



Ad-hoc query on registration at accommodation establishments

Requested by EE EMN NCP on 25th January 2012

Compilation produced on 27th February 2012

Responses from Austria, Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Portugal, Romania, Slovak Republic, Sweden, United Kingdom plus Norway (18 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information

According to the Tourism Act of Estonia, accommodation establishment is obliged to register all users of the accommodation service. According to CISA Art 22 (1) an alien is obliged to report, in accordance with the conditions laid down by each Contracting Party, to the competent authorities of the Contracting Party whose territory they enter, either on entry or within three working days of entry, at the discretion of the Contracting Party whose territory they enter.

Estonian Ministry of the Interior is planning on enacting changes to present practice and creating an electronic registration system and providing also access to the system by law enforcement authorities. Due to that the Estonian Ministry of Interior would like to find out Member States' practice in this regard.

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

2. Responses

		Wider Dissemination? ¹	1) Is there an obligation in place in you Member State for accommodation establishments to register all guests staying there? 2) Is the data on guests registered in a data base and/ or is the data stored (if the data is stored in a different way, then how)? 3) Do law enforcement authorities have access to such data?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Cyprus	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Czech Republic	Yes	1. Yes. Providers of accommodation are obliged to report to the Police that a foreign national has been provided with accommodation within three working days afterwards. 2. While the reporting itself can be effectuated by e-mail with electronic signature, the registration forms shall be archived for six years from the date of accommodation of the foreign national. Also the guest register must be kept in writing (not electronic form) and shall be retained by the provider of accommodation for six years from the date of the last entry. 3. Yes, provider of accommodation is obliged to submit the guest register for inspection at the request of the Police.
	Estonia	Yes	1) Yes, registration is carried out on the basis of a visitor's card. 2) All visitors' cards are stored by the accommodation establishment for two years. 3) Yes, the Aliens Act foresees that accommodation establishments are obliged to provide access to visitors' cards to officials of the Police and Border Guard Board, and the Security Police Board.
	Finland	Yes	1) Yes. In accordance with Act on Accommodation and restaurant services all guest are registered. 2) Service providers may store data in an electronic data base or similar. 3) Yes. The police have right to access passenger information if necessary. Every service provider is obliged to send passenger information without delay to the local police department. The data may be submitted electronically. Other authorities such as Border Guard, Custom, Rescue Services or Health protection Services may also request passenger information from the Police or Accommodation establishment.
	France	Yes	1. a) In France, Law No. 2006-911 of 24 July 2006 on immigration and integration provided the introduction of a new chapter of the Social Action and Family Code (Book III, Title IV, Chapter VIII) on the reception centres for asylum seekers (Centre d'accueil des demandeurs d'asile = CADA) including the establishment of a centralized filing computer system making possible the automatic processing of data relating to the accommodation capacity of the CADA and the asylum seekers received in those centres. It is managed by the French Office for Immigration and Integration (Office Français de l'Immigration et de l'Intégration = OFII). b) A register is held in any temporary accommodation establishment of a social character (including CADA). It shall contain information concerning the identity of persons staying in the establishment with the date of their admission.

¹ A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

EMN Ad-Hoc Query: Registration at accommodation establishments

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>2. a) The data are registered in a database called DN@.</p> <p>3. a) This database is available to the regional and departmental directorates for health and social affairs (Direction Régionale des Affaires Sanitaires et Sociales = DRASS / Direction Départementale des Affaires Sanitaires et Sociales = DDASS) and the prefects.</p> <p>b) This register is kept permanently available to the competent judicial and administrative authorities.</p>
	<p>Hungary</p>	<p align="center">Yes</p>	<p>1-2) Third-country nationals shall be required to register their place of accommodation and shall simultaneously disclose the following information to the immigration authority:</p> <p>a) the natural identification data :surname and forename (names); surname and forename (names) at birth; any previous surname and forename (names);place and date of birth; sex; mother’s surname and forename (names) at birth; nationality (nationalities) or stateless status.</p> <p>b) particulars of the travel document;</p> <p>c) address of place of accommodation;</p> <p>d) date of arrival to and estimated departure from, the place of accommodation;</p> <p>e) serial number of visa or residence permit; and</p> <p>f) date and place of entering the country.</p> <p>Operators of commercial lodgings and other hotel establishments of legal persons shall keep records (guest books) on the prescribed forms of the information of their guests who are third-country nationals.</p> <p>Commercial lodgings (hotels, pensions, camping sites, resort facilities, tourist lodges, youth hostels), private accommodations (private lodgings and rural accommodations) and other non-commercial establishments shall keep the guest book either manually (in a conventional ledger) or in a computerized format. The particulars of third-country nationals shall be recorded in a separate guest book. The format of the guest book shall be selected by the operator of the commercial lodging.</p> <p>Obtaining the guest book and keeping records of all guests shall be the responsibility of the operator of the commercial lodging as well as having it submitted to the competent regional directorate by 31 March of the year following the year to which it pertains.</p> <p>The third-country nationals staying at facilities other than the commercial lodgings required to keep guest books shall be required to register such accommodation if they plan to remain in Hungary for over thirty days from the date of entry.</p> <p>Registration shall be submitted on a standard form within three days from the date of entry, a model of which is contained in specific other legislation (hereinafter referred to as "registration form") to the regional directorate of jurisdiction by reference to the place where the accommodation is located.</p> <p>The registration form shall contain the particulars of the travel document, and shall be signed by both the person registering and by the keeper of the lodging.</p> <p>Third-country nationals shall present their travel documents at the competent regional directorate when registering. The competent regional directorate shall be entitled to consult the register of personal data and address records to verify the address registered.</p> <p>Third-country nationals shall retain the duplicate copy of the registration form in proof of compliance with the registration requirement.</p> <p>When relocating, third-country nationals shall - within three days - notify the regional directorate of jurisdiction by reference to the place where the new place of abode is located.</p> <p>The requirement for notification of relocating shall not apply to any registered place of abode to which the third-country national holding</p>

EMN Ad-Hoc Query: Registration at accommodation establishments

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			a long-term visa or residence permit returns after a temporary absence. If the place of temporary absence is a lodging that is required to keep a guest book, it shall be recorded in the guest book also indicating the third-country national's registered place of abode. 3) Yes.
	Italy	Yes	<ol style="list-style-type: none"> 1) Yes, all accommodation establishments are obliged to register their guests, whatever their citizenship is. 2) Since more than 10 years the accommodation establishments owners' obligation to store these registrations ceased to exist, since data are now uploaded within 24 hours in the data base managed by the State Police. 3) Information in the database is accessible to all police forces.
	Latvia	Yes	<ol style="list-style-type: none"> 1) In accordance with Article 11 point 7 of Law on Tourism defines that foreigners accommodated in the accommodation establishments shall personally fill in and sign a declaration form and prove their identity by presenting a valid identity document. There are special Regulations of the Cabinet of Ministers No. 226 adopted on 3 April 2007, which defines the procedures for the completion, storage and transferral of declaration forms of aliens. 2) The data on foreign tourists is registered in a data base named Foreign Tourist Declaration Registration and Treatment Information System. Data is being stored in the system permanently. 3) The State Border Guard officers, who carry out immigration control, have an access to the Foreign Tourist Declaration Registration and Treatment information system.
	Lithuania	Yes	<ol style="list-style-type: none"> 1. Yes, there is such obligation. All nationals of EU Member States and third-countries (except for their spouses and minor children, when they arrive together) must fill in upon checking in a registration card. 2. The data is kept by each accommodation establishment. It must be stored for 5 years, in case the law enforcement authorities ask to show them. 3. Yes.
	Luxembourg	Yes	<ol style="list-style-type: none"> 1. If the person is staying for less than three months in a hotel or other tourist accommodation, he will need to fill in an accommodation form (<i>fiche d'hebergement</i>) the same day of his arrival (article 36 of the Law of 29 August 2008 on free movement of persons and immigration and article 1 of the Law of 24 June 2008) . During their stay they may not carry out any paid work without permission from the Ministry of Foreign Affairs (article 34). Any non-EU citizen in Luxembourg for business reasons, and staying for more than three months, must make a declaration of arrival at the Municipal Office. The establishment must verify the identity of the travellers (aged 15 years and older) and must make them fill the accommodation form. 2. All accommodation forms must be sent to the Grand-Ducal Police and the Central Statistical Service (art. 3 of the Law of 24 June 2008 Mémorial A N°94, and art. 2 (3) and (4) of the Grand-Ducal Regulation of 1 April 2011 Mémorial A N°60) , and all the information must be kept by the hotel for a period of 12 months according to the article 4 of the Law of 24 June 2008 and article 2 (7) of the Grand-Ducal regulation of 1 April 2011). Nevertheless, the Police keep it on a temporary file but has to erase it after 60 months. However, it can keep it longer if this information is necessary for the prevention, search or verification of a crime but they must be erase a month after the transmission (article 5 of the Grand-ducal regulation). This information can be sent physically or transferred by electronic means. If it is made by electronic means it can be made by:

EMN Ad-Hoc Query: Registration at accommodation establishments

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<ol style="list-style-type: none"> 1) Filling directly the information by electronic data collection online. For this the establishment must be authorized by the police. 2) Exporting a file in XML format for the hotel software and transmitting it the electronic data collection online. This method avoids the duplication of information. 3) Establishing an interphase between the hotel and the police that allows transferring the information in real time. <p>3. As we mentioned the information must be send to the Grand-Ducal Police and must be at the disposal to all law enforcement agencies (article 3 of the Law of 24 June 2008).</p> <p align="center">  modele-fiches-hebergement_FR-EN-DE-NI </p>
	Netherlands	Yes	<p>In general an alien who is coming to the Netherlands for a stay not exceeding three months, is required to report within three days in person to the commissioner of the regional police force in the municipality where he resides. This rule does not apply to an alien who moves into a hotel/facility if the owner of that facility is already required under municipal regulations to notify the designated authorities of the presence of this alien.</p> <ol style="list-style-type: none"> 1. Yes. 2. No, there is no central data base. Every hotel / facility will have their own way of registering this kind of data <p>As stated above there is no central data base in which hotel owners can store these data. Having said this, the alien police could ask a hotel owner to deliver data on aliens they have provided shelter if they think it is necessary in order to fulfill their tasks under the provisions of the Dutch aliens act.</p>
	Portugal	Yes	<ol style="list-style-type: none"> 1. The companies that manage hotels or other complementary lodging establishments for tourism, as well as all those that supply paid for accommodation to foreign citizens, have the duty to inform the Immigration and Borders Service (SEF) within three days, by means of a lodging form (art. 16th of Aliens Act). 2. Information is directly registered and stored in a specific database for this propose (SIBA database). 3. This data base belongs to the Immigration and Borders Service.
	Romania	Yes	<ol style="list-style-type: none"> 1) The Government Emergency Ordinance 194/2002 on aliens' regime, further modified and completed foresees for the obligation of the accommodation units to communicate to the competent police unit on the accommodation of an alien 2) The data are kept in the records of the police units. 3) Yes.
	Slovak Republic	Yes	<ol style="list-style-type: none"> 1. Yes, the accommodation establishments must have a register of accommodated guests. With regard to aliens it must register his/her nationality and date of birth. 2. The accommodation establishments must submit the filled in official document reporting foreigner's place of residence to the police department within five days after foreigner's registration. The accommodation provider can submit the document in person

EMN Ad-Hoc Query: Registration at accommodation establishments

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>or via electronic mail established for this purpose.</p> <p>3. Yes, the accommodation provider must enable the police officers to enter into all accommodation premises in order to check the fulfilment of obligations defined by the Act 404/2011 Coll. on Residence of Aliens. The accommodation provider must submit data from the register of accommodated guests to the state institutions which are dealing with protection of constitutional system, public order and state security or defence.</p>
	Sweden	Yes	<p>1. In Sweden this obligation was regulated by law until 1 July 1980 when this obligation as abolished. So today there is no such obligation. Since there was never an obligation for the guest to present identity-card this law was of no much use. Today there is no obligation, by law, for a person checking into a hotel to provide identification but the hotel has the possibility to demand this. Hotels are keeping a register for their own use and in case of emergency, for example fire. The police can ask to see this register but since there is not identity requirement this is of limited value.</p>
	United Kingdom	Yes	<p>We do not require hotels to register guests for immigration control purposes.</p>
	Norway	Yes	<p>1. Yes, according to section 4-25 in the Regulation of 15 October 2009 (Immigration regulation): “Any person running a hotel, boarding house, lodging house, camping site, etc shall keep a list of all persons staying overnight.”</p> <p>2. No: “the registrations should be kept (by the responsible person) in a manner approved by the (local) chief of police.”</p> <p>3. Yes: “The chief of police shall at all times have the opportunity to examine the list. When the police so request, places providing overnight accommodation ... shall give the police a list of all overnight guests except for Nordic Nationals.”</p>
