

# EU Consumer Law Acquis Compendium

## Legislation

Lithuania (LT) Nr. 4 EN



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### Full name and/or number of the statute (in original language):

Lietuvos Respublikos Turizmo Įstatymas

### Translation of the name:

Law on Tourism of the Republic of Lithuania

### Reference in Official Journal (if appropriate):

Valstybės Žinios 2002, 123-557

### Date of coming into force:

01.04.2003

### Subsequent amendments:

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### Text:

REPUBLIC OF LITHUANIA

LAW ON TOURISM

**March 19, 1998 No. VIII - 667**

**Vilnius**

Chapter I

GENERAL PROVISIONS

Article 1. Objective of the Law

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The Law on Tourism shall establish the principles and priorities of the tourist industry and organising of independent tourism, requirements in supplying tourist services, competence of state or municipal institutions supervising this industry and conditions of utilising tourism resources.

### Article 2. The Basic Definitions in This Law

1. **Tourism** means purposeful activity by people, in connection with travel and temporary stay of up to one year, outside the location of one's permanent place of residence, if this activity shall not involve teaching or compensated work at the location being visited.

2. **Tourist** means a person who for familiarisation, professional, business, ethnic, cultural, recreational, religious or special reasons, travels within a country or other countries and remains for at least one night outside the limits of his or her permanent place of residence.

3. **Tourist service** means activity linked with satisfaction of tourist needs, by providing services in connection with organising of tourist travel, transport, accommodation, eating, information or special services.

4. **Travel organising service** means activity which shall be comprised of the acquisition and sale of tourist services, planning of tourist service packages, advertisement as well as sale and provision of additional tourist services related to travel organising.

5. **Package of tourist services** means an assortment of planned tourist services for sale, comprised of at least two tourist services at general cost, inclusive of transportation and (or) accommodation, when the duration of services shall exceed a 24-hr period.

6. **Lodging accommodation service** means the conditions required for accommodation and activity, by which tourist night accommodation, hygiene, food and leisure needs shall be met.

7. **Tourist journey** means a journey involving an individual or a group of persons, lasting for more than twenty-four hours according to an established itinerary and time frame.

8. **Tour contract** means a written agreement by which a service supplier shall assume the responsibility of providing the consumer with specific tourist services and the service consumer, to pay for them in accordance with mutually agreed upon conditions.

9. **Excursion** means a visit of sites and places, lasting less than twenty-four hours, according to a set itinerary, or a trip for familiarisation purposes, accompanied by a guide.

10. **Guide** means a person who provides information about museums, art galleries, natural, cultural, scientific exhibits or other sites and places.

11. **Tour leader** means a person who shall supply tour information and escort single persons or groups of persons inside the country or abroad.

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12. **Tour operator** means a person who regularly plans tour itineraries and prepares the required packages of tour services for these tours.

13. **Tour agent** means a person, who shall act as an intermediary in the sale of various tourist services.

14. **Certificate** means a document attesting to a person's qualification or to the fact that a person meets the established requirements in providing services.

15. **Tourist trip** means an organised active trip in natural surroundings by way of a new or established itinerary, for purposes of education, health and (or) sport.

16. **Trip leader** means a person, having a certain expertise, who organises preparations for the trip and leads it.

17. **Tourism resources** means appropriate areas or individual objects of natural, cultural, social, economic or administrative designation value and opportunities to meet the needs of tourists.

18. **Recreational area** means an area, having the characteristics of natural or cultural surroundings and conditions which permit organising full physical or spiritual leisure for people.

19. **Plot of land designated for recreation** means an area, having marked boundaries and recreational purpose designation, used for recreation (general public use) according to detailed plans, and for construction and use of recreational (tourism) units and installations.

## Chapter II

### THE TOURIST INDUSTRY

#### Article 3. The Tourist Industry, Types and Financial Guarantees

1. The tourist industry shall encompass the activity of natural and legal persons, through which tourist services are created and supplied either directly or through intermediaries.

2. The following shall have the right to render tourist services:

1) natural persons holding a patent, issued according to the procedure established by the Government, to lease individual living quarters to provide living accommodations for tourists or a certificate to supply the services of a guide and tour leader;

2) enterprises or public institutions, registered in the Enterprise Register according to the procedure established by laws and having a certificate.

3. Types of tourist industry:

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- 1) tour organising services;
- 2) tourist information services;
- 3) accommodation services;
- 4) food services;
- 5) entertainment and other tourist services.

4. Tour organising services shall be supplied by enterprises, having financial guarantees comprised of a bank or insurance company certificate or insurance assistance. Financial guarantees shall not be required if the enterprise, in selling tourist services, shall act as an intermediary and the services sold by it shall have financial guarantees confirmed by the direct service supplier.

5. The Regulations on the Financial Guarantees of Tour Organising shall establish the amount of the bank or insurance company's voucher and procedure of application and control. These regulations shall be approved by the Government or an institution authorised by it.

6. A contract on assistance insurance shall be drawn up by the supplier of tour organising services and an insurance company, guided by the Regulations of Assistance for Tourists Insurance, drawn up in accordance with requirements of this Law and the Insurance Law. The insurance contract must include the obligations of the insurance company to provide assistance to travellers, in the event it shall become impossible to continue the journey due to a breakdown of the transport means, an accident or other unforeseen circumstances and immediate assistance shall be required in order to fulfil tour obligations. The rendering of assistance shall be the return of travellers to the designated departure (return) location or continuation of the journey and compensation in both eventualities, to the persons for the expenses incurred in connection with the circumstances indicated in this part of the article. Assistance may be rendered in funds or (and) in kind (technical means, staff, travel tickets etc.) This insurance shall not include quality insufficiency, services supervision or guaranteed service. The Government or an institution authorised by it shall approve the Regulations of Assistance for Tourists Insurance.

7. The limitations established in the Law on the Register of Enterprises may be applied to commercial and economic activity of the enterprises which shall be in violation of the requirements of this Law.

### Article 4. Development of Tourism

1. Priority shall be accorded in the Republic of Lithuania, to local (journeys and trips of Lithuanians within the country) and visitor tourism (travel by foreigners in Lithuania). The ways and means of tourism development shall be stipulated in the National Programme for the Development of Tourism.



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2. The State shall ensure rational and effective use, accounting and protection of the country's tourism resources, and also promote tourism clubs and activity of other public organisations of tourism. Tourism resources shall be utilised by taking into account public and business interests and requirements of environmental protection and monument protection.

3. In developing tourism, the state shall establish favourable conditions of visa issuance and border and customs post activity and for organising foreign tourism in the Republic of Lithuania, implement a tax policy regarding the tourist industry, which promotes incoming tourism, form an information and statistical system of registration and the tourist image of the country, plan development of tourism services within the country and in individual regions, enact and implement legislation regulating the tourist industry.

4. Travel organising services rendered by enterprises registered in Lithuania, to foreign tourists, shall be considered exported services.

### Chapter III

#### TRAVEL ORGANISING SERVICES

##### Article 5. Enterprises Providing Travel Organising Services

1. Travel organising services shall be supplied by enterprises such as, tourist agencies, which plan and sell tours, and travel agencies, as well as branches and subdivisions thereof, acting as intermediaries between suppliers of direct tourist services and consumers thereof. Only the enterprises included in the register of tourist services and holding a certificate to supply travel organising services, may use the words "tourist agency," "travel agency," in their name, advertisement or other instances. The activities of a tourist agency are identical to those of a tour operator.

2. The activities of a tourist agency shall be comprised of:

- 1) planning, advertisement and sales of tour packages;
- 2) forming contracts with suppliers of tourist services in order to make their services available to tourists during travel organised by the tourist agency;
- 3) leasing of transportation means, reservation and sale of transportation tickets, reservation and sale of accommodations, ordering of places at food catering enterprises, organising of excursions, rest and recreation and special services;
- 4) organising of congresses, conferences, sport and similar events, when this is linked with provision of tourist services;
- 5) other tourist services, stipulated in the by-laws of the enterprise.

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3. The activities of a travel agency shall be as follows:

- 1) the sale and advertising of the packages of tour services prepared by tourist agencies;
- 2) arranging for transport means, sale of transport tickets, reserving and sale of places of accommodation, ordering of places at food catering enterprises, ordering excursions and rest and recreation activities, provision of information and other services required for the journey;
- 3) other tourist services supplied in the by-laws of the enterprise.

4. A travel agency shall engage in activity only upon forming a contract with suppliers of tourist services, on their behalf and may not establish prices for tourist services that differ from those specified by the supplier of services.

5. Travel operators and travel agents, having appropriate training or a qualification confirming certificate, shall implement the operations linked with travel services. An institution authorised by the Government shall establish the qualification requirements in order to obtain a tour operator's or travel agent's certificate and its form and procedure of issuance.

6. The provisions of this Law shall not apply to those engaged in air, water, and land transport and agents thereof, who are not supplying tourist services.

### Article 6. Minimum Requirements of Organising the Supplying of Travel Services

1. An enterprise wishing to supply travel organising services, shall be entered in the register of tourist services, it shall be issued a certificate, provided it satisfies the following requirements:

- 1) enterprise (branch or subdivision) shall have business premises, equipped according to requirements of work place hygienic assessment;
- 2) enterprise (branch, subdivision) head of administration has university or college-level education in the tourism sphere and two-year work experience in the tourism sphere, or a university or college-level education and three-year work experience in management work in the tourist sphere;
- 3) enterprise (branch or subdivision) head of administration has not been convicted or his conviction for criminal offences has expired;
- 4) enterprise (branch or subdivision) shall have prepared a package of tourist services, if it shall express a desire to be included on the Register of Tourist Services as a tourist agency.

2. Regulations for Supply of Travel Organising Services shall establish the procedure of issuance (cancellation) of certificate. These regulations shall be approved by the Government or its authorised institution. The State Department of Tourism shall approve the form of the



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certificate.

### Article 7. Tour Travel Contract

1. The sides in a tour travel contract shall be the enterprise, a supplier of the tour organising services and the person, a consumer of the tour travel services.
2. A tour travel contract shall be drawn up, when the consumer is offered at least two tourist services, the trip lasts longer than twenty-four hours or the trip includes night accommodations. All of the services shall be included in the cost of the package of travel services.
3. The tour travel contract must indicate:
  - 1) requisites of supplier of travel organising services;
  - 2) personal details and place of residence of the consumer of services;
  - 3) departure, return location, date and time and places or countries to be visited, specifying the dates;
  - 4) tourist services provided during the tour and their characteristics and the particular preferences of consumer;
  - 5) payment for tour travel services (its changes and refund), types and terms of payment;
  - 6) instances of changes in contract conditions and contract termination, procedure of health insurance and financial guarantees;
  - 7) number of contract and date of signing, term of claim submission.
4. The State Department of Tourism shall approve the standard contract form for tour travel.

### Article 8. The Rights and Responsibilities of the Consumer of Tour Travel Services

1. This Law, the Law on the Protection of Consumers' Rights, other laws and the tour travel contract shall establish the rights and obligations of the consumer of tourist travel services.
2. The consumer of tourist travel services must submit the required documents in time, pay for the services listed in the travel contract on time and inform concerning cancellation (changes) of contract, observe the requirements of border crossing and customs procedures, to keep the tourist travel contract until the conclusion of the journey.
3. The consumer of tourist travel services shall have the right to transfer the tourist journey to another person by drawing up another contract, if the person assuming the journey

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agrees with all of the conditions and the supplier of services is compensated for additional expenses in connection with such a transfer.

### Article 9. The Rights and Obligations of Enterprises Supplying Tour Organising Services

1. This Law, the Law on the Protection of Consumers' Rights, other laws and legislation and the tourist journey contract shall establish the rights and responsibilities of enterprises supplying tour organising services.

2. In drawing up the tour travel contract, the supplier of tour organising services must submit to the consumer of the tour travel services all of the information about the travel itinerary, services being provided and obligations, currency exchange, document and tour travel contract registration and implementation, procedure of border-crossing and if necessary, according to the place being visited, prophylactic measures and vaccination.

3. If prior to the start of the journey, one of the services listed in the tour travel contract can not be supplied due to the failure of implementing the obligations of third parties, or due to unforeseen circumstances or because the cost of the service is changing, the supplier of travel organising services must inform the consumer of tour travel services, without delay and submit proposals regarding changes or cancellation of the contract and refund of payment or organising of an alternative journey.

4. Should it become evident, in the course of travel, that it will be impossible to provide a part of the services listed in the tour travel contract, the supplier of tourist travel organising services must offer other choices in services. Should the quality of the offered (or supplied) services differ from those discussed in the contract, the difference in price shall be paid to the consumer of tourist travel services, and if the consumer disagrees, the supplier of travel organising services shall provide the consumer out of pocket transportation for the return to the departure (return) location of the tour journey as indicated in the contract. In the course of travel the consumer's expenses due to the failure to implement the travel contract, experienced due to the fault of the service supplier, shall be compensated by the supplier of the travel organising services.

5. Should the supplier of the travel organising services, cancel the contract, through no fault of the consumer of tour travel services, the consumer shall be refunded the payment and his expenses shall be compensated.

6. The supplier of travel organising services may not alter the time of departure with only 20 days remaining prior to start of the journey, with the exception of instances, when the minimum number of tourists is not attained, or due to unforeseen circumstances arising. In these instances, the supplier of travel organising services must inform without delay, the consumer of the tour travel services of this and submit proposals regarding changes or cancellation and payment refund or organising of an alternative journey. With 20 days remaining until the start of the journey, the enterprise may not increase the cost stipulated in the travel contract, with the exception of instances when transportation costs increase due to fuel or taxes at airports or seaports, and also, if the currency rate changes.



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7. In instances of a consumer of tourist travel services, having broken off the contract, with fewer than 20 days remaining until departure, an alternative journey may be offered at a mutually co-ordinated time and conditions and having formed a new tour travel contract or a part of the payment shall be refunded according to the conditions stipulated in the travel contract.

### Chapter IV

#### TOURIST INFORMATION SERVICES

##### Article 10. Guide and Tour Leader Services

1. Guides shall provide information services during an excursion.
2. The guides shall implement their activity in Lithuania in being linked through labour relations or contracts with enterprises, institutions and organisations registered in Lithuania, or upon having registered an enterprise.
3. The tour leader shall oversee implementation of the tour travel contract and in the course of the journey, inform travel participants about the course of the travel itinerary and requirements in connection with visit to a place or building, and also acquaint them with the procedure of supplying services.
4. The tour leader performs his activity while linked through labour relations or other contracts, with enterprises providing travel organising services and shall represent those enterprises during the journey.
5. The guide and tour leader shall supply services only when having a certificate confirming their qualification. The Government or an institution authorised by it, shall establish the qualification requirements for the category of guide and tour leader and for obtaining certificate and also, the procedure of awarding, (cancelling) of certificate. Having verified the recommendations of the association which unites guides and tour leaders, The State Department of Tourism shall issue a certificate.

##### Article 11. Activity of the Tourist Information Centre

1. The tourist information centre shall be founded and operate as an enterprise or public institution.
2. A tourist information centre shall:
  - 1) collect, accumulate and supply information regarding tourist services, buildings and places to be visited;

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2) plan, publish and disseminate information and cartographic publications concerning tourist services, buildings and places;

3) administer data bases;

4) may order and sell places of accommodation, travel tickets, tour service packages, theatre, concert, and sport and other event tickets;

5) may sell souvenirs, art items, and ethnic handicraft items;

6) implement other activity in connection with the supply of tourist information services, included in its statutes.

3. The State Department of Tourism shall establish minimal requirements of service rendering by the tourist information centre. The centres which hold a certificate issued by the State Department of Tourism shall have the right to mark the centre with the Tourist Information Centre mark (letter "i" inside a green rectangle and the legend "Tourist Information," while in foreign countries, it shall read, "Tourist Information of Lithuania").

4. The activity of tourist information centres whose founders are county and (or) local institutions, may be subsidised by these institutions.

## Chapter V

### TOURIST ACCOMMODATION SERVICES

#### Article 12. Suppliers of Tourist Accommodation Services

Tourist accommodation services shall be supplied by:

1) enterprises, supplying hotel type or special accommodation services;

2) single accommodation and flat owners, providing accommodations and breakfast and rural tourist services.

#### Article 13. Hotel Type Accommodation Services

1. Hotels, motels and guest houses shall provide hotel type accommodations. Only enterprises, which have been registered in the Register of Tourist Services and hold a certificate to provide tourist services, may have the words "hotel," "motel," and "guest house" inscribed in its name.

2. A hotel shall be an enterprise, in which accommodation services are provided in a build-



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ing (or a group of such) designated (adapted) for that purpose with specially-planned living quarters such as, rooms, and general purpose rooms, with engineering equipment and equipment necessary in order to provide accommodation services. Rooms must be numbered and have general commercial management. The number of rooms should not fall below the established minimum number.

3. A motel is an enterprise, which provides accommodation services at a hotel type building having good transport access conditions and providing protection and servicing (auto servicing) for transport vehicles, as well.

4. A guest house is an enterprise located in a hotel type building, providing accommodation services required for receiving tourists, only.

### Article 14. The Minimal Requirements in Providing Hotel Type Accommodations

1. An enterprise seeking to provide hotel type accommodations, shall be registered in the Register of Tourist Services. It shall be issued a certificate if it corresponds with the following minimum requirements:

1) specially-equipped for at least 10 single (minimum area of 8 sq. m) and double (minimum area of 12 sq. m.) rooms at the hotel and at least 5 rooms at a motel, and guest house;

2) individually-equipped bath (shower) facility in every room (minimum area 2.3 sq. m.) or a wash basin and cold and hot water supply;

3) a minimum of two general use facilities installed for personal hygiene (sanitation) requirements per 10-person accommodation, (should this equipment be unavailable in the rooms;

4) a special general use facility installed for eating and leisure or separate premises installed to provide these services;

5) a kitchen installed for food preparation and serving;

6) reception facility installed with telephone contact and information and registration records system;

7) warehouses and separate facility for employees provided for;

8) conditions created at the hotel to provide minimum food services (orders) in rooms;

9) rooms cleaned and picked up every day;

10) premises meet the requirements of general safety, fire safety and hygiene norms;

11) employees possess the qualification requirement for the duties they perform;

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2. Breakfast service shall be a service whose cost shall be included in the general price of the accommodation service. The price of breakfast may be indicated separately, if so desired by the consumer.

3. The cost of accommodation may not be increased during the time of consumer's accommodation or if the cost had been declared in information sources and the term of its validity had been indicated, or in the absence of a term of validity, within a year from publication of notice of this information.

4. The requirements governing the furnishing of accommodation and form of certificate and issuance (cancellation) thereof, shall be established by the Regulations of the Supply of Services of Hotel Type Accommodations. These regulations shall be approved by the Government or its authorised institution.

#### Article 15. Special Accommodation Services

1. Sanatoriums, health centres, camp sites, tourist sites, leisure homes, overnight accommodation facilities, and youth hostel accommodations shall provide special accommodations. Only legal or natural persons, registered in the Register of Tourist Services and having a certificate to furnish accommodation services, may use the words "sanatorium," "health centre," "camping," "tourist site," "leisure home," "overnight accommodation facility" and "youth hostel" in their name, advertisement or other instances.

2. Special accommodation services shall be provided in a building, group of buildings, or a specially-equipped area, which have been specifically designed, have engineering equipment and the necessary equipment in rooms or special outdoor areas equipped to supply services. General purpose facilities must be established to meet the needs of tourist hygiene, leisure and special services. Rooms, living accommodations or areas, must be numbered and have common commercial management.

3. A sanatorium is an enterprise, using special recreational resources, buildings and equipment which shall make it possible to provide accommodation services in rooms and also, special food, physical fitness, health procedures and other services. This Law shall not govern the sanatorium-resort institutions, accredited to provide the medical rehabilitation services included on the established list.

4. A health centre is an enterprise, using a recreational designation land plot, buildings and equipment, which make it possible to provide accommodation services in rooms or premises, and also special food catering, physical fitness and social rehabilitation services.

5. Camping is an enterprise, using recreational purpose land plots and buildings, which permit supplying services in lodgings or equipped areas for accommodating tents and caravans (with transport means). Facilities to satisfy food, hygiene and recreational needs must be arranged at this enterprise.

6. A tourist site is an enterprise which uses a land plot and buildings which are designated for recreational purpose, in which tourists shall be accommodated in individual lodging ac-

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accommodations, while the food, hygiene and other services shall be rendered at a centralised service centre. A tourist site must contain some equipment for active leisure organising.

7. A leisure home is an enterprise, utilising a land plot and buildings designated for recreational purpose, whose rooms have been adapted for accommodation and leisure use for single persons or families. Facilities to satisfy food, hygiene and leisure needs must be set up at this enterprise.

8. A sleeping accommodation facility is an enterprise supplying services of accommodation to satisfy the needs of sleeping accommodation and hygiene.

9. A youth hostel is an enterprise or public institution, supplying living accommodation, organising exchanges of young tourists and promoting familiarisation with the country.

### Article 16. The Minimum Requirements of Special Accommodation Services

1. The enterprise supplying special accommodation services, shall be registered in the Register of Tourist Services and shall be issued a certification (certificate) provided it shall meet the minimum requirements of these services.

2. The Regulations on the Supply of Special Accommodation Services shall establish the minimum requirements of equipping the facilities of sanatorium, health complex, camping, tourist base, leisure home, sleeping accommodation service, youth hostel and supply of services, and procedure of their management and issuance (cancellation) of certificate. These regulations shall be approved by the Government or its authorised institution. Area, safety, lodging, equipment, living accommodation, special services, hygiene norms, worker qualifications, and control requirements and necessary conditions shall be established in the Regulations on the Supply of Special Accommodation Services, guided by this Law and in consideration of the nature of services supplied by the enterprise.

3. A certificate to engage in youth hostel activity shall be issued upon verification of recommendation of the organisation uniting youth hostel homes. It shall be possible to make use of a youth hostel sign (stylised small house with fir tree), only by having the approval of the Lithuanian Youth Hostel public institution.

### Article 17. The Classification of Accommodation Services

1. In seeking to inform the consumers of services about the quality of services and provide an opportunity to select and obtain services of desired quality, the enterprises supplying living accommodations, shall be divided into:

1) hotels and motels. They shall be applied the 5-star rating system, awarding one star to the lowest class, and also the type of hotel shall be established. In rating hotels and motels, their planning, equipping of rooms and general lodgings, reception conditions, selection and quality of supplied services, professional expertise of employees and their number in relati-



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on to the number of accommodations;

2) camp sites. They shall be applied the 4-star rating system, with the lowest class being awarded one star. In rating camp sites, their layout, the condition of their lodgings and equipment, reception conditions, service supply and quality shall be assessed.

2. The State Department of Tourism, having assessed the recommendations of the association which unites hotels, motels and camp sites, shall establish the requirements of service rating, class awarding (cancellation), form of control and certificate form and procedure of awarding. A rating commission shall be established for verification, comprised of governing institutions of tourism, tourist industry organisations and representatives of services management control (inspectorates).

### Article 18. Bed and Breakfast and Rural Tourism Services

1. Bed and breakfast as well as rural tourism services, constitute accommodation services, when an individual accommodation designed for living accommodation, or separate rooms and rooms for rent, 6 or less in number, shall be supplied at a set cost or free of charge. If there are more than 6 rooms, the requirements of an enterprise of accommodation services shall be applied. The owner of the rental property and members of his family shall supply bed and breakfast or rural tourism services.

2. Individual tourist accommodation facilities may include individual residential homes, farmer homesteads or parts thereof, individual flats or rooms, summer homes and garden cottages.

3. The owners of individual residences shall supply bed and breakfast services in cities: the owner of an individual residence must have a patent in order to provide accommodation services. The patent, in applying its minimum tax amount, shall be issued according to the procedure established by laws, upon submission by the owner a certificate issued by the local government, regarding fulfilment of minimum requirements.

4. Farmers or owners of detached homes shall provide rural tourist services, additionally arranging opportunities for active leisure. In order to provide accommodation services, a farmer or owner of a detached home, must have a patent. The patent shall be issued according to the procedure established by laws for five consecutive years from the day of the issuance of patent, not applying a patent tax and upon the owner having submitted a certificate from the local government regarding fulfilment of minimum requirements.

5. The persons listed in part 4 of this Article shall have the right to obtain financial support for the expansion of rural tourist services, from the Rural Support Fund and Woodland Fund and other funds, in accordance with the procedure established by the Government or its authorised institution, as well as compensations in connection with the limitations placed upon their economic activity in protected territories.

6. The State Department of Tourism shall establish the minimum requirements of equipping facilities of tourist accommodation and procedure for issuance of certificate and registration



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of services.

### Article 19. Tourist Camp Services

1. A camp shall be a place for providing tourist services, when an area rented or otherwise used, by natural or legal persons and also personal enterprises, and the equipment located there shall be used to receive tourists by furnishing them with sleeping accommodations in tents, or housing them in designated quarters, and an opportunity is provided for tourists to engage in some sort of activity, in connection with camp organising goals.

2. The camp must contain some equipment for food preparation and service or service (when food is being delivered there), and also facilities to meet hygiene needs. The local government board and in its absence, the mayor shall register the camp sites and control the facilities.

### Article 20. Food Services and Minimum Requirements of Supply Thereof

1. Tourist food services may be supplied along with accommodation services, or at a separate enterprise providing public catering services.

2. The Regulations of Public Catering Services shall establish minimum service supply requirements, the procedure of their supervision and issuance (cancellation) of certificate. These regulations shall be approved by the Government or its authorised institution. The requirements of equipment, servicing, hygiene, security, control and employee qualifications and necessary conditions are established by the Regulations of Public Catering Service provision according to the type of activity the enterprise is engaged in.

## Chapter VI

### TOURISM MANAGEMENT

#### Article 21. Tourism Policy Formation and Tourism Management

1. The Government, the State Department of Tourism, county governors and local government institutions shall perform the management functions of State Tourism management.

2. The Government of the Republic of Lithuania shall:

1) submit for approval by the Seimas, a National Programme of Tourism Development, establishing a state policy on tourism development and investments in tourism, and also approve area tourism and recreation schemes and projects of national significance;

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- 2) implement the funding of the state tourism programme and project planning and tourism information centres abroad;
- 3) approve the regulations of the State Department of Tourism, in which it establishes the subordination of the State Department of Tourism;
- 4) approve the regulations of the Council on Tourism.

### Article 22. The State Department of Tourism

The State Department of Tourism shall:

- 1) draft proposals to the Government on questions of tourism policy and implementation thereof;
- 2) implement strategic planning of tourist activity and draft the National Programme for Tourism Development, according to its competence co-ordinate draft projects of laws and other legislation, area programmes for tourism development, charts and projects for tourism and recreation development;
- 3) conduct research in tourism markets and Lithuania's tourist services, draft and disseminate information on Lithuania and its tourism opportunities in tourism markets, at tourism fairs abroad as well as locally;
- 4) according to its competence shall draft projects and of international contracts and sign contracts, represent Lithuanian tourism at international and domestic events, and also while managing affairs with legal and natural persons, as well;
- 5) co-ordinate the activities of ministerial and Government institutions, county governors, local government institutions, state institutions of park management in the area of tourism development and information and utilisation of tourism resources and submit corresponding proposals to aforementioned institutions;
- 6) perform functions of founder of a state institution and represent state companies and private companies; in accordance with the procedure established by laws;
- 7) draft legislative projects and approve standards and regulations on the supplying of tourist services, and control the implementation of legislation on tourist services and supervises according to the procedure established by law the implementation of legislation regarding tourism;
- 8) examine and forecast the needs pertaining to preparation of specialists and organise re-qualification of specialists;
- 9) establish tourist information centres (representations) abroad;
- 10) administer register of tourist resources and the state register of tourist services;





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11) draft, along with the Council on Tourism, annual reviews on the state of tourism in the country;

12) implement the functions of founder of the public enterprise of Lithuania's Tourism Fund in order to develop activity involving tourist information and creation of tourism market activity expansion, and also use the support funds obtained only for implementation of specific tourism programmes or measures;

13) perform other functions stipulated in the department regulations.

