



**LAW
AMENDING THE LITHUANIAN LAW ON TOURISM
NO VIII-667**

No XIII-1447 of 30 June 2018
Vilnius

Article 1 New version of the Lithuanian Law on tourism No VIII-667

The Lithuanian Law on tourism No 667 is hereby amended to read as follows:

**LITHUANIAN LAW
ON TOURISM
No VIII-667**

**CHAPTER I
GENERAL PROVISIONS**

Article 1 Purpose and scope of the Law

1. This law lays down the principles governing the organisation of tourist services, the requirements applicable to the provision of tourist services and the safeguarding of tourists' rights and the competences of State and municipal authorities in the tourism sector.

2. The requirements of Chapter II of this Law shall not apply to:

1) package travel and linked tourist service arrangements covering a period of less than 24 hours, unless an overnight stay is included;

2) package travel and linked tourist service arrangements which are offered by a natural or legal person on a non-profit basis, where such services are not provided on a permanent basis and are not offered to the general public;

3) package travel and linked tourist service arrangements acquired under business travel agreements concluded between a business person and another natural or legal person acting in a capacity connected with their trade, business, craft or profession.

3. The provisions of this Law are consistent with the European Union legislation referred to in the Annex to this Law.

Article 2 Basic concepts used in this Law

1. **Accommodation service** means an economic activity that allows overnight and personal hygiene needs to be satisfied.

2. **Provider of accommodation services** means a natural or legal person, other organisation or participant therein (hereinafter “legal person”) providing accommodation services in accordance with the procedure set out in this Law.

3. **Inbound tourism** means trips by foreign tourists within the Republic of Lithuania.

4. **Excursion** means a trip of less than 24 hours to a site or location according to a specific itinerary and accompanied by a guide.

5. **Natural health determinants** means natural mineral waters, sea water and peloids (peat mud, sapropels, clay and the like) which have been scientifically investigated and found to have specific physical, chemical and biological properties, and which are used for health improvement or rehabilitation purposes in accordance with procedures laid down by law.

6. **Guide** means a natural person who complies with the requirements set out in Article 28(3) of this Law, who holds a guide’s licence and who, during excursions, provides specific information on the museums, art galleries, sites of natural, cultural or scientific interest, exhibitions or other sites or locations forming the subject of the visit.

7. **Revenue** means all income from package travel and linked tourist service arrangements, regardless of whether they are recognized as income during the reporting period or not considered as such.

8. **Outbound tourism** means trips abroad by tourists from the Republic of Lithuania.

9. **Rural tourism service** means an independent accommodation service provided on a fee-paying basis for tourists to stay in a rural community with a maximum of 3 000 inhabitants, and allowing the overall conditions to be created for satisfying food, recreational, leisure or event-related needs.

10. **Room (room number)** means a specially equipped area or group of areas within a building dedicated to accommodation made available to individuals as an indivisible unit by a provider of accommodation services.

11. **Local representative of a tour organiser** means a natural person located at the point of arrival and authorised by the tour organiser to provide tourists with the necessary assistance for the duration of a package tour.

12. **Tour organiser** means a natural or legal person who creates and sells (offers for sale) package travel directly, via a travel retailer or in conjunction with a travel retailer, or who

transmits tourist data to another provider of tourist services in accordance with Article 4(1)(2)(e) of this Law.

13. **Travel retailer** means a natural or legal person who is not a tour organiser but sells or offers for sale package trips put together by a tour organiser.

14. **Tour leader** means a natural person who provides tour-related information and accompanies tourists within Lithuania and abroad.

15. **Spa resort** is the status granted by law to a settlement in which natural curative agents that have been scientifically researched and recognized as being of therapeutic value occur (mineral waters, spa mud, a microclimate beneficial to health, recreational green spaces, bodies of water) and a special infrastructure has been developed to use these agents for therapeutic, health, tourism and recreational purposes.

16. **Spa resort land** is the status granted by the Lithuanian government to one or more settlements or parts thereof in which natural resources occur that may have therapeutic properties and where special infrastructure has been developed to use these resources for therapeutic, health, tourism and recreational purposes.

17. **Bed and breakfast service** is an independent accommodation service provided to tourists for a fee where breakfast is provided in addition to the overnight stay.

18. **Package travel** means a combination of at least two different tourist services - passenger transportation, accommodation not forming an integral part of passenger transportation and intended for temporary lodging, the rental of cars, motorcycles and other motorised means of transport that are an integral part of the tourism service referred to in this paragraph - created in accordance with the conditions set out in Article 4(1) of this Law.

19. **Tourist** means a natural person who seeks to conclude a contract for the provision of the tourist services referred to in this Law or who is entitled to travel under such a contract. Individuals travelling for business purposes, including members of the liberal professions or self-employed persons or other natural persons who have not concluded contracts of the type referred to in Article 1(2)(3) of this Law, shall be deemed to be tourists if they conclude a package travel contract and/or purchase linked tourist service arrangements.

20. **Tourist camp site** is a dedicated area containing pitches which are rented out to tourists for overnight stays in tents, camper vans or mobile homes.

21. **Tourist camping service** is an independent service provided to tourists for a fee whereby a pitch is hired out on a tourist camp site to pitch a tent or park a camper van or mobile home for an overnight stay.

22. **Tourist repatriation** means the return of a tourist back to his initial point of departure or to another place agreed on by the contracting parties.

23. **Tourist information centre** means a provider of tourist services which, for free or for a charge, provides services to tourists, including the compilation, provision and/or publication of information on tourist resources and tourist services.

24. **Tourist resources** means sites (natural, cultural, scientific, religious, entertainment or other) and/or locations of interest to tourists or geared to their needs.

25. **Tourist service** means an independent service provided to tourists for a fee within the meaning of Article 3 of this Law.

26. **Vendor of linked tourist service arrangements** – is a natural or legal person meeting the requirements set out in Article 20 of this Law who assists a tourist in the purchase of linked tourist service arrangements in accordance with the procedure set out in section five of chapter II of this Law.

27. **Linked tourist service arrangements** means tourist services of at least two different types which are purchased for the same trip or the same holiday under the conditions referred to in Article 21, which do not constitute package travel and in respect of which different contracts are concluded with different tourist service providers.

28. **Tourist service provider** means a natural or legal person who provides the tourist services described in Article 3 of this Law directly or via intermediaries.

29. **Tourist trail** means a facility comprising an integrated tourist and recreational infrastructure equipped *in situ* with special trail signs for the purpose of recreational or tourist travel.

30. **Charter flight** means a non-scheduled flight using a chartered aircraft.

31. **Public tourism and recreational infrastructure** means stationary or temporary structures and installations owned by the State or local authorities, and other installations (tourist trails, hiking or cycling trails, recreational areas, viewing stations and car parks, camp sites and related installations, beach installations, information points, public toilets, litter bins and other facilities relating to the running of events, visitor service and recreation) to facilitate visits to recreational areas or tourist sites and/or the organisation of recreational activities.

32. **Local tourism** means trips by Lithuanian residents within the Republic of Lithuania.

33. Other terms used in this Law shall be understood as defined in the Civil Code of the Republic of Lithuania, the Lithuanian Law on insurance, the Lithuanian Law on the financial liability of companies, the Lithuanian Law on services, the Lithuanian Law on corporate tax, the Lithuanian Law on the recognition of qualifications for regulated professions, the Lithuanian Law on territorial administrative units and their boundaries and the Lithuanian Law on the protection of consumer rights.

Article 3 Types of tourist service

1. Services relating to the organisation of travel:

- 1) package travel;
- 2) linked tourist service arrangements.

2. Other tourist services:

- 1) tourist information services;
- 2) accommodation services.

3. For the purposes of this Law, tourist services shall also be deemed to be services that constitute a linked tourist service arrangement pursuant to the provisions of section five of chapter II of this Law:

- 1) passenger transport services (all types of transport);
- 2) car, motorcycle and other motor vehicle rental services;
- 3) accommodation services which are not an intrinsic part of passenger transport and which are provided under contracts for the tourist services referred to in this Law;
- 4) any other service that is not an integral part of the tourist services referred to in points 1, 2 or 3 above.

CHAPTER II

SERVICES RELATING TO THE ORGANISATION OF TRAVEL

SECTION ONE

PACKAGE TRAVEL

Article 4 The components of package travel

1. A combination of tourist services shall be deemed to constitute a travel package if it is drawn up in accordance with the conditions set out in points one and two of this paragraph:

1) the tourist services, at the request of the tourist or in the light of a choice made by him and prior to the drawing up of a contract for all the tourist services, are combined by a single tour organiser;

2) the tourist services, regardless of whether or not separate contracts are drawn up with individual tourist service providers, meet at least one of the following conditions:

a) they are selected by the tourist before the tourist agrees to pay for them and are acquired at a single point of sale;

b) they are offered and/or sold at an inclusive price or charged at such a price;

c) they are advertised or sold under the term “organizuota turistinė kelionė” [package travel], “paketas” [package] or similar;

d) they are combined on conclusion of a contract by means of which the tour organiser confers on the tourist the right to select from various types of tourist services;

e) they are purchased from separate providers of tourist services through linked online booking processes, where the tourist service provider with which the initial contract is concluded transmits the tourist’s first and last names, payment details and e-mail address to another tourist service provider or providers, or where the contract with the last tourist service provider or providers is concluded at the latest 24 hours after the booking of the first travel service is confirmed.

2. A combination of travel services comprising no more than one of the types of tourist service referred to in Article 3(3)(1), (2) and (3) of this Law, not forming an intrinsic part of a journey and combined with one or more of the tourist services referred to in Article 3(3)(4), shall not be considered package travel if the latter tourist services meet at least one of the following conditions:

1) they do not account for a significant proportion of the combined value of the services, are not an essential feature of the trip and are not advertised as such;

2) they are selected or purchased after commencement of provision of one of the tourist services referred to in Article 3(3)(1), (2) and (3).

3. the other tourist services making up 25 % or more of the value of the tourist services referred to in Article 3(3)(4) are deemed to constitute a significant proportion of the package.

4. The start of package travel is deemed to be the commencement of the provision of any tourism service forming part of that package.

Article 5 Provision of information

1. The tour organiser or travel retailer must, by the time of conclusion of the package travel contract, supply the tourist with the information referred to in Article 6.748(1) of the Civil Code in the State language. Information shall be provided in the medium referred to in paragraph 4 of this Article for the provision of information.

2. In the case referred to in Article 4(1)(2)(e) of this Law, the tour organiser and the supplier of tourist services to which tourist data have been transferred must, by the time the contract is concluded, present the information referred to in paragraph 1 of this Article using the information medium referred to in paragraph 4 of this Article insofar as this relates to the tourist services being provided.

3. In the case referred to in Article 4(1)(2)(e), the provider of tourist services to which the tourist data have been transferred shall immediately inform the tour organiser about the conclusion of the package travel contract and provide the organiser, as the organiser of the travel, with the basic information he needs to fulfil his obligations. On receipt of this information, the tour organiser shall immediately provide the tourist with the information referred to in Articles 6.748(1) and 6.749(2) of the Civil Code in a durable medium.

4. The information forms used to conclude a package travel contract when the tour organiser/travel retailer are physically present, or when the travel retailer and tourist communicate remotely (by phone or e-mail) shall be approved by the government-authorised body.

5. The tour organiser and travel retailer shall be responsible for the correctness, completeness and accuracy of the information provided, which shall form an integral part of the package travel contract.

Article 6 Conclusion of a package travel contract

1. A package travel contract concluded directly between a tourist and tour organisers or indirectly via travel retailers shall be concluded in accordance with the provisions of the Lithuanian State Language Law and the Civil Code.

2. The standard terms of a package travel contract shall be approved by the government-authorised body.

SECTION TWO TOUR ORGANISER

Article 7 Tour organiser

1. A tour organiser holding the tour organiser's licence referred to in Article 9 of this Law shall have the right to organise package travel.

2. The tour organiser must:

1) hold a valid document attesting to the provision of a security for the fulfilment of a tour organiser's obligations as per Article 12 of this Law and the documents attesting to the amount of the security for the fulfilment of obligations shown in the certifying document;

2) ensure that the amount of the security for the fulfilment of obligations meets the requirements referred to in Article 13 of this Law;

3) within 10 working days of the date on which he became aware of, or should have become aware of, changes to the information referred to in this paragraph, provide the government-authorised body with information on:

a) branches or other subdivisions of a legal person established or cancelled via which the tour organiser intended to conduct or cease the activity referred to in the tour organiser's licence;

b) changes to the tour organiser's legal form, legal status, address of head office or other places of activity;

c) changes to the data shown in the application for a tour organiser's licence and to the supporting documents referred to in Article 9(1) of this Law;

4) publish up-to-date information on the package travel and other tourist services being sold;

5) where outbound tourist services are provided, within no more than 20 working days from the end of the quarter concerned, provide the government-authorised body with a report in the format stipulated by that body containing the information needed to carry out supervision of the tour organiser's activities (hereinafter "tour organiser's report");

6) where outbound tourist services are provided involving charter flights, at the end of the month in question, and within no more than five working days of last day of the month, provide the government-authorised body with a revenue table, the form of which shall be approved by the government-authorised body in question;

7) where no outbound tourist services are provided, within no more than 20 working days of the last day of the calendar year provide the government-authorised body with a tour organiser report;

8) inform the government-authorised body in writing that the tour organiser cannot fulfil, or does not intend to fulfil, its obligations to tourists, within no more than one working day of the circumstances referred to in this paragraph coming to light;

9) within no later than one working day of the circumstances referred to in this paragraph coming to light, inform the government-authorised body that: A court has received an application about the commencement of bankruptcy proceedings against the tour organiser or, in the manner provided for in the Lithuanian Law on bankruptcy, a proposal has been made to the creditors of the tour organiser (legal person) to commence extrajudicial bankruptcy proceedings; A court has issued an order to commence or suspend bankruptcy proceedings against a tour organiser (natural person); A court has issued an order to commence or suspend bankruptcy proceedings against a tour organiser (legal person); A court has issued an order to terminate bankruptcy proceedings against a tour organiser (natural person); A court has issued an order for

a settlement agreement; A court has issued an order to liquidate a tour organiser (legal person) on the grounds of bankruptcy;

10) with no fewer than 20 working days remaining to the expiry of the document proving the safeguarding of the fulfilment of obligations, provide the government-authorised body with a new document proving the safeguarding of the fulfilment of tour organiser's obligations and the supporting documents attesting to the amount of the security for the fulfilment of obligations shown in that document;

11) ensure that the own capital of the tour organiser (public or private limited company) is at least half of the stated capital quoted in the statutes. If the legal form of the tour organiser (legal person) is not a public or private limited company, the total financial commitments of the tour organiser (legal person) may not exceed his total assets. The requirements of this paragraph shall not apply to a tour organiser – who is a natural person;

12) in the event of the insolvency of a tour organiser, where possible, suggest that the tourist extend the package trip, due account being taken of the tourist's lawful interests and the possibility of extending the trip.

3. The requirements of subparagraphs 1 and 2 of paragraph 2 of this Article shall not apply to a tour organiser providing inbound tourist services only.

4. The other rights and obligations of tour organisers are set out in the Civil Code.

Article 8 Impeccable repute requirement

1. The tour organiser (in the case of a natural person) and the tour organiser's representatives (in the case of a legal person) within the meaning of paragraph 2 of this Article (hereinafter "representatives of a legal person") must be of impeccable repute.

2. The following shall be deemed representatives of a legal person:

1) the proprietor;

2) the sole manager;

3) members of collegial management bodies;

4) a participant holding a portion of the legal person's founding capital and/or voting rights conferring more than a quarter of the rights to vote at a public meeting of shareholders. Where the participant is a legal person, this provision shall apply to the representative of the legal person referred to in subparagraphs 1, 2 and 3 of this paragraph;

5) the representative of a legal person that is the proprietor of a tour organiser referred to in subparagraphs 1, 2, 3 and 4 of this paragraph.

3. A person within the meaning of paragraph 1 of this Article shall not be considered of impeccable repute if:

1) he has been found guilty of committing a serious or very serious crime or a criminal offence within the meaning of the Lithuanian Criminal Code in respect of property, property rights and property interests or the economic, business or financial system, where such conviction for the above-mentioned crimes has not been extinguished or cancelled or fewer than five years have passed since the enforcement of the court judgment by which the natural person was found guilty of the criminal misconducts referred to in this paragraph;

2) he has been the subject of administrative or disciplinary sanctions, where such sanctions were imposed for infringement of the provisions of legislation regulating the supply of tourist services and requirements relating to the protection of tourists' rights, and he has been sanctioned more than once in a twelve-month period;

3) in the past five years he, as the representative of a legal person (a participant holding a legal person's founding capital and/or voting rights conferring more than a quarter of the voting rights at a public meeting of shareholders), he has had his right to exercise his voting right at a meeting of the legal person's shareholders suspended, in the manner provided for in legislation;

4) within the past five years he has been the representative of a tour organiser (within the meaning of subparagraphs 1, 2, 3 and 4 of paragraph 2 of this Article) who has become insolvent or declared bankrupt and, as a result of such actions, damage has been done to tourists;

5) within the past 5 years he has acted as the representative of a tour organiser who is a legal person whose tour organiser licence was revoked owing to breaches of the requirements set out in subparagraphs 1, 2, 3, 4 and 5 of Article 11(2) within the meaning of subparagraphs 1, 2, 3 and 4 of paragraph 2 of this Article

6) within the past five years he has worked as a tour organiser who is a natural person against whom bankruptcy proceedings have been initiated and who has been declared insolvent, a court therefore having ruled to terminate bankruptcy proceedings, and damage having been done to tourists as a result of these actions.

4. A natural or legal person - or, in the case of a legal person, his representative - who is not deemed to be of impeccable repute pursuant to paragraph 3 of this Article shall not be issued with a tour organiser's licence.

Article 9 Issue of a tour organiser's licence

1. A person wishing to obtain a tour organiser's licence must comply with the requirements set out in Article 7(2)(1), (2) and (11) and Article 8(1) of this Law and submit to the government-authorised body an application for a tour organiser's licence and the documents showing compliance with the requirements set out in his paragraph.

2. The government-authorised body shall, within 20 working days, examine an individual application and supporting documents, assess compliance with the requirements set out in paragraph 1 above, and:

1) take the decision to issue a tour organiser's licence;

2) require the party that submitted the application, within five working days of its receipt by the government-authorised body, to adduce all essential missing documents or correct the particulars set out in the documents;

3) take a reasoned decision not to issue a tour organiser's licence where the party concerned does not meet the requirements set out in paragraph 1 above, fails to correct identified shortcomings within the deadline referred to in paragraph 2 above or is not deemed to be of impeccable repute as required by Article 8 of this Law;

3. A tour organiser may only engage in the types of activity referred to in the tour organiser's licence (outbound, inbound or local tourism).

4. The procedure for issuing the tour organiser's licence, suspending the tour organiser's licence, extending the suspension, lifting the suspension and terminating the licence shall be determined by the Ministry of the Economy of the Republic of Lithuania.

Article 10 Suspension of a tour organiser's licence, extension and termination of suspension

1. The government-authorised body must immediately, and within no more than one working day of the circumstances referred to in this paragraph coming to light, suspend the tour organiser's licence for ten working days in the cases referred to in this paragraph:

1) after a decision to issue a tour organiser's licence, facts have come to light that would have resulted in the applicant's being refused a tour organiser's licence, other than in cases where it transpires that the tour organiser is not deemed to be of impeccable repute pursuant to Article 8(3) of this Law;

2) the amount of the security for safeguarding the fulfilment of obligations shown in the current document proving the safeguarding of the fulfilment of obligations does not comply with the requirements set out in Article 13 of this Law, other than where the tour organiser modifies the amount of the security in accordance with Article 14(1) of this Law;

3) the tour organiser, with at least 20 working days remaining until the expiry of the document proving the safeguarding of the fulfilment of obligations, has failed to submit to the government-authorised body a new document proving safeguarding of the fulfilment of the tour organiser's obligations and the supporting documents attesting to the amount of the security for safeguarding the fulfilment of obligations shown in that document;

4) the tour organiser fails to fulfil the obligations laid down in subparagraphs 5, 6 and 7 of Article 7(2);

5) the tour organiser has sent written notification to creditors and the government-authorised body that he cannot fulfil his obligations or does not intend to do so;

6) by reasoned decision where, during a check on the tour organiser, the government-authorised body establishes that the tour organiser is unable to fulfil his obligations in respect of tourists under the terms of the package travel contracts concluded.

2. The government-authorised body shall, no later than the working day following the decision to suspend the tour organiser's licence, inform the tour organiser in writing of the decision by the government-authorised body to suspend the tour organiser's licence.

3. The tour organiser must, within ten working days of receiving the notification about the decision by the government-authorised body to suspend the tour organiser's licence, remedy the circumstances referred to in paragraph 1 of this Article. Where it transpires that the tour organiser does not comply with the requirements of impeccable repute pursuant to Article 8(3) of this Law, the tour organiser must, within the deadline set out in this paragraph, send the government-authorised body documents and information refuting this fact or submit documents and information to the effect that the representatives of the legal person (the tour organiser) have changed, i.e. that new representatives have been designated (selected). Where for objective reasons the circumstances referred to in paragraph 1 of this Article cannot be remedied, the government-authorised body may, at the reasoned request of the tour organiser, extend the deadline for the suspension of the tour organiser's licence, but for no longer than 10 working days, and not more than once.

4. Where the government-authorised body suspends the tour organiser's licence, the tour organiser shall, from the day of receipt of the notification of the decision by the government-authorised body to suspend the tour organiser's licence, be forbidden from taking on new obligations in respect of tourists, but must discharge all the obligations in respect of tourists entered into prior to the day of receipt of the notification of the decision by the government-authorised body to suspend the tour organiser's licence.

5. The government-authorised body may, at the request of the tour organiser, suspend a tour organiser's licence for up to six months where the tour organiser has discharged all his package tour obligations in respect of tourists and adduces the supporting documents to prove this.

6. Where the tour organiser remedies the circumstances referred to in paragraph 1 of this Article within the deadline referred to in paragraph 3, the government-authorised body may, no later than the working day following the receipt of information about the remedying of the

circumstances referred to and of the relevant supporting documents, terminate suspension of the tour organiser licence.

Article 11 Revocation of a tour organiser's licence

1. Where it transpires that the tour organiser does not comply with the requirements set out in Article 7(2)(11) of this Law, the government-authorised body shall send the tour organiser a written warning about his licence being revoked if he fails to remedy the shortcoming referred to in this paragraph within three months of the date of receiving the warning from the government-authorised body.

2. The government-authorised body shall revoke the tour organiser's licence on the working day following the point at which the circumstances referred to come into being where:

1) the tour organiser has failed, by the deadline specified in the first sentence of Article 10(3) of this Law or in the manner provided for in Article 10(3) of this Law, to remedy the infringements that prompted the tour organiser's licence to be revoked;

2) the tour organiser is in breach of the requirement set out in Article 14(2) of this Law;

3) the tour organiser has failed, within three months of receiving the warning from the government-authorised body about his licence being revoked, to remedy the irregularity referred to in paragraph 1 of this Article;

4) a court judgment becomes effective opening bankruptcy proceedings against the tour organiser (legal person) or a creditors' meeting passes a resolution to pursue extrajudicial bankruptcy proceedings against the tour organiser (legal person);

5) a court judgment becomes effective opening bankruptcy proceedings against the tour organiser (natural person), but within 10 working days of the court judgment's becoming effective, the tour organiser fails to supply the government-authorised body with court authorisation to engage in an individual activity or a court judgment becomes effective approving a solvency restoration plan for a natural person but this does not provide for that person to engage in an individual activity;

6) it transpires that the tour organiser (legal person) is being liquidated or wound up on other legal grounds;

7) the tour organiser (natural person) dies.

3. The government-authorised body may, at the request of the tour organiser, suspend the validity of a tour organiser's licence where the tour organiser has discharged all package travel obligations in respect of tourists and adduces the relevant documents to prove this.

4. The government-authorised body shall, no later than the working day after the decision to terminate the tour organiser's licence, inform the tour organiser in writing of the decision by the government-authorised body to terminate his licence.

SECTION THREE

SAFEGUARDING THE FULFILMENT OF A TOUR ORGANISER'S OBLIGATIONS

Article 12 Safeguarding the fulfilment of a tour organiser's obligations

1. The fulfilment of the obligations of a tour organiser established in the Republic of Lithuania, other than a tour organiser engaged in inbound tourism operations, shall be safeguarded by means of a valid suretyship insurance taken out with an insurance company and/or a financial guarantee from a financial institution.

2. The tour organiser must send the government-authorised body the suretyship insurance contract taken out with an insurance company and/or the financial guarantee from a financial institution pursuant to which the insurance company or financial institution undertakes to pay the government-authorised body the basic sum it needs to compensate tourists for losses, up to the amount indicated in the surety insurance contract and/or financial guarantee from the financial institution, in the event of the tour organiser's being unable to fulfil the obligations referred to in Article 15(1) of this Law.

3. The minimum period of validity of a suretyship insurance contract taken out by a tour organiser with an insurance company and/or of a financial guarantee from a financial institution shall be three months.

4. The procedure governing the safeguarding of the fulfilment of a tour operator's obligations shall be set by the Government or by a body authorised by it.

Article 13 Calculation of the amount of the security for safeguarding fulfilment of a tour organiser's obligations

1. The minimum amount of the security for safeguarding the fulfilment of a local tour organiser's obligations (hereinafter "security") shall be EUR 3 000.

2. The amount of the security for an outbound tourism tour organiser shall be whichever is the greatest of:

- 1) EUR 50 000, where no charter flights are organised;
- 2) EUR 200 000, where charter flights are organised;

3) 7 % of the sum of revenue from the last four most recent completed consecutive quarters from the sale of package travel in accordance with all the package travel contracts signed by the tour organiser;

4) the total revenue received by the tour organiser under all package travel contracts signed by the tour organiser and not yet executed.

3. Where a tour organiser provides local or outbound tourist services, the amount of the security for shall be calculated in accordance with paragraph 2 of this Article.

4. The government-authorised body verifies that the amount of the security shown in the document proving the safeguarding of the fulfilment of obligations has been calculated in accordance with the provisions of this Article.

Article 14 Adjustment of the amount of the security for safeguarding fulfilment of obligations

1. If the amount of the security for the fulfilment of the tour organiser's obligations falls short of that shown in Article 13 of this Law, the tour organiser must immediately, and within no more than one working day of the circumstances referred to in this paragraph arising, contact the insurance company or financial institution with a view to adjusting the amount of that security. The insurance company or financial institution shall, within no more than four working days of the tour organiser's contacting them, make a decision about adjusting the amount of the security. The tour organiser must, within five working days of his contacting the insurance company or financial institution, send the government-authorised body a document proving the safeguarding of the fulfilment of obligations and the supporting documents attesting to the amount of the security shown in that document.

2. The tour organiser may not enter into new commitments in respect of tourists as from the day he contacts the insurance company or financial institution about the adjustment of the amount of the security until the document confirming the adjusted amount is submitted to the government-authorised body.

Article 15 Coverage of the security

1. The tour organiser shall guarantee that the security he holds covers:

1) the repatriation of a tourist to his initial point of departure, including the necessary accommodation foreseen in the package travel contract until such time as the tourist is returned to his initial point of departure, and the return of the sum of money paid by the tourist for package travel corresponding to the costs of the services not provided, where after

commencement of the package travel it becomes apparent that the tour organiser will be unable to further fulfil the package travel services contract;

2) the refund of the money paid by a tourist for package travel if it becomes apparent, before the package tour starts, that the tour operator will be unable to begin fulfilling the package travel contract.

2. The government-authorised body, in its capacity of beneficiary, shall be entitled to a surety for at least one of the following circumstances arising during the period of validity of the suretyship insurance contract or the financial guarantee offered by a financial institution:

1) the tour organiser's insolvency;

2) bankruptcy proceedings being taken against the tour organiser, initiation of extrajudicial bankruptcy or liquidation proceedings or the death of a tour organiser (in the case of a natural person).

3. The security shall not cover:

1) damages suffered by the tourist as a result of the services offered by the tour organiser being of insufficient quality;

2) non-material damages suffered by the tourist;

3) damages suffered by the tourist where, in the cases provided for in the Civil Code and/or in a package travel contract, the tour organiser is not held liable for the non-fulfilment of obligations undertaken in respect of the tourist;

4) damages suffered by the tourist as a result of services not included in the package not being provided by the tour organiser.

4. The tourist shall, within three months of the date of publication by the government-authorised body of information on the filing and examination of claims for compensation of damages, contact the government-authorised body. Damages shall be awarded in accordance with the procedure laid down by the Government or by a body authorised by it.

Article 16 Territorial coverage of the security

Fulfilment of the obligations of a tour organiser established in the Republic of Lithuania shall be safeguarded for all tourists who have purchased package travel, regardless of their place of residence, their initial point of departure or place of purchase of the package and regardless of the Member State in which the body responsible for ensuring the fulfilment of obligations is located.

Article 17 Provision of assistance to tourists during package travel

1. The tour organiser shall, without undue delay, provide a tourist in difficulty with the necessary assistance during a package trip or as a result of *force majeure*:

1) provide appropriate information on health services, local authorities and consular assistance;

2) provide the tourist with help with regard to distance communications;

3) help with alternative travel arrangements.

2. If the need for assistance arises as a result of actions taken intentionally by the tourist or negligence on his part, the tour organiser may charge a fee for the provision of assistance, though the amount of this may not exceed the actual costs incurred by the tour organiser.

SECTION FOUR TRAVEL RETAILER

Article 18 Travel retailer

1. A travel retailer may use the combination of words “kelionių agentūra”[travel agency] in his title for marketing purposes.

2. Prior to commencing operations, a travel retailer must submit to the government-authorised body the travel retailer’s declaration in the form endorsed by the government-authorised body confirming that he meets the requirement set out in Article 3(4) and must submit a full set of annual accounts (other than in the case of natural persons). A travel retailer that is a registered new company must send the government-authorised body the company balance on commencement of economic activity. The requirement regarding submission of a full set of annual accounts does not apply to registered new enterprises. A travel retailer may commence activity the day after submitting the declaration to the government-authorised body or the day after the date shown in the travel retailer declaration, where this is later than the day following the date of submission of the declaration.

3. The travel retailer must:

1) provide tourists with the information referred to in Article 6.748 of the Civil Code, the duty to prove that the requisite information has been provided being incumbent on the travel retailer;

2) on behalf of the tour organiser, conclude package travel contracts with tourists in accordance with the arrangements provided for in Article 6 of this Law;

3) at the end of the calendar year, and within no more than 90 working days of the last day of the calendar year, provide the government-authorised body with a report in the format stipulated by that body containing the information needed to monitor the activities of the travel retailer (hereinafter “travel retailer’s report”);

4) ensure that the own capital of the travel retailer (public or private limited company) is at least half of the stated capital quoted in the statutes. If the legal form of the travel retailer (legal person) is not a public or private limited company, the total financial commitments of the travel retailer (legal person) may not exceed his total assets. The requirements of this paragraph shall not apply to a travel retailer – who is a natural person;

4. Where it transpires that the travel retailer does not comply with the requirements set out in Article 18(3)(4) of this Law, the government-authorised body shall send the travel retailer a written warning about his licence being revoked if he fails to remedy the deficiency referred to in this paragraph within three months of the date of receipt of the warning.

5. Where the travel retailer fails to comply with the requirements set out in Article 18(3)(3), the government-authorised body shall oblige the travel retailer to submit the travel retailer's report within ten working days of receiving notification from the government-authorised body.

6. The government-authorised body shall terminate the travel retailer's right to provide these services on the working day following the point at which the circumstances referred to in this paragraph come into being where:

1) the travel retailer fails to fulfil the obligation towards the government-authorised body referred to in paragraph 4 of this Article;

2) the travel retailer fails to fulfil the obligation towards the government-authorised body referred to in paragraph 5 of this Article.

7. The government-authorised body shall, no later than the working day following the decision to terminate the travel retailer's right to provide travel retail services, inform the travel retailer of this fact in writing.

Article 19 Possibility of contacting the tour organiser via the travel retailer

Where a package travel contract is concluded via a travel retailer, the tourist may address messages, requests or claims directly to the travel retailer, who shall forward the messages, requests or claims to the tour organiser without undue delay. Receipt by the travel retailer of tourist messages, requests or claims shall be considered as receipt by the tour organiser.

SECTION FIVE

LINKED TOURIST SERVICE ARRANGEMENTS

Article 20 Vendor of linked tourist service arrangements

1. The vendor of linked tourist service arrangements, before offering linked tourist service arrangements to tourists, shall send the government-authorised body the following:

1) The vendor's declaration, in a form approved by the government-authorised body, confirming compliance with the requirements set out in paragraphs 3 and 4 below;

2) valid surety insurance taken out with an insurance company and/or a financial guarantee from a financial institution pursuant to the requirements of Article 23 of this Law.

2. The vendor may commence activity the day after submitting the declaration to the government-authorised body or the day after the date shown in the vendor declaration, where this is later than the day following the date of submission of the declaration.

3. The vendor must:

1) provide tourists with the information referred to in Article 22 of this Law;

2) at the end of the calendar year, and within no more than 90 working days of the last day of the calendar year, provide the government-authorised body with a report in the form stipulated by that body containing the information needed to effect supervision of the vendor (hereinafter "vendor's report");

3) ensure that the own capital of the vendor (public or private limited company) is at least half of the stated capital quoted in the statutes. If the legal form of the vendor (legal person) is not a public or private limited company, the total financial commitments of the vendor (legal person) may not exceed his total assets. The requirement set out in this paragraph shall not apply to a vendor who is— a natural person;

4) ensure that the amount of the security (for safeguarding fulfilment of the obligations) referred to in the current document proving the safeguarding of the fulfilment of obligations, as specified in paragraph 1 subparagraph 2 of this Article, corresponds to the minimum security referred to in Article 23(2) of this Law or the total revenue of the vendor under all concluded and outstanding vendor contracts.

4. Where it transpires that the vendor does not comply with the requirements set out in paragraph 3 subparagraph 3 of this Article, the government-authorised body shall warn the vendor of the termination of his right to engage in the activity of vendor if he fails within three months of receiving the warning from the government-authorised body to remedy the shortcomings identified. Where it transpires that the vendor does not comply with the requirements set out in paragraph 3 subparagraph 4 of this Article, the government-authorised body shall warn the vendor of the termination of his right to engage in the activity of vendor if he fails within ten working days of receiving the warning from the government-authorised body to remedy the shortcomings identified. The government-authorised body may, at the reasoned

request of the vendor, extend this deadline, but not by more than ten working days and not more than once.

5. Where the vendor fails to enforce the requirement referred to in paragraph 3 subparagraph 2 of this Article, the government-authorised body shall oblige the vendor to submit the vendor's report within ten working days of receiving the notification from the government-authorised body.

6. The government-authorised body shall terminate the vendor's right to engage in this activity on the working day following the point at which the circumstances referred to in this paragraph come to light where:

1) the vendor fails to fulfil the obligation towards the government-authorised body referred to in paragraph 4 of this Article;

2) the vendor fails to fulfil the obligation towards the government-authorised body referred to in paragraph 5 of this Article;

7. The government-authorised body shall, no later than the working day following the taking of the decision to revoke the right of the vendor to engage in the activity of vendor, inform the vendor of this fact in writing.

8. The provisions of Article 24(1) about liability for booking errors shall apply *mutatis mutandis* to a vendor of linked tourist service arrangements.

Article 21 Conclusion of linked tourist service arrangements

1. Linked tourist service arrangements shall be deemed concluded where the vendor of linked tourist service arrangements:

1) on the occasion of a single visit or contact with the point of sale of the vendor of linked tourist service arrangements helps the tourist with the separate selection and separate payment of each tourist service;

2) assists in a targeted manner with the procurement of at least one additional service from another tourist service provider, where a contract is concluded at the latest 24 hours after the confirmation of the booking of the first tourist service.

2. Where no more than one type of travel service as referred to in Article 3(3)(1), (2) and (3) of this Law and one or more tourist services as referred to in Article 3(3)(4) of this Law is purchased, they do not constitute a linked tourist service arrangement if the latter services do not account for a significant portion of the combined value of the services and are not advertised as, and do not otherwise represent, an essential feature of the trip or holiday.

3. If other travel services account for 25 % or more of the combined value of the tourist services, these services shall be deemed to constitute a significant portion of the value of the tourist services.

Article 22 Provision of information to tourists with a view to the acquisition of linked tourist service arrangements

1. The vendor of linked tourist service arrangements shall, before the tourist is bound by a tourist service contract constituting linked tourist service arrangements or any corresponding offer, provide the tourist with clear and comprehensible information stating that:

1) the tourist will not be granted the rights applicable to package travel pursuant to the Civil Code or this Law;

2) each of the service providers is responsible only for the provision of their particular service under the terms of the contract;

3) the tourist will be refunded all payments made for the linked tourist service arrangements if the tourist service forming part of those arrangements is not provided owing to the insolvency of the vendor of the linked tourist service arrangements or if it becomes clear that he will be unable to start providing the tourist service;

4) the tourist will be returned to his original place of departure where the vendor of linked tourist service arrangements is the party responsible for the carriage of passengers.

2. The information referred to in paragraph 1 of this Article shall be provided by a vendor of linked tourist service arrangements using the information medium approved by the government-authorised body.

3. In the event of a vendor of linked tourist service arrangements failing to provide the tourist with the information referred to in paragraph 1 of this Article and failing to ensure compliance with the requirements relating to the safeguarding of the fulfilment of obligations pursuant to Article 23 of this Law, he shall be subject to the rights and obligations incumbent on a tour organiser, and the same provisions regarding liability and compensation for damages under a tour organiser contract referred to in Articles 6.750, 6.751, 6.752¹ (3)(1), 6.753, 6.754 and 6.754¹ of the Civil Code, and Articles 17 and 19 of this Law, insofar as these relate to tourist services included in linked tourist service arrangements. In the case referred to in this paragraph, the tourist also acquires the rights included in the Articles referred to.

4. Where a tourist purchases a set of linked tourist services under a contract with a provider of tourist services who is not the vendor of linked tourist service arrangements, this

provider of tourist services shall immediately inform the vendor of linked tourist service arrangements of the conclusion of the contract with the tourist.

Article 23 Safeguarding the fulfilment of the obligations of a vendor of linked tourist service arrangements

1. Fulfilment of the obligations of a vendor of linked tourist service arrangements shall be safeguarded by means of valid suretyship insurance taken out with an insurance company and/or a financial guarantee from a financial institution.

2. The vendor of linked tourist service arrangements must provide the government-authorised body with a suretyship insurance taken out with an insurance company and/or a financial guarantee from a financial institution to ensure that, in the event of the vendor of linked tourist service arrangements becoming insolvent, extrajudicial bankruptcy or liquidation proceedings being initiated against him, or his death (in the case of a natural person), the fulfilment of his obligations will be safeguarded, namely:

1) the sums of money paid by the tourist will be returned for a service not provided, and/or for an inadequately provided service, where this forms part of the linked tourist service arrangements;

2) the tourist will be returned to his initial point of departure where the vendor of linked tourist service arrangements is the party responsible for the carriage of passengers;

3) essential tourist accommodation costs will be defrayed until the tourist is returned, where the vendor of linked tourist service arrangements is the party responsible for the carriage of passengers.

3. The minimum amount for safeguarding the fulfilment of the obligations of a vendor of linked travel arrangements shall be EUR 10 000.

4. Where the vendor of linked tourist service arrangements is the party responsible for the carriage of passengers, the amount of the security for safeguarding the fulfilment of his obligations shall be calculated in accordance with Article 13(2)(3).

5. The minimum period of validity of a suretyship insurance contract taken out by a vendor of linked travel arrangements with an insurance company and/or of a financial guarantee from a financial institution shall be three months.

6. Fulfilment of the obligations of a vendor of linked travel arrangements established in the Republic of Lithuania shall be safeguarded for all tourists who have purchased linked travel arrangements, regardless of their place of residence, their initial point of departure or place of

purchase of these arrangements, and regardless of the Member State in which the body responsible for safeguarding the fulfilment of obligations is located.

7. The provisions of Article 15(4) about the indemnification of tourists' accommodation costs shall apply *mutatis mutandis* to a vendor of linked tourist service arrangements.

8. The procedure governing the safeguarding of the fulfilment of the obligations of a vendor of linked tourist service arrangements shall be determined by the government or by a body authorised by it.

SECTION SIX

PROTECTION OF TOURISTS' RIGHTS

Article 24 Liability for booking errors

1. A tourist service provider providing the tourist services referred to in Article 3(1) of this Law shall accept liability for any technical defects in the booking system which are attributable to him when concluding a package travel contract or helping with the choice of linked tourist service arrangements.

2. Where the tourist service provider referred to in paragraph 1 above undertakes to book a package trip or assist in the choice of linked tourist service arrangements, he shall be liable for any errors made during the booking process.

3. The liability referred to in paragraph 2 above shall not apply where booking errors are attributable to the tourist or are the result of *force majeure*.

Article 25 Submission of claims and dispute settlement

1. Claims arising during package travel about the inadequate performance or the non-performance of a package travel contract must without undue delay be made in writing or using another durable medium to the tour organiser's local representative, tour leader, contact centre or other service or, in the absence of these, to the tour organiser.

2. Disputes about a package travel contract and about the inadequate performance or the non-performance of the services contained in linked tourist service arrangements may be examined by extrajudicial procedure in accordance with the procedure set out in the Lithuanian Law on the protection of consumer rights, and disputes about infringed rights may be taken to court.

3. The limitation period for the submission of claims to the tour organiser for compensation for damages for the inadequate performance or non-performance of a package travel contract shall be two years.

SECTION SEVEN
PROVISION OF SERVICES BY TOURIST SERVICE PROVIDERS NOT
ESTABLISHED IN THE REPUBLIC OF LITHUANIA

**Article 26 Providers of tourist services from other European Union Member States
and administrative cooperation**

1. The services relating to the organisation of travel referred to in Article 3 of this Law may be provided in the Republic of Lithuania by a tour organiser established in another Member State of the European Union or by a vendor of linked tourist service arrangements holding a security for safeguarding fulfilment of obligations in accordance with the requirements set by the European Union Member State of their establishment.

2. The tour organisers and vendors of linked tourist service arrangements referred to in Article 1 above shall not be subject to the provisions of Chapter II of this Law setting requirements for tour organisers and vendors of linked tourist service arrangements. Travel retailers established in another Member State of the European Union shall not have their rights to provide services in the Republic of Lithuania restricted, nor shall they be subject to the provisions of Article 18 of this Law.

3. Documents proving the safeguarding of the fulfilment of the obligations of a tour organiser or vendor of linked tourist service arrangements established in another European Union Member State shall be automatically recognised in the Republic of Lithuania if they prove compliance with the requirements concerning the safeguarding of the fulfilment of the obligations of a tour organiser or a vendor of linked tourist service arrangements established in another Member State.

4. The government-authorised body is the contact point in the Republic of Lithuania providing the competent authorities of the other European Union Member States with all the requisite information on the requirements set by Lithuanian legislation on the safeguarding of the fulfilment of the obligations of a tour organiser or vendor of linked tourist service arrangements.

5. If the government-authorised body has doubts about the safeguarding of the fulfilment of the obligations of a tour organiser or vendor of linked tourist service arrangements established in another EU Member State, it shall contact the competent authority of that EU Member State and ask for the relevant information and explanations.

6. If the government-authorised body receives a request from the competent authorities of another EU Member State for information on or clarifications concerning the safeguarding of the fulfilment of the obligations of a tour organiser or a vendor of linked tourist service

arrangements established in the Republic of Lithuania, it shall provide an answer as expeditiously as possible, taking due account of the urgency and complexity of the matter, and within no more than 15 working days from the date of receipt of the request.

Article 27 Services of third-country tourist service providers

1. A third-country tour organiser or travel retailer selling or offering for sale package travel within the Republic of Lithuania must be established in the Republic of Lithuania and comply with the requirements set out in this Law applicable to a tour organiser and travel retailer.

2. A travel retailer who sells package trips arranged by a tour organiser who does not comply with the requirement set out in paragraph 1 above must comply with Articles 6.748, 6.752¹ and 6.754¹ of the Civil Code and the requirements of Chapter II section three and Article 19 of this Law, other than where the travel retailer sends the government-authorised body documents proving the safeguarding of the fulfilment of the obligations of a tour organiser referred to in this paragraph.

3. A third-country vendor of linked tourist service arrangements helping with the acquisition of linked tourist service arrangements in the Republic of Lithuania must be established in the Republic of Lithuania and comply with the requirements set out in this Law applicable to a vendor of linked tourist service arrangements.

CHAPTER III

OTHER TOURIST SERVICES:

SECTION ONE

TOURIST INFORMATION SERVICES

Article 28 Guide services

1. Only a person holding a guide's licence may provide guide services.

2. A person wishing to obtain a guide's licence must comply with the requirements set out in paragraph 3 of this Article and submit an application for a guide's licence to the government-authorised body. The government-authorised body, within 20 working days, after examining an individual application for a guide's licence and all the documents submitted and assessed the individual's compliance with the requirements set out in paragraph 3 above, may:

- 1) take the decision to issue a guide licence;
- 2) require the individual that submitted the application, within five working days of its

receipt by the government-authorised body, to adduce all essential missing documents or correct the particulars set out in the documents;

3) take a reasoned decision not to issue a guide licence where the individual concerned does not meet the requirements set out in paragraph 3 or fails to correct the shortcomings in question within the deadline referred to in paragraph 2 above, notifying the individual that submitted the application of this decision.

3. A guide's licence shall be issued for an indefinite period of time to individuals who have completed tertiary education and a guide training course of at least 250 academic hours comprising modules on how to prepare and lead excursions, guide commentary, professional ethics, communicating, psychology, Lithuanian culture, history and geography, the legal regulation of guiding activities and who, on completion of the guide training course, have passed a practical examination on the leading of excursions. After completing the guide course and passing the practical examination on the leading of excursions, an individual shall have two years to submit an application for a guide's licence to the government-authorised body.

4. The procedure for issuing and cancelling a guide licence and the form of the guide's licence shall be determined by the government-authorised body.

5. The government-authorised body shall cancel a guide's licence when:

- 1) the individual in question requests the government-authorised body to do so;
- 2) the guide dies;
- 3) after the decision has been taken to issue a guide's licence, facts come to light that would have resulted in a refusal to issue a guide's licence.

6. A guide from the European Economic Area or Swiss Confederation who has obtained his professional guide qualification in the EEA or the Swiss Confederation and had it recognised by the government-authorised body, may provide guide services in the Republic of Lithuania. The procedure for having a professional guide qualification from the EEA or Swiss Confederation recognised in the Republic of Lithuania shall be determined by the government-authorised body based on the Lithuanian Law on the recognition of professional qualifications.

7. A guide from an EEA member country or the Swiss Confederation accompanying tourists to the Republic of Lithuania who has submitted a prior declaration to the government-authorised body about the provision of temporary or occasional guide services may provide guide services on a temporary or occasional basis. The declaration form and submission procedure shall be determined by the government-authorised body in accordance with Lithuanian Law on the recognition of professional qualifications. A description of the procedure governing the temporary or occasional provision of services by a guide from the EEA or Swiss Confederation shall be approved by the government-authorised body.

Article 29 Tourist information centre services

1. A tourist information centre providing tourist information services must use the tourist information sign (the letter “i” on a green rectangle and the words “Turizmo informacija” [tourist information] in Lithuania and the words “Lietuvos turizmo informacija [Lithuanian tourist information] abroad).

2. The procedure governing the use of the tourist information sign shall be determined by the government-authorized body.

**SECTION TWO
ACCOMMODATION SERVICES****Article 30 Types of accommodation services and providers of accommodation services**

1. Accommodation services are broken down as follows:

1) classified accommodation services: hotel services, motel services, guest house services, camping services;

2) non-classified accommodation services: apartment complex services, rural tourism services, bed and breakfast services, hostel services, holiday home services, tourist boat accommodation services, tourist camp site services.

2. Classified accommodation services may be provided by an accommodation services provider holding a valid accommodation services classification licence issued in accordance with the procedure set out in Article 32 of this Law.

3. Accommodation services shall be classified in accordance with the requirements governing the classification of types of accommodation services drawn up by the government-authorized body. Depending on the quality and range of services provided, the quality level of accommodation services (facilities) is indicated by a star system, higher quality being indicated by a higher number of stars. The highest quality level for accommodation services shall be five stars.

4. The classification of accommodation services shall be done by the government-authorized body in accordance with the accommodation services classification procedure approved by the government-authorized body and agreed with the Ministry of the Economy.

5. The government-authorized body shall approve the list of types of accommodation services, containing descriptions of the types of accommodation services and the minimum number of rooms designated for accommodation.

Article 31 General requirements for the provision of accommodation services

1. A provider of accommodation services must:

1) provide tourists with accurate and correct information on the location of the accommodation services provided, the number of stars (other than providers of non-classified accommodation services), the services provided and the cost of the accommodation services;

2) register advance bookings of accommodation services (reservations);

3) ensure that nationals of Member States and third countries staying in accommodation, other than accompanying spouses or minors, personally fill out and sign registration cards and prove their identity by adducing a personal identification document;

4) store the data provided on the registration cards referred to in subparagraph 3 above for five years;

5) where the data provided in the application referred to in Article 32(3) of this Law or in the notification referred to in Article 32 have changed, within 10 working days from the point at which this information became known to them, or should have become known to them, provide the government-authorised body with the updated information;

6) where the provision of accommodation services has been terminated (suspended), within 10 working days of the termination (suspension) of the provision of accommodation services inform the government-authorised body of this fact;

7) ensure that the accommodation services comply with health protection requirements.

2. The procedure for the registration of nationals of Member States and third countries staying in accommodation, including the processing of the data provided on the registration cards, shall be determined by the government or a body authorised by the government.

Article 32 Issue and revocation of an accommodation services classification licence

1. A person wishing to obtain an accommodation services classification licence shall submit an application to the government-authorised body and complete the government-authorised body's classification questionnaire.

2. An accommodation services provider holding a valid accommodation services classification licence shall submit to the government-authorised body, no later than three months before the expiry of the current licence, the following:

1) the application referred to in paragraph 1 above;

2) a freshly completed version of the questionnaire referred to in paragraph 1 above where changes have been made.

3. The government-authorised body, within 20 working days of examining the submitted

application for an accommodation services classification licence and evaluating the supporting documents, may:

- 1) take the decision to issue an accommodation services classification licence;
- 2) require the applicant to remedy shortcomings identified in the documents adduced within five working days of the receipt of such a request from the government-authorised body;
- 3) take a reasoned decision not to issue the accommodation services classification licence if the applicant fails to comply with the government-authorised body's requirements as per subparagraph 2 above.

4. The government-authorised body shall issue an accommodation services classification licence for a period of five years. If, during the period of validity of the accommodation services classification licence, the government-authorised body notes that the accommodation facility in question does not comply with the classification requirements set out in Article 30(3), it shall require the provider of the classified accommodation services to remedy the shortcomings identified within a given deadline.

5. The government-authorised body shall revoke an accommodation service classification licence where:

- 1) the provider of the classified accommodation services ceases the activity or requests revocation himself;
- 2) the provider of the classified accommodation services fails to remedy the shortcomings identified by the government-authorised body as per paragraph 4 of this Article.

6. The procedure for issuing and revoking an accommodation services classification licence shall be determined by the government-authorised body.

Article 33 Provision of non-classified accommodation services

A provider of non-classified accommodation services must, within ten working days of commencing the activity in question, send the government-authorised body a notification of the provision of non-classified accommodation services in a form approved by the government-authorised body. The notification shall indicate: The first and family names, personal identification number, address and contact details in the case of a natural person and, in the case of a legal person, the name, code, registered office, contact details, type of non-classified accommodation services, name and address of the facility offering accommodation services, local coordinates, contact details, number of rooms (parking spaces/housing units) and number of places.

CHAPTER IV
SUPERVISION OF AND LIABILITY FOR THE ACTIVITIES OF TOURIST SERVICE
PROVIDERS

Article 34 Government-authorised body's rights in the supervision of tourist service providers

1. The supervision of tour organisers, travel retailers, vendors of linked tourist service arrangements and accommodation service providers established in the Republic of Lithuania is assured by the government-authorised body in accordance with the procedure set out in the Lithuanian Law on public administration, this Law and by the Minister for the Economy.

2. The government-authorised body, in supervising the above-mentioned providers of tourism services, shall have the right to:

1) obtain the information and personal data from all natural and legal persons needed to perform the function of supervising tourist service providers;

2) contact the competent authorities in Lithuania, other Member States and third countries and tourist service providers to obtain the information in question;

3) carry out the requisite checks on tourist service providers;

4) require that the tourist service provider come to the premises of the government-authorised body and provide verbal and written explanations.

Article 35 Provision and publication of information

1. Requests, declarations, notifications, claims, reports and tables of income can be submitted to the government-authorised body by post or electronically via the contact centre or directly to the government-authorised body.

2. The government-authorised body, in an effort to provide consumers with up-to-date information on tourist service providers and the lawfulness of their activities, shall publish the following information on its website:

1) a list of tour organisers showing the tour organiser's first and family names (in the case of a natural person), the name of the legal person, type of activity (inbound, outbound or local tourism), the security held, tour organiser's licence number, the issue, suspension, revocation of suspension or termination of a tour organiser's licence;

2) a list of travel retailers showing the name and family name (in the case of a natural person), name of the legal person and information on decisions by the government-authorised body to revoke a travel retailer's right to provide travel retail services;

3) a list of vendors of linked travel arrangements showing the vendor's first and family

names (in the case of a natural person), the name of the legal person, and the performance security held, and information on any decision by the government-authorised body to revoke the vendor's right to engage in the activity of vendor of linked travel arrangements;

4) a list of guides showing the guide's first and family names, guide's licence number, date of issue of the guide's licence, the foreign language in which excursions are led and information on any decision by the government-authorised body to revoke the guide's licence;

5) a list of persons authorised to provide guide services in the Republic of Lithuania on a temporary or occasional basis, showing the individual's first and family names, the country of establishment and the period of provision of services in the Republic of Lithuania;

6) a list of accommodation service providers, showing the first and family names of the accommodation service provider (in the case of a natural person), the name of the legal person, the type of accommodation services, the licence number of the classified accommodation service provider and its date of expiry, and information on any decision by the government-authorised body to revoke the accommodation services classification licence.

3. The government-authorised body, having decided to suspend a tour organiser's licence, shall, within no more than one working day following the taking of the decision, make an entry about the date of suspension of the tour organiser's licence in the list referred to in Article 35(2)(1) above. The government-authorised body, having decided to terminate the suspension of the tour organiser's licence, shall, within no more than one working day following the taking of the decision, remove the entry about the date of suspension of the tour organiser's licence from the list referred to in Article 35(2)(1) above.

4. The government-authorised body, having decided to revoke the tour organiser's licence, shall, within no more than one working day following the taking of the decision, remove the tour organiser from the list of tour organisers referred to in Article 35(2)(1) above.

5. The government-authorised body, having decided to revoke a guide's licence, shall, within no more than one working day following the taking of the decision, remove the guide from the list of guides referred to in Article 35(2)(4) above.

6. The government-authorised body, having decided to revoke an accommodation services classification licence, shall, within no more than one working day following the taking of the decision, remove the provider of the classified accommodation services from the list of accommodation service providers referred to in Article 35(2)(6) above.

CHAPTER V

TOURISM MANAGEMENT

Article 36 Framing of tourism policy and management of tourism

1. Tourism management functions in the Republic of Lithuania are exercised by the Seimas [Parliament] of the Republic of Lithuania, the Government, the Ministry of the Economy, the government-authorised body and the municipalities.

2. The broad lines of tourism development policy are decided on by the Seimas, which sanctions a long-term strategy for the development of Lithuanian tourism as it adopts legislation.

3. The Government shall:

- 1) draw up a long-term strategy for the development of Lithuanian tourism;
- 2) exercise other functions defined by law.

Article 37 Ministry of the Economy

The Ministry of the Economy shall:

- 1) deploy strategic planning for Lithuania's tourism sector;
- 2) frame government policy in the tourism sector and organize, coordinate and control its implementation;
- 3) draft and submit to the government proposals about the development of spa resorts and spa resort land;
- 4) participate in the work of institutes and international organisations responsible for framing European Union tourism policy;
- 5) perform other functions provided for in this Law and in other items of legislation regulating tourism activities.

Article 38 Government-authorised body

The government-authorised body, in implementing the provisions of this Law, shall perform the following functions:

- 1) implement the provisions of the strategic planning documents for Lithuania's tourism activities;
- 2) monitor tour organisers, travel retailers, vendors of tourist service arrangements and accommodation service providers;
- 3) represent tourists' interests in the event of a tour organiser's becoming insolvent or going bankrupt and organize the repatriation of tourists to their point of departure in accordance with the procedure established by the Minister for the Economy;

4) perform other functions referred to in this Law and in other items of legislation for which the government-authorised body is designated as responsible for compliance monitoring.

Article 39 Public Body “Keliauk Lietuvoje” [travel in Lithuania]

1. The public body “Keliauk Lietuvoje” is a non-profit public legal person with limited liability owned by the State, with ownership rights and obligations implemented by the Ministry of the Economy.

2. The public body “Keliauk Lietuvoje” shall:

1) implement the provisions of the strategic planning documents for Lithuania’s tourism activities;

2) provide public services, drawing up and implementing projects designed to promote the image and enhance awareness of State tourism and develop inbound and local tourism;

3) develop and implement public tourism infrastructure of national significance and marketing projects in the tourism sector;

4) create Lithuanian tourist trails;

5) conduct studies of Lithuanian tourist services and products;

6) participate in the initiation and implementation of international cooperation measures in the field of tourism marketing;

7) perform other functions relating to the development of Lithuania as a tourist destination and enhancing its profile, and the development of local tourism.

3. The funds of the public body “Keliauk Lietuvoje” come from government budgetary appropriations, revenue from services rendered, funds received as aid and other lawfully received revenue.

Article 40 Competence of the municipalities in the tourism sector

The municipalities shall:

1) promote tourism activity as a way of creating jobs and hiring local employees;

2) guided by the provisions of the strategic documents for Lithuanian tourism, shape the municipal tourism development measures featured in the municipalities’ strategic planning documents;

3) draw up and implement national tourism and recreational infrastructure projects;

4) set up municipal tourism information centres;

5) plan and implement measures needed for the protection of recreational areas, the development of leisure and tourism activities in these areas, carry out inventories of recreational areas and approve regulations for the use of recreational areas;

6) perform other functions provided for in legislation regulating tourism activities.

Article 41 Tourism Council

1. A permanent Tourism Council shall be established to examine issues relating to tourism development and promotion and come up with proposals for the government bodies responsible for the planning of Lithuania's tourism activity based on input from representatives from tourism business associations, other associations or organisations, Lithuania's associations of municipalities and other State institutions. At least half the members of the Tourism Council shall be made up of the representatives appointed by the associations and organisations referred to in this paragraph.

2. The Tourism Council shall be established and shall operate in accordance with the Tourism Council statutes approved by the Government and the Ministry of the Economy.

3. The composition of the Tourism Council shall be approved by the Minister for the Economy.

4. The Tourism Council's technical services shall be provided by the Ministry of the Economy.

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Annex E.4

EUROPEAN UNION LEGAL INSTRUMENTS HEREBY IMPLEMENTED

1. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 2006, p. 36).

2. Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1).

Article 2 Entry into force, implementation and application

1. This law, with the exception of paragraph 2 of this Article and Article 39 of the Lithuanian Law on tourism as it appears in Article 1 of this Law, shall enter into force on 17 July 2018.

2. The Lithuanian Government, the Lithuanian Ministry of the Economy and the government-authorised body shall adopt the legislation to implement this Law by 16 July 2018.

3. The persons referred to in Article 8(1) of the Lithuanian Law on tourism as it appears in Article 1 of this Law who, prior to entry into force of this Law, had acquired the right to provide package travel services and who meet the current requirements of impeccable repute as set out in this Law shall, after entry into force of this Law, be deemed to be of impeccable repute if, after entry into force of this Law, none of the circumstances referred to in Article 8(3) of the Lithuanian Law on Tourism as it appears in Article 1 of this Law have come to light.

4. Article 39 of the Law on tourism as set out in Article 1 of this Law shall enter into force on 1 January 2019.

I hereby promulgate this Law, which has been adopted by the Seimas of the Republic of Lithuania.

President of the Republic

Dalia Grybauskaitė