



Ad-hoc query on registration of visitors in establishments providing accommodation
Requested by EE EMN NCP on 21st March 2013

Compilation produced on 2nd May 2013

Responses from Responses from Austria, Belgium, Czech Republic, Estonia, Finland, France, Germany, Hungary, Latvia, Lithuania, Luxembourg, Portugal, Spain, Sweden, United Kingdom plus Norway (16 in Total)

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1. Background Information



Registration of visitors in establishments providing accommodation is a mechanism that police uses to discover irregular migration in Estonia. Currently accommodation establishments need to complete and maintain registration sheets on visitors. Estonian Ministry of Interior is planning to amend the Tourism Act, according to which the registration data of visitors will be maintained in an electronic database. Thus, we would like know how this issue is managed in other Member States.

We appreciate your answers by the **12th April 2013**.

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2. Responses

		Wider Dissemination? ¹	<ol style="list-style-type: none"> 1. What kind of data do the accommodation establishments in your MS collect from third-country nationals and from EU citizens? 2. Is it mandatory to ask the identification document of the visitor for registration? 3. Are there any differences in data for some groups of visitors, e.g. simplified registration procedure for traveling groups, minors, etc.? 4. Is the data on visitor's registration cards centrally accessible via electronic channels by state authorities?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	Yes	<p>1. The 'Law of 17 December 1963 organizing the control of travelers in boarding houses' has been repealed by the 'Law of 1 March 2007 containing various provisions', which has a chapter on the 'Introduction of regulations for the registration and control of guests staying in a tourist accommodation service'. Regarding collection of data, following extract of the law of 2007 is relevant:</p> <p>"CHAPTER II. Introduction of regulations for the registration and control of guests staying in a tourist accommodation service.</p> <p>Art. 142. All travelers must be registered by the accommodation provider or his agent. Registration shall take place on the day of arrival of the traveler. The following information should be registered:</p> <ul style="list-style-type: none"> - ... - the date of arrival; - traveler identification data, namely: <ol style="list-style-type: none"> a) full name; b) date and place of birth; c) nationality; d) the number of the identity document submitted or of a possible replacement document. <p>For travelers with an identity card issued or provided by the Belgian authorities, the following information must be provided: either the information referred to in point a) and the identification number in the National Register, or the information referred to in points a), b) and d);</p> <ul style="list-style-type: none"> - the full name of minor children accompanying the adult traveler. <p>Within twenty-four hours after the departure of the traveler, registration must be completed with the date of departure.</p> <p>Art. 143. The accommodation provider or his agent verifies the accuracy of the information provided and asks to this end to be shown the identity documents or replacement documents of the traveler. The traveler is under the obligation to submit these documents.</p>

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."



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			<p>Art. 144. The accommodation provider or his agent, if requested, makes the registered data available to the police so as to allow their verification.</p> <p>Art. 145. Other regulations pertaining to registration and provision of information to the police shall be determined by the King.</p> <p>Art. 146. § 1. Violation of article 143 and of the royal decrees implementing article 145 shall be punished by a term of imprisonment of eight days up to three months and a fine of 26 to 200 [to be multiplied with a surtax] euro, or only one of these penalties.</p> <p>§ 2. Violation of article 144 shall be punished by a fine of 26 to 100 euro.</p> <p>§ 3. The provider of accommodation services is civilly liable for the fine imposed on his agent pursuant to this article.</p> <p>§ 4. All provisions of Book I of the Penal Code, including Chapter VII and article 85, shall apply to offenses under this chapter and under the decrees issued for its implementation.</p> <p>Art. 147. The law of 17 December 1963 organizing the control of travelers in boarding houses is repealed.”</p> <ol style="list-style-type: none"> 2. Yes (see previous point) 3. No 4. No 				
	Czech Republic	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.				
	Estonia	Yes	<ol style="list-style-type: none"> 1. Users of accommodation services of accommodation establishments are registered in the accommodation establishments on the basis of a visitor’s card. The following data is collected from the visitor’s: <table border="1" data-bbox="672 853 2049 1133"> <thead> <tr> <th align="center">EU/EEA citizens</th> <th align="center">Third-country nationals</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> ▪ name, date of birth, citizenship and address; ▪ the name, date of birth and citizenship of the spouse or a minor accommodated together with him or her; ▪ the period of provision of accommodation services. </td> <td> <ul style="list-style-type: none"> ▪ name, date of birth, citizenship and address; ▪ the name, date of birth and citizenship of the spouse or a minor accommodated together with him or her; ▪ the period of provision of accommodation services; ▪ type and number of the travel document and the state which issued it. </td> </tr> </tbody> </table> 2. It is not mandatory at the moment. An employee of an accommodation establishment <u>may demand</u> that a user of accommodation services present a valid identity document to enable identification of the person. 3. For travel groups, a visitor’s card of a group is filled out, containing the data indicated in point 1, by the authorised person of the travel undertaking. The authorised person of the travel undertaking is responsible for that the data on the visitor’s card corresponds to the data presented in the visitor’s documents. 4. No. 	EU/EEA citizens	Third-country nationals	<ul style="list-style-type: none"> ▪ name, date of birth, citizenship and address; ▪ the name, date of birth and citizenship of the spouse or a minor accommodated together with him or her; ▪ the period of provision of accommodation services. 	<ul style="list-style-type: none"> ▪ name, date of birth, citizenship and address; ▪ the name, date of birth and citizenship of the spouse or a minor accommodated together with him or her; ▪ the period of provision of accommodation services; ▪ type and number of the travel document and the state which issued it.
EU/EEA citizens	Third-country nationals						
<ul style="list-style-type: none"> ▪ name, date of birth, citizenship and address; ▪ the name, date of birth and citizenship of the spouse or a minor accommodated together with him or her; ▪ the period of provision of accommodation services. 	<ul style="list-style-type: none"> ▪ name, date of birth, citizenship and address; ▪ the name, date of birth and citizenship of the spouse or a minor accommodated together with him or her; ▪ the period of provision of accommodation services; ▪ type and number of the travel document and the state which issued it. 						
	Finland	Yes	1. According to the Finnish legislation concerning accommodation activities, the following data is collected from passengers:				


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			<ul style="list-style-type: none"> - full name, Finnish social security number or date of birth and nationality in case the passenger has no Finnish social security number; - full names and Finnish social security numbers (or date of births in case there are no social security numbers) of accompanying spouse and underage children; - address of the passenger; - country from which the passenger is arriving to Finland (this does not apply to passengers living in Finland); - number of travel document (this does not apply to citizens of Nordic countries nor to passengers living in Finland); and - date of arrival at the accommodation establishment and date of departure (if known). <p>2. Yes, it is required that a person engaged in accommodation business or a staff member of an accommodation establishment verifies the identity of the passenger with the travel document or by any other reliable way (unless the passenger and his/her accompanying spouse and underage children are living in Finland). In case a visitor's card of a group has been filled out it is only required to verify the identity of the leader of the group.</p> <p>3. The registration of groups is simplified. Pls see points 1-2 as well.</p> <p>4. No.</p>
	France	Yes	<p>1. According to Article R611-42 of the Code on Entry and Residence of Foreigners and the Right of Asylum (CESEDA), accommodation establishments need to provide registration sheets on foreign visitors to the police authority. Third-country nationals as well as EU citizens have to provide the following data:</p> <ul style="list-style-type: none"> - Full name; - Date and place of birth; - Citizenship; - Address. <p>2. No. The accommodation establishment may not ask guests to provide a valid identity document.</p> <p>3. Minors under the age of 15 may be registered on the data sheet of one of their parents.</p> <p>4. Data sheets on foreign visitors are collected at local level. In some French "departements", accommodation establishments also have the possibility to submit these data online.</p>
	Germany	Yes	<p>Preliminary remark: The same rules as indicated below apply to nationals from Member States and to third-country nationals (and Germans).</p> <p>1. The following must be indicated on the registration form: date of arrival and anticipated date of departure, family name, usual first name (given name), date of birth, the address and the nationality.</p> <p>2. Yes, the guest must prove his/her identity to the manager or the representative of the accommodation site by providing a valid identity document (passport, identity card, document in lieu of passport).</p> <p>3. Spouses or partners may also be listed on the registration form, the latter having to be filled in and signed by one person only. Only the number of minor children must be listed on the registration form of the parents. In the case of tourist parties consisting of more than 10 persons, only the tour guide must fill in and sign the registration form; he/she is obliged to (only) indicate the number of fellow passengers</p>


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			<p>and their nationalities.</p> <p>4. No, the electronic transmission of data to the public authorities does not take place. The accommodation site is obliged to keep the registration forms for a period of one year, to make available such registration forms for inspection by the police and the registration office and to hand such forms over to these authorities upon request, to safeguard such registration forms from unauthorised access and to destroy such forms after the expiry of the year and in due course.</p>
	<p>Hungary</p>	<p align="center">Yes</p>	<p>1-4. There are guest books instead of the registration cards regime in the Hungarian legislation. According to Section 73 of the Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals:</p> <p><i>(1) Third-country nationals shall be required to register their place of accommodation and shall simultaneously disclose the following information to the immigration authority:</i></p> <ul style="list-style-type: none"> <i>a) the natural identification data specified in Section 94;</i> <i>b) particulars of the travel document;</i> <i>c) address of place of accommodation;</i> <i>d) date of arrival to and estimated departure from the place of accommodation;</i> <i>e) serial number of visa or residence permit; and</i> <i>f) date and place of entering the country.</i> <p><i>(2) 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 as defined in Subsection (1).</i></p> <p>The Government Decree 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals states the followings:</p> <p><i>Section 153</i></p> <p><i>(1) Commercial lodgings (hotels, pensions, camping sites, resort facilities, tourist lodges, youth hostels), private accommodations (private lodgings and rural accommodations) and other non-commercial establishments of the like which are subject to keeping guest books (hereinafter referred to collectively as "commercial lodging") under Subsection (2) of Section 73 of the RRTN 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.</i></p> <p><i>(2) The format of the guest book shall be selected by the operator of the commercial lodging.</i></p> <p><i>Section 154</i></p> <p><i>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.</i></p> <p>In relation to the admission and residence of persons with the right of free movement and residence, there are no such obligations as indicated above.</p> <p>However, statistical data about all persons regardless of their immigration status at commercial lodgings are collected on the basis of Government Decree 239/2009 (X. 20.) on the Conditions Applicable to Provide Accommodation and on Issuing Licences Operating</p>



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			<p>Accommodations. Section 16 states that the numbers of guests and the spent nights have to be reported to the notary. When reporting the commercial lodging, it shall be also stated whether the guests have a Hungarian address or not. The notary summarises the data and sends them to the Hungarian Central Statistical Office.</p> <p>Moreover, the notary or the municipality have the right to standardise the guest books. There are no further requirements concerning the control of the data that should be provided by the guests.</p>
	<p>Latvia</p>	<p align="center">Yes</p>	<p>1. According to the Regulation of The Cabinet of Ministers No.226 (Adopted 3 April 2007) <i>Regulations regarding Procedures for the Completion, Storage and Transferral of Declaration Forms of Aliens</i> (Issued pursuant to Tourism Law) an alien (a person who is not a Latvian citizen or non-citizen of Latvia, namely EU/EEA citizen or Third-country national) upon arrival and registration at a tourist accommodation shall present travel documents and personally complete a declaration issued by a merchant or an economic operator, or an employee of the tourist accommodation. The following information regarding an alien shall be indicated in a declaration:</p> <ul style="list-style-type: none"> • surname; • given name; • date of birth; • nationality, type thereof and the state of residence; • type, series, number, issuing state, date of issuance, period of validity of the travel document; • the date of arrival to the tourist accommodation; • the date of departure from the tourist accommodation. <p>The veracity of the information provided in a declaration must be confirmed with an alien's signature.</p> <p>2. Yes, It is mandatory. Upon receipt of a declaration, a merchant or an economic operator, or an employee of a tourist accommodation shall verify the conformity of the information provided in the declaration to the information indicated in the travel document. If the information does not conform to the information indicated in the travel document, the alien or the tourist group leader shall adjust the declaration.</p> <p>3. Yes, there are some simplified registration procedures:</p> <ul style="list-style-type: none"> • A declaration regarding both spouses who have arrived at a tourist accommodation shall be completed by one of the spouses. • A declaration regarding a minor shall be completed by one of his or her parents, a legal representative or a person who accompanies the minor; • A declaration regarding an alien who travels in a group of persons under supervision of a group leader (in a tourist group) shall be completed by the group leader; • A merchant or an economic operator may prepare a declaration regarding an alien electronically and issue it to the alien or a group leader only for signing. <p>4. No. Currently a merchant or an economic operator shall store a declaration for one year from the day of completion in conformity</p>


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			<p>with the requirements of the regulatory enactments governing the protection of data of natural persons. As well a merchant or an economic operator shall issue a declaration without delay upon a written request of the State Police or the State Border Guard.</p> <p>Before mentioned regulation there was a provision, which determinate responsibility of merchant or an economic operator to send the information provided in a declaration within 24 hours electronically to the address indicated on the Internet home page of the State Police or submits a copy of the declaration to the territorial unit of the State Police. Especially for this provision there was established The Registration and Processing system of Foreign tourists' declarations (https://atdrai.ic.iem.gov.lv:9090/atdrai/), which provided two authorization options - using an electronic signature or using the assigned username and password, which was sent to the tourist accommodation establishments after registration in system.</p> <p>Unfortunately this regulation was abolished (since 20 June 2009) due to the lack of internet in rural areas as well as the relatively far distance to territorial unit of the State Police (from 15 to 50 kilometres).</p>
	Lithuania	Yes	<p>1. Lithuanian accommodation establishments must collect these data from EU citizens and third country nationals: name, surname, date of birth, identity document number and the state which issued it, citizenship, address, date of arrival to the accommodation establishment and leaving day.</p> <p>Users of accommodation establishments have to fill all these data personally in the visitor's card. Accommodation establishments must keep visitor's card for 5 years.</p> <p>2. Yes, it is mandatory except for visitor's spouse or a minor accommodated together, also for traveling groups.</p> <p>3. Simplified registration procedure is applied for traveling groups. (Group representative must personally complete a registration card and provide data of travel group members' names and identity document's numbers). Simplified procedure is also applied for spouse or a minor that came together with visitor for registration. (Visitor should provide all the necessary data about himself, also names and surnames of the spouse and (or) minor that came together).</p> <p>4. No.</p>
	Luxembourg	Yes	<p>1. In Luxembourg any person, independent from its nationality, staying for less the three months in a hotel or other tourist accommodation, s/he will need to fill in an accommodation form (<i>fiche d'hebergement</i>) the same day of his arrival (article 1 of the Law of 24 June 2008 on control of travellers in accommodation facilities, Mémorial A N°94). The information that the person must provide in accordance with article 2 (2) of the Grand ducal regulation of 1 April 2011 on cards to be kept by the accommodation provider exploiting a service in tourist accommodation (Mémorial A N°60), is the following:</p> <ol style="list-style-type: none"> a. Surname and name; b. Number of the identification document (travel document or identity card in case of EU, EEA, Swiss nationals); c. Date and place of birth; d. Postal code and address of residence; e. Nationality; f. Date of arrival; g. Foreseen date of departure;





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			<p>h. Surname, name, date and place of birth of persons accompanying the traveller; i. Name of the children under 15 years of age j. Room number k. Reason of the trip (business, leisure, congress, etc.)</p> <p>2. Yes (article 2 of the Law of 24 June 2008).</p> <p>3. The person accompanying the traveler is included on the visitor's card of the principal traveler and the children under 15 years are included in the card of the person responsible for the minor (guardian) who is traveling with him/her. For travel groups, only the authorised person of the travel undertaking (guide) has to fill out the accommodation form, containing the data indicated in point 1. The authorised person of the travel group has to join a specific list for the travel group that must contain:</p> <p>a. Name and code of the tourist accommodation; b. Date of arrival of the group; c. Date of departure of the group; d. Surname, name, date and place of birth and country of residence of the travellers with the exception of the guide; e. Number of the accommodation form which corresponds to the principal traveller (guide).</p> <p>4. All accommodation forms must be send to the Grand-Ducal Police and the Central Statistical Service (art. 3 of the Law of 24 June 2008, and art. 2 (3) and (4) of the Grand-Ducal Regulation of 1 April 2011) , and all the information must be kept by the tourist accommodation for a period of 12 months according to the article 4 of the Law of 24 June 2008. Nevertheless, the Police keeps it in a temporary file but has to erase it after 72 hours. However, it can keep it longer if this information is necessary for the prevention, search or verification of a crime but they must be erased a month after the transmission (article 5 of the Grand-ducal regulation). This information can be sent physically or transferred by electronic means.</p>
	<p>Portugal</p>	<p align="center">Yes</p>	<p>1. The kind of data requested are:</p> <ul style="list-style-type: none"> • Name; • Nationality; • Place of birth; • Date of birth; • Identity card; • Passport; • Address of residence; • Country of residence; • Date and signature. <p>This information is required to all foreign citizens, whether they are from Member States of the European Union or Third Country Nationals.</p> <p>2. Yes it's required. And that obligation falls on companies exploiting hotel establishments, complementary means of tourist accommodation and tourist complexes, as well as on those which provide, for consideration, the accommodation to foreigner's citizens. The communication must be made within three days to the Immigration and Borders Service (SEF) or in places where it does not exist, the National Republican Guard or to the Public Security Police.</p>

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			<p>3. No.</p> <p>4. It's accessible to Immigration and Borders Service, because all the hotels and other similar establishments should proceed to the registration with the Immigration and Borders Service as users of the Information Hosting Bulletins System (SIBA), so that they can proceed with their electronic communication in safety.</p>
	Spain	Yes	<p>1. The following data is collected from any guest on an individual visitor's registration card and compiled in the traveller's logbook.</p> <p>ID card number. Type of document: (Spanish citizens: ID card, passport or driving license) (Foreigners: passport, ID card and residence permit for TCN residents in Spain)</p> <p>Date of issue of the document Family name Name Sex Date of birth Citizenship Date of entry</p> <p>The guest must sign after filling in the visitor's card. Both EU citizens and TCN are required the same data.</p> <p>2. Yes, it is, insofar as the accommodation establishments are legally bound to fill in the visitor's card in full. 3. No. 4. No.</p>
	Sweden	Yes	<p>1. According to the Swedish legislation rules on this is to be issued by the Police. Here it is said that all persons not living and registered in Sweden is to present an Id-document when checking in. The following information should be registered: family name, first name, date of birth, home address, day of arrival and day of departure. It should also be noted what kind of Id-document that has been presented. The foreigner must also date and sign the registration.</p> <p>2. Yes 3. Yes, for travelling groups only the person responsible for the group has to register. 4. No</p>
	United Kingdom	Yes	No such registration requirements exist for accommodation establishments in the UK.
	Norway	Yes	1 – 3_ The <i>Regulations of 15 October 2009 on the entry of foreign nationals into the Kingdom of Norway and their stay in the realm (Immigration regulations)</i> states in <i>Section 4-25 Places providing overnight accommodation:</i>

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			<p>Any person running a hotel, boarding house, lodging house, camping site, etc. shall keep a list of all persons staying overnight, see section 20, first paragraph (c), of the <i>Immigration Act</i>. The list shall contain information regarding the guest's name, date of birth, occupation, place of abode, nationality and date of arrival. If the guest is travelling together with a child under the age of 18, the name and date of birth of the child shall be noted. The guest shall personally fill out and sign a declaration containing the information mentioned in the second sentence. His/her identity shall be checked by requiring the production of a valid identity document. For persons other than Nordic nationals, a travel document is required. The type of travel document and its number shall be noted in the list.</p> <p>The provisions of the first paragraph, third to seventh sentences, do not apply to participants in group tours.</p> <p>The local chief of police or the person authorised by the chief of police shall approve the way in which the list is kept and shall at all times have the opportunity to examine the list.</p> <p>When the police so request, places providing overnight accommodation as mentioned in the first paragraph shall give the police a list of all foreign overnight guests except for Nordic nationals.</p> <p>4.No</p>
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