#### Article 23. Council on Tourism

1. A permanent Council on Tourism comprised of 15 members, shall be established at the State Department of Tourism. The Council on Tourism shall be comprised of the director of the State Department of Tourism, 6 members, representing the ministries or Government institutions and 8 members representing tourist business associations or organisations and self-sufficient tourist organisations.

2. The procedure on the work of the Council on Tourism and election of the council chairman and member representation (delegating) shall be established by the council regulations. The State Department of Tourism shall implement technical support of the Council on Tourism.

3. The Council on Tourism shall:

1) submit proposals to the institutions of authority, county and local government institutions, on tourism activity and business promotion and support, for the most favourable entrance into the Republic of Lithuania and creating conditions for entry into other states, the exchange of formalities of activity at state border-crossing posts, preparation of tourism specialists, formation of the tourist image and other questions;

2) submit the council's proposals to the State Department of Tourism, regarding drafting and implementing international contracts, on drafting and implementation of subsequent legislation and other standard documents, and on implementation of the National Tourism Development Programme;

3) together with the State Department of Tourism shall draft and submit to the Government annual reviews on tourism in the country and proposals on legal regulation of tourism.

#### Article 24. The Competence of the Ministry of Science and Education within the Tourism Sphere

In the sphere of drafting professional tourism and tourism of youth and children, The Ministry of Science and Education shall:

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- 1) stipulate training conditions and measures within a plan, allowing the nurturing of children's and youth tourism skills and knowledge of country;
- 2) plan and create, along with local and county government institutions the conditions for organising national and international tourist trips for children and youth, journeys and rallies during pupil and student holidays, approve organising regulations for pupil and student journeys and trips;
- 3) co-ordinate the activities of children's and youth leisure and work camps, draft methodical recommendations, along with the local government and county institutions makes up the development plan of these camps;
- 4) along with the State Department of Tourism and other interested institutions shall prepare the requirements of study and training programmes in the area of tourism studies and co-ordinate preparation of tourism specialists and implement methodical management.

### Article 25. The Competence of the County Governor in Developing Tourism

The county governor shall:

- 1) along with county council members plan development of tourism within the county area;
- 2) draft (correct) and approve according to the National Programme For Tourism Development, the charts, projects or measures of county tourism and recreation development;
- 3) organise activity in the protected areas allocated to a county, plan and implement measures required for their protection and development of tourism;
- 4) plan and organise the activity of children's and youth leisure and work camps;
- 5) administer the register of the county's tourist resources;
- 6) compile a data bank on tourism, create a county tourist information centre and along with local governments, organise its branches, create and propagate the county tourism image.

### Article 26. Competence of Local Government Institutions within the Tourism Area

Local Government institutions shall:

- 1) promote and support the tourist business as a measure of increasing the number of labour positions and leisure time employment of residents;
- 2) according to the National Programme of Tourism Development and county tourism planning documents, draft, approve and implement the local government plans of tourism deve-

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lopment or the local government charts and projects of tourism and recreation development;

- 3) administer the local government register of tourist services;
- 4) draft and implement the measures necessary for protection of recreational areas, development of leisure and tourist activity there and manage the records of these areas;
- 5) analyse the tourist resources and services market of the municipal area, advertise and supply tourist information, may establish a tourist information centre and perform other activity relevant to creation of a tourism market;
- 6) form contracts with legal and natural persons supplying tourist services, regarding use (lease) of natural (recreational) resources for tourism and leisure, and supervise contract implementation;
- 7) approve the amount and procedure of payment by legal persons for use of natural (recreational) resources;
- 8) plan and organise children's and youth camp activities, establish the general requirements of camp equipping and registration and leisure organising in tourist (leisure) zones (including picking of nature's bounty and fishing), and supervise implementation thereof;
- 9) establish the general requirements of satisfying the sanitary and hygiene needs of service consumers, for service enterprises (petrol stations, automobile service stations and food catering enterprises), leisure and parking areas, depending on the road categories and local conditions;
- 10) form a commission to issue certificates, which shall perform its duties in accordance with the procedure established in the Regulations of Tourist Service and is comprised of representatives of institutions administering (supervisory) tourist enterprise activity, representatives of tourist business association and specialists of institutions co-ordinating the tourist sphere. The certifications (acts) of a certain form established by the Commission, attesting to the fact that the enterprises do meet the requirements of Regulations of Tourist Service shall be submitted by its members, namely the representatives of the administering (supervisory) institutions.

