



Are guides still gagged in Italy?

On Thursday 8th November, the European Tour Operators Association (ETOA) will hold a seminar to discuss the application of EU law to escorted tours.

This year, all coach operations have been dramatically affected by the new drivers' regulations, which came into force in April. Since drivers are now forced to take their weekly rest time whilst on the road, coach driving has become far less attractive as a job. The new regulations have also created new operational difficulties and raised costs for all involved.

Potentially as damaging are the EU Road Transport regulations for mobile workers, implemented into national laws in 2005, which have yet to be rigorously applied. If tourist guides were to be captured within the remit of this legislation, then tour operators could face having to grant compulsory daily rest time, maximum daily duty time, and mandatory holiday leave. Should this happen, the economics of tour operating would be seriously undermined. Jane Liddington, a specialist in self-employment law, will explain the obligations this situation creates for tour operators.

Also of concern is the lack of clarity as to which qualifications are needed by tourist guides to carry out their duties in EU member states. In Italy, where tour escorts have traditionally faced difficulties with the authorities regarding their ability to 'guide', the Bersani reform was passed in April this year, aiming to liberalise various aspects of the economy, including tourist guiding. The good news for tour operators is that Italy is striving to develop into a better environment for foreign tourist guides. In practice though, application of the reform will depend on each Italian region's interpretation of it. Dino Costanza, ETOA's Rome-based lawyer, will explain how the trade association's dialogue with Italy's Department of Tourism will offer useful insight on the progress of the reform, and its impact on those tour operators whose groups travel to Italy.

Lastly, an issue of relevance to both employment status and qualification to work as a guide is the immigration status of non-EU tourist guides and other tour staff in Europe. Certain groups visiting from newly emerging markets bring their own chefs and other staff with them, often for religious reasons. However, if such people were not allowed to travel to Europe then the group itself would be unable to travel. Can tour staff be regarded as business visitors, or are work permits potentially a requirement? European law urgently needs to create special exemptions for tourism professionals, but this has not yet happened.

ENDS

The Escorted Tours Seminar will take place on Thursday 8th November at the Crowne Plaza London – the City, 19 New Bridge St, London EC4V 6DB, United Kingdom. For further information and to gain accreditation as a journalist, please contact Adam Buckmaster, ETOA, Tel: +44 (0) 20 7499 4412, Email: ABuckmaster@etoa.org or David Tarsh, Tarsh Consulting, Tel: +44 (0) 20 7602 5262, Email: David@Tarsh.com.

About ETOA

Since its foundation in 1989, ETOA has grown exponentially to include over 400 member organisations, of which more than a hundred are Tour Operators. Collectively, ETOA represents over €7 billion spending on accommodation and travel services annually.

ETOA provides representation at the European government level for companies involved in bringing tourists to Europe. The Association promotes greater awareness of the benefits provided by the group travel industry in Europe - particularly increased income and employment. ETOA also influences European tourism policy and legislation.

Areas of specific activity include:

- Promoting Europe as a tourism destination
- Establishing codes of conduct and guidelines for its members
- Establishing commercial opportunities between buyers and sellers
- Working with other travel & tourism associations to raise the industry's profile