit through

registration number, and to ensure that hosts have provided a registration number prior to allowing the offering of the short-term accommodation rental services with respect to that unit;

a registration number, and to ensure that hosts have provided a registration number prior to allowing the offering of the short-term accommodation rental services with respect to that unit ***or (ii) self declare that the unit they offer is exempt from the registration procedure applicable in the area where it is located;***

Amendment 54

Proposal for a regulation

Article 7 – paragraph 1 – point c

Text proposed by the Commission

(c) make reasonable efforts to randomly check the declaration of the hosts concerning the existence or not of a registration procedure, taking into account the list made available pursuant to Article 13(1), point (a), and, where such a procedure exists, ***the validity of*** the registration number provided by the host, including through the use of the functionalities offered by the Single Digital Entry Points referred to in Article 10(2), point (b), after allowing the offering of the short-term accommodation rental services by the host.

Amendment

(c) make reasonable efforts, ***especially in areas where non-compliance with this Regulation was identified,*** to randomly check the declaration of the hosts concerning the existence or not of a registration procedure, taking into account the list made available pursuant to Article 13(1), point (a), and, where such a procedure exists, the registration number provided by the host, including through the use of the functionalities offered by the Single Digital Entry Points referred to in Article 10(2), point (b), after allowing the offering of the short-term accommodation rental services by the host.

Amendment 55

Proposal for a regulation

Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) inform the hosts that the renting of certain types of unit, such as social housing, on online short-term rental platforms might be in breach of local rent laws.

Amendment 56

Proposal for a regulation

Article 7 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

Online short-term rental advertising platform shall be subject to the obligations laid down in points (a) and (b) of this paragraph.

Amendment 57

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. Online short-term rental platforms shall include, in a specific section of the online interface that is directly and easily accessible, a reference to the information to be made available by Member States pursuant to Article 17(1).

3. Online short-term rental platforms shall include, in a specific section of the online interface that is directly and easily accessible, a reference to the information to be made available by Member States pursuant to Article 17(1) ***as well as a link to the Single Digital Gateway. They should also make reasonable efforts to regularly and adequately inform and update hosts regarding the applicability of registration procedures, data sharing obligations, or authorization schemes in a given area.***

Amendment 58

Proposal for a regulation

Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7 a

Compliance by design for online short-term rental advertising platforms

Where an online short-term rental advertising platform includes an advertising for a short-term

accommodation rental service, it shall:

(a) structure and arrange their online interface in such a manner that hosts advertising short-term accommodation rentals on the platform are required to self-declare whether the unit being offered is subject to an established or applicable registration procedure in the area;

(b) where the host declares that the unit is subject to a registration procedure, the online platform should design its interface to allow hosts to either (i) identify the unit using a registration number and ensure that the number is provided before allowing the offering of short-term accommodation services for that unit, or (ii) declare that the unit is exempt from the registration procedure in the area where it is located;

(c) conduct random checks on the hosts' declarations regarding the existence of a registration procedure, taking into consideration the list provided in Article 13(1)(a) and, if a registration procedure exists, verify the validity of the registration number provided by the host. This verification can be done using the functionalities offered by the Single Digital Entry Points mentioned in Article 10(2)(b), after allowing the host to offer the short-term accommodation rental services;

(d) where the online platform includes advertisements from an online short-term rental platform that does not act as a host, it should design its interface to enable users to identify the unit through a registration number, if provided by the online short-term rental platform;

(e) where the host declares that the unit is exempt from the applicable registration procedure, the online platform must, upon request from the relevant competent authority, provide the information provided by the host to allow the authority to verify its accuracy. This is done after

allowing the host to offer the short-term accommodation rental services.

Amendment 59

Proposal for a regulation Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. *When a competent authority, after verification, finds that there are doubts regarding the accuracy and completeness of the data transmitted, it will be empowered to request the online platforms to rectify the data set in a reasonable time which should be specified by the competent authority.*

Amendment 60

Proposal for a regulation Article 10 – paragraph 5

Text proposed by the Commission

Amendment

5. The Commission *may* adopt implementing acts laying down common technical specifications and procedures to ensure interoperability of solutions for the functioning of the Single Digital Entry Points and the seamless exchange of data, including the structure of the registration numbers. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 16(2).

5. The Commission ***shall, where necessary,*** adopt implementing acts laying down common technical specifications and procedures to ensure interoperability of solutions for the functioning of the Single Digital Entry Points and the seamless exchange of data, including the structure of the registration numbers ***and full addresses of the units. Registration numbers should be based on the same structure and standards in all Member States.*** Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 16(2). ***Additionally, the Commission shall also organise training and technical discussions with the Member States, involving, where relevant, other stakeholders, including platforms, to ensure the proper functioning of the Single Digital Entry***

*Points and the sharing of good practices,
including on an Application
Programming Interface.*

Amendment 61

**Proposal for a regulation
Article 11 – paragraph 2**

Text proposed by the Commission

2. The Single Digital Entry Points coordination group (‘the coordination group’) is hereby established. The coordination group shall be composed of the national coordinator from each Member State and shall be chaired by the Commission. The coordination group shall adopt its rules of procedure. The Commission shall support the functioning of the coordination group.

Amendment

2. The Single Digital Entry Points coordination group (‘the coordination group’) is hereby established. The coordination group shall be composed of the national coordinator from each Member State and shall be chaired by the Commission. The coordination group shall adopt its rules of procedure. The Commission shall support the functioning of the coordination group. ***Where relevant, the Single Digital Entry Points coordination group can decide to consult relevant short-term rentals stakeholders with regards to specific points including the harmonised data sharing formats.***

Amendment 62

**Proposal for a regulation
Article 11 – paragraph 3 – point b**

Text proposed by the Commission

(b) assist the Commission in promoting the use of interoperability solutions for the functioning of the Single Digital Entry Points and the exchange of data;

Amendment

(b) assist the Commission in promoting the use of interoperability solutions ***and automated checks*** for the functioning of the Single Digital Entry Points and the exchange of data;

Amendment 63

**Proposal for a regulation
Article 12 – paragraph 3 – introductory part**

Text proposed by the Commission

3. Competent authorities listed pursuant to paragraph 1 shall retain activity data in a secure and confidential manner as long as necessary for the purposes referred to in paragraph 2 and no longer than **1 year** after their receipt. Those competent authorities may, in accordance with the laws of the Member State, share activity data without any data that can identify individual units or hosts, including registration numbers and URLs, in particular with the following:

Amendment 64

**Proposal for a regulation
Article 12 – paragraph 4**

Text proposed by the Commission

4. Member States shall aggregate the activity data obtained pursuant to Article 9 and transmit it on a monthly basis to national statistical offices and Eurostat for the purposes of compiling statistics in accordance with Regulation (EC) No 223/2009 of the European Parliament and of the Council⁴³. Activity data shall be aggregated at national, regional and municipal level, and shall include information on the total number of units and on the maximum number of guests that the unit can accommodate in each geographical subdivision. Those data shall be broken down by the type of unit as described in Article 5(1), point (a), of this Regulation. Member States shall designate the national entity responsible for aggregating activity data and transmitting it to national statistical offices and Eurostat.

Amendment

3. Competent authorities listed pursuant to paragraph 1 shall retain activity data in a secure and confidential manner as long as necessary for the purposes referred to in paragraph 2 and no longer than **2 years** after their receipt. Those competent authorities may, in accordance with the laws of the Member State, share activity data without any data that can identify individual units or hosts, including registration numbers and URLs, in particular with the following:

Amendment

4. Member States shall aggregate the activity data obtained pursuant to Article 9 and transmit it on a monthly basis to national ***and, where relevant, to regional*** statistical offices and Eurostat for the purposes of compiling statistics in accordance with Regulation (EC) No 223/2009 of the European Parliament and of the Council⁴³. Activity data shall be aggregated at national, regional and municipal level, and shall include information on the total number of units and on the maximum number of guests that the unit can accommodate in each geographical subdivision. Those data shall be broken down by the type of unit as described in Article 5(1), point (a), of this Regulation. ***The data should be made available to European, national, local and regional authorities, in accordance with Regulation (EU) 2016/679, in order to inform policy-making and support planning, implementation and enforcement of local rules.*** Member States shall designate the national entity

responsible for aggregating activity data and transmitting it to national statistical offices and Eurostat. ***Access to the data referred to above by the national or regional statistical offices shall be subject to appropriate safeguards for data protection.***

⁴³ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

⁴³ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

Amendment 65

Proposal for a regulation

Article 13 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) list of areas where an authorisation scheme applies in their territory.

Amendment 66

Proposal for a regulation

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Member States shall regularly update the lists provided for under paragraph 1 of this Article.

Amendment 67

Proposal for a regulation Article 13 – paragraph 2

Text proposed by the Commission

2. Competent authorities shall promote awareness of the rights and obligations under this Regulation in their respective territories.

Amendment

2. Competent authorities shall promote awareness of the rights and obligations under this Regulation in their respective territories ***and shall provide the necessary information to allow public authorities, online short-term rental platforms, hosts, consumers and tourists, citizens and other stakeholders to understand the laws, procedures and requirements relating to the provision of short-term accommodation rental services within their territory, including with regards to the renting of social housing or other local rent laws and regulations. This should also be done through regularly updating the information available on the Single Digital Gateway.***

Amendment 68

Proposal for a regulation Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13 a

Data analysis and interpretation

In order to achieve the objectives of this Regulation, leading to evidence-based policymaking, Member States may regularly hold consultation sessions with the Commission and/or with relevant stakeholders. These consultation procedures can relate to, amongst others:

(a) the interpretation of data and the understanding of current trends in the expansion of short-term rentals and the social, economic and environmental impact on the local communities;

(b) the interpretation of Union and national legislation concerning the short-term rentals, especially with regards to principles enshrined in European law;

(c) the impact of Union and national legislation on the relevant stakeholders.

Amendment 69

Proposal for a regulation Article 13 b (new)

Text proposed by the Commission

Amendment

Article 13 b

Guidelines and assistance

The Commission shall provide assistance, reference, training material, guidelines and workshops aimed at ensuring a broad understanding amongst all competent national and local authorities, of the Union law applicable to the provision of online short-term rental services, especially with regards to the Services Directive, in order to ensure the fair, proportionate and justified application of rules. The guidelines shall include a compilation of applicable legislation as well as practical examples of forbidden and of good practices.

Amendment 70

Proposal for a regulation Article 15 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall lay down rules on penalties applicable to infringements by online short-term rental platforms of Articles 7(2), 7(3) and 9. Member States shall ensure that those penalties are effective, proportionate and dissuasive.

3. Member States shall lay down rules on penalties applicable to infringements by online short-term rental platforms **and hosts** of Articles 7(2), 7(3) and 9, **respectively Articles 5 and 6**. Member States shall ensure that those penalties are effective, proportionate and dissuasive.

Amendment 71

Proposal for a regulation Article 17 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

2 a. All relevant information and details on procedures that must be undertaken locally for a host to be able to register and to seek authorisation, if applicable, along with other market access conditions in place in the Member States at national, regional or local level shall, in light of paragraphs 1 and 2 of this Article, shall be made available on the Single Digital Gateway in a user-friendly and easily accessible format, in all official languages of the Union, free of charge.

Amendment 72

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

Amendment

1. No later than **5** years after the date of application of this Regulation, the Commission shall evaluate this Regulation and submit a report on its main findings to the European Parliament, the Council and to the European Economic and Social Committee. This report shall be based on the evaluations submitted by national supervisory authorities pursuant to Article 14.

1. No later than **4** years after the date of application of this Regulation, the Commission shall evaluate this Regulation and submit a report on its main findings to the European Parliament, the Council, **the European Committee of Regions** and to the European Economic and Social Committee. This report shall be based on the evaluations submitted by national supervisory authorities pursuant to Article 14 **and the data transmitted to Eurostat according to Article 12 (4).**

Amendment 73

Proposal for a regulation
Article 18 – paragraph 2 – point c

Text proposed by the Commission

(c) to the extent possible, the impact of this Regulation on the content and proportionality of national legislative, regulatory or administrative measures relating to access to and the provision of short-term accommodation rental services, including where such services are provided cross-border.

Amendment

(c) to the extent possible, the impact of this Regulation on the content and proportionality of national legislative, regulatory or administrative measures relating to access to and the provision of short-term accommodation rental services, including where such services are provided cross-border, ***as well as the effectiveness of cross-border cooperation and enforcement mechanisms.***

Amendment 74

Proposal for a regulation
Article 18 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) the impact on local and regional authorities and their ability to devise policies based on the data shared by the platforms with the competent authorities;

Amendment 75

Proposal for a regulation
Article 19 – paragraph 2

Text proposed by the Commission

Amendment

It shall apply from [OP please insert date = **24** months after the date of entry into force of this Regulation].

It shall apply from [OP please insert date = **18** months after the date of entry into force of this Regulation], ***whilst the obligations under this Regulation on online short-term rental platforms and hosts shall apply as of [6] months from the application of this Regulation.***

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Proposal for a Regulation of the European Parliament and of the Council on data collection and sharing relating to short-term accommodation rental services and amending Regulation (EU) 2018/1724
References	COM(2022)0571 – C9-0371/2022 – 2022/0358(COD)
Committee responsible Date announced in plenary	IMCO 21.11.2022
Opinion by Date announced in plenary	TRAN 21.11.2022
Rapporteur for the opinion Date appointed	Josianne Cutajar 19.1.2023
Discussed in committee	24.5.2023 26.6.2023
Date adopted	19.7.2023
Result of final vote	+: 40 –: 0 0: 3
Members present for the final vote	Magdalena Adamowicz, Izaskun Bilbao Barandica, Karolin Braunsberger-Reinhold, Marco Campomenosi, Ciarán Cuffe, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Gheorghe Falcă, Carlo Fidanza, Mario Furore, Jens Gieseke, Elsi Katainen, Kateřina Konečná, Bogusław Liberadzki, Benoît Lutgen, Marian-Jean Marinescu, Tilly Metz, Cláudia Monteiro de Aguiar, Caroline Nagtegaal, Jan-Christoph Oetjen, Rovana Plumb, Bergur Løkke Rasmussen, Dominique Riquet, Thomas Rudner, Vera Tax, István Ujhelyi, Achille Variati, Petar Vitanov, Lucia Vuolo
Substitutes present for the final vote	Sara Cerdas, Josianne Cutajar, Michael Gahler, Maria Grapini, Georg Mayer, Ljudmila Novak, Annalisa Tardino
Substitutes under Rule 209(7) present for the final vote	Patricia Chagnon, Lena Düpont, Svenja Hahn, Denis Nesci, Christine Schneider, Veronika Vrecionová

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

40	+
ECR	Carlo Fidanza, Denis Nesci, Veronika Vrecionová
ID	Marco Campomenosi, Patricia Chagnon, Annalisa Tardino
NI	Mario Furore
PPE	Magdalena Adamowicz, Karolin Braunsberger-Reinhold, Lena Düpont, Gheorghe Falcă, Michael Gahler, Jens Gieseke, Benoît Lutgen, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Ljudmila Novak, Christine Schneider, Lucia Vuolo
Renew	Izaskun Bilbao Barandica, Elsi Katainen, Caroline Nagtegaal, Bergur Løkke Rasmussen, Dominique Riquet
S&D	Sara Cerdas, Josianne Cutajar, Maria Grapini, Bogusław Liberadzki, Rovana Plumb, Thomas Rudner, Vera Tax, István Ujhelyi, Achille Variati, Petar Vitanov
The Left	Kateřina Konečná
Verts/ALE	Ciarán Cuffe, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Tilly Metz

0	-

3	0
ID	Georg Mayer
Renew	Svenja Hahn, Jan-Christoph Oetjen

Key to symbols:

+ : in favour

- : against

0 : abstention