## Chapter VII

### TOURIST RESOURCES

#### Article 27. The Types of Tourist Resources

1. Tourist resources shall be comprised of natural resources, cultural resources and social, trade and management purpose facilities.

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2. Water bodies and the shorelines thereof, fauna, recreation woodlands, recreation and protected areas and protected scenic landscapes, whose values provide an opportunity for utilisation thereof for professional, introductory, recreational and other tourism.

3. The heritage units of archaeology, history, art, education and technology and urban development, folklore, traditions, folk crafts, contemporary art works and scientific achievements, collections, other cultural objects and protected territories, whose value makes it possible to utilise them for professional, educational, cultural and other tourism.

4. The social, economic and managerial purpose units as tourist resources include, cultural, scientific, technical, exhibition, leisure and recreational, commercial, congressional and organisation centres, whose activity is directly linked to satisfaction of the professional-business or special tourist needs.

### Article 28. Use and Protection of Tourist Resources

1. The state, local governments, natural and legal persons may administer, and use tourist resources and dispose of them according to the procedure established by laws.

2. The Law on Protected Areas shall establish the use and protection of tourist resources within the protected areas.

3. The Government or an institution authorised by it, shall establish the procedure of registration, protection, use and planning of recreational areas. The data on the size, valuable resources, conditions of use and management and disposal of recreational areas shall be accumulated in the tourist resources register.

4. The Ministry of Culture shall establish the procedure of the use and visiting for tourist purposes of movable and immovable cultural properties.

5. To organise within protected and recreation areas tourism (leisure) routes for tourist (leisure) use. These shall be formed by connecting natural, cultural, service or recreational objects. These routes must contain information installations, equipment to satisfy the requirements of hygiene and sanitation and also, campgrounds (for leisure) and observation platforms.

6. One may travel and camp in privately administered areas, only in locations designated by the owner and according to laws and legislation, regulating travel, camping, visiting of sites or leisure.

7. Due to environmental pollution, inadequacy of hygiene norms and regulations, area non-preparedness or violations in resource use, the mayor of the local government may in accordance with established procedure, temporarily suspend the use of tourist resources until such time as the requirements of procedure for use of these resources shall be met.

8. Activity linked with organising of tourism (leisure), objects of tourism (leisure) services and leisure organising infrastructure (hygiene, security, beach, shore facilities and informati-

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on equipment), shall be promoted in protected areas and state parks (except reservation zones) and recreation areas administered by local governments.

### Article 29. The State Register of Tourist Resources

1. The aim of the State Register of Tourist Resources is to register, and specify the country's tourist resources, their quality and use and to administer the records thereof.
2. The State Department of Tourism together with county and local government institutions shall administer the State Register of Tourism. The Regulations of the State Register of Tourism, approved by the Government, shall regulate the compilation, administration and use of the Register.
3. The State Register of Tourist Resources shall be compiled on the basis of the data obtained from the tourist resource records on resource management, use and disposition and also, their location, size, value and conditions of use. This register shall utilise the data bases of other state registers and area planning data bases.

### Article 30. The Register of Tourist Services

1. The State Register of Tourist Services shall be a collection of data and documents, in which information regarding tourism services supplied by natural and legal persons shall be registered and accumulated. The Register of Tourist Services shall be comprised of state and local government data bases and service classifiers.
2. The Government shall create the Register of Tourist Services and approve its regulations. The State Department of Tourism and local government council, and in its absence the mayor, shall administer the State Register of Tourist Services. The Register of Tourist Services shall be drafted and administered along with the Register of Tourist Resources.

## Chapter VIII

### FINAL PROVISIONS

### Article 31. Independent Organising of Tourism

Independent tourism shall include organising and implementation of trips, journeys, rallies and tourist competitions. It shall be organised on an individual or club basis, in keeping with all of the regulations on event organising and implementing listed in this Article, which shall be approved by the State Department of Tourism per recommendation by the Council on Tourism.

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In the course of independent tourism events, use of tourism services must correspond to requirements established by this Law.

#### Article 32. Republic of Lithuania Law on Tourism and International Agreements

If something other than what has been established by this Law, shall be established in international agreements ratified by the Republic of Lithuania Seimas, the provisions of international agreements shall apply.

#### Article 33. Liability

Persons, who shall be in violation of the requirements of this Law, shall be liable in accordance with the laws.

#### Article 34. Coming into Force of the Law

This Law shall come into force from September 1, 1998.

#### Article 35. Proposal to the Government

The Government shall approve legislation linked with the Law on Tourism, up to September 1, 1998.

*I promulgate this Law passed by the Seimas of the Republic of Lithuania.*

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS