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Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2022/0358(COD) Procedure completed
Data collection and sharing relating to short-term accommodation rental services	
Amending Regulation 2018/1724	2017/0086(COD)
Subject	
1.20.05 Public access to information and documents, administrative practice	
2.80 Cooperation between administrations	
3.30.06 Information and communication technologies, digital technologies	
4.50 Tourism	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Internal Market and Consumer Protection	 VAN SPARRENTAK Kim	09/02/2023
		Shadow rapporteur	
		 THALER Barbara	
		 BENIFEI Brando	
		 IJABS Ivars	
		 BASSO Alessandra	
		 FIDANZA Carlo	
		 KONEČNÁ Kateřina	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Transport and Tourism	 CUTAJAR Josianne	19/01/2023
	 Civil Liberties, Justice and Home Affairs (Associated committee)	The committee decided not to give an opinion.	
Council of the European Union European Commission	Commission DG Internal Market, Industry, Entrepreneurship and SMEs	Commissioner BRETON Thierry	

Key events

07/11/2022	Legislative proposal published	COM(2022)0571	Summary
21/11/2022	Committee referral announced in Parliament, 1st reading		
11/05/2023	Referral to associated committees announced in Parliament		
19/09/2023	Vote in committee, 1st reading		
19/09/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
21/09/2023	Committee report tabled for plenary, 1st reading	A9-0270/2023	Summary
02/10/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
04/10/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
24/01/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE758.016 GEDA/A/(2024)000194	
28/02/2024	Debate in Parliament		
29/02/2024	Results of vote in Parliament		
29/02/2024	Decision by Parliament, 1st reading	T9-0112/2024	Summary
18/03/2024	Act adopted by Council after Parliament's 1st reading		
11/04/2024	Final act signed		
29/04/2024	Final act published in Official Journal		

Technical information

Procedure reference	2022/0358(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation 2018/1724 2017/0086(COD)
Legal basis	Rules of Procedure EP 57; Treaty on the Functioning of the EU TFEU 114
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/9/10596

Documentation gateway					
Legislative proposal		COM(2022)0571	07/11/2022	EC	Summary
Document attached to the procedure		SEC(2022)0393	07/11/2022	EC	
Document attached to the procedure		SWD(2022)0348	07/11/2022	EC	
Document attached to the procedure		SWD(2022)0349	07/11/2022	EC	
Document attached to the procedure		SWD(2022)0350	07/11/2022	EC	
Document attached to the procedure		N9-0012/2023 OJ C 060 17.02.2023, p. 0014	16/12/2022	EDPS	
Economic and Social Committee: opinion, report		CES5400/2022	22/02/2023	ESC	
Committee of the Regions: opinion		CDR4144/2022	15/03/2023	CofR	
Committee draft report		PE746.732	04/05/2023	EP	
Amendments tabled in committee		PE749.042	05/06/2023	EP	
Committee opinion	TRAN	PE746.981	20/07/2023	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0270/2023	21/09/2023	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2024)000194	06/12/2023	CSL	
Text agreed during interinstitutional negotiations		PE758.016	06/12/2023	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0112/2024	29/02/2024	EP	Summary
Draft final act		00077/2023/LEX	11/04/2024	CSL	

Additional information		
Research document	Briefing	06/02/2024

Final act
Regulation 2024/1028 OJ OJ L 29.04.2024

Data collection and sharing relating to short-term accommodation rental services

PURPOSE: to harmonise and streamline the framework for generation and data sharing in short-term accommodation rental services across the EU.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: short-term accommodation rentals (STRs) are an increasingly important part of the tourism sector. They represent nearly one quarter of the total EU supply of tourist accommodation, and this has been boosted by the emergence of online platforms.

While short-term accommodation rental services create many opportunities for guests, hosts and the entire tourism ecosystem, their rapid growth has also triggered concerns and challenges. One of the main challenges is the lack of reliable information about short-term accommodation rental services, such as the identity of the host, the location where those services are being offered, and their duration.

In order to obtain information from hosts and online short-term rental platforms, public authorities at national, regional and local level are increasingly taking steps to impose registration systems and other transparency requirements, including on such platforms. However, the legal

obligations regarding data production and sharing differ considerably within and between Member States.

The disparity in transparency requirements hinders the realisation of the full potential of short-term accommodation rental services and is detrimental to the proper functioning of the internal market. Harmonised rules for the production and sharing of data on short-term rental accommodation services are therefore necessary to ensure that public authorities have easy access to good quality data on short-term rental accommodation services, so that they can develop and implement appropriate policies in an efficient and proportionate way.

CONTENT: the proposal aims to establish harmonised rules for data collection and data sharing with competent authorities relating to the provision of short-term accommodation rental services offered by hosts through online platforms. More specifically, the proposal offers:

- a harmonised approach to registration schemes for hosts, with an obligation for public authorities to maintain appropriately designed registration schemes if they want to obtain data for policymaking and enforcement purposes;
- obligations for online platforms to enable hosts to display registration numbers (which will ensure hosts compliance with registration requirements) and to share specific data about hosts activities and their listings with public authorities;
- specific tools and procedures to ensure that data sharing is safe, compliant with the General Data Protection Regulation, and cost-effective for all parties involved.

In concrete terms, the proposal would require public authorities wanting to obtain data from online platforms for policymaking and enforcement purposes to maintain, as a first step, a registration scheme for hosts and their units, which would need to comply with certain requirements.

Online platforms would be obliged to require hosts to provide this registration number and to periodically share a pre-defined set of data with public authorities (e.g. the number of expected and actual bookings, and the number of guests that stayed in a unit per booking).

Member States would have to establish a Single Digital Entry Point to permit the transfer of data, and would have to clearly state which obligations apply to hosts and online platforms on their territory.

Data collection and sharing relating to short-term accommodation rental services

The Committee on the Internal Market and Consumer Protection adopted the report by Kim VAN SPARRENTAK (Greens/EFA, NL) on the proposal for a regulation of the European Parliament and of the Council on data collection and sharing relating to short-term accommodation rental services and amending Regulation (EU) 2018/1724.

The proposal aims to establish harmonised rules for the collection and sharing of data with the competent authorities regarding the provision of short-term rental services offered by hosts through online short-term rental platforms.

The committee recommended that the European Parliament's position, adopted at first reading under the ordinary legislative procedure, should amend the proposal as follows:

Registration procedures

Registration procedures should be provided online, free of charge, and allow for the automatic and immediate issue of a registration number for a specific unit. Registration numbers should appear in a public and easily accessible register.

Members also recommended that, with regard to the information to be provided by hosts as part of the registration procedures, the list of information enabling the precise identification of a unit should be extended. Thus, for each unit, the host will have to communicate: (i) the specific address of the unit including, where relevant the apartment and mailbox number and the floor that the unit is on, or any other type of information that allows its precise identification; (ii) where applicable, whether the host has obtained an authorisation, under an authorisation scheme, to offer short-term rental accommodation services from the relevant competent authority.

Verification by competent authorities

Members considered that to counterbalance the automatic issuance of a registration number, greater powers should be given to competent authorities in case of incorrect information or serious doubts about validity of a registration number, such as granting them possibility to withdraw the validity of such number, as well as possibility to request online short-term rental platforms to provide further information and remove access to the illegal listings.

Where a competent authority establishes that the host has not, through wilful misconduct or gross negligence, corrected the required information or has provided information that is not authentic or valid, it may take the additional measures required to prevent the commercialisation of a unit.

Compliance by design

Article 13 of the proposal requires Member States to draw up and make publicly available, free of charge, the following lists: (a) the list of areas where a registration procedure applies in their territory; (b) list of areas for which competent authorities have requested data from providers of online short-term rental platforms.

Online short-term rental platforms should:

- before allowing the relevant host to use their services, by means of the lists made available pursuant to Article 13, make every effort to assess whether the information is reliable and complete, it being understood that hosts are responsible for the accuracy and reliability of that information for the purposes of the Regulation;
- make reasonable efforts to randomly check on a regular basis, the listings on the platform concerning the existence or not of a registration procedure;
- adequately inform hosts of the applicability in a given area of registration procedures or data sharing obligations.

Online short-term rental platforms should be responsible for the completeness and accuracy of the datasets they transmit to competent authorities.

Establishment and functionalities of Single Digital Entry Points

The Commission should adopt implementing acts laying down common technical specifications and procedures to ensure interoperability of solutions for the functioning of the Single Digital Entry Points and the seamless exchange of data, including common specifications: (i) to establish a standardised structure of registration numbers, (ii) to develop an Application Programming Interface for platforms to connect with in order to share data with national Single Digital Entry Points and (iii) to ensure full interoperability.

Information obligations

Competent authorities should promote awareness of the rights and obligations under this Regulation in their respective territories and provide information necessary to enable public authorities, online short-term rental platforms and hosts, to understand the rules, procedures and requirements of this Regulation relating to the provision of short-term accommodation rental services within their territories. Competent authorities should regularly update the information available on the Single Digital Gateway.

Evaluation

The report introduces certain changes with regard to the evaluation, reducing the period at the end of which it will be evaluated from five to four years. The evaluation will cover:

- the extent to which online short-term rental platforms comply with the obligations laid down under this Regulation;
- the effectiveness of enforcement and cooperation at cross-border level where short-term accommodation rental services are provided cross-border;
- the need to establish a centralised Single Digital Entry Point at Union level in order to provide for a unique interface for short-term rental platforms and ease the sharing of activity data.

Lastly, the application date has been brought forward from 24 to 18 months.

Data collection and sharing relating to short-term accommodation rental services

The European Parliament adopted by 493 votes to 14, with 33 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on data collection and sharing relating to short-term accommodation rental services and amending Regulation (EU) 2018/1724.

The proposal aims to establish harmonised rules for the collection and sharing of data with the competent authorities regarding the provision of short-term rental services offered by hosts through online short-term rental platforms.

It aims to promote a transparent and responsible platform economy in the EU, while protecting consumers from fraudulent short-term rental offers.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

Registration procedures

A Member State that imposes a requirement on online short-term rental platforms to transmit data to competent authorities in accordance with this Regulation should establish or maintain a registration procedure for units located in areas of its territory where such data transmission requirement applies.

Member States should ensure that:

- registration procedures operate on the basis of declarations made by hosts;
- registration procedures are provided online, and free of charge, where possible, or at a reasonable and proportionate cost, and allow for the automatic and immediate issue of a registration number, that shall not include personal data;
- registration procedures are subject to effective appeal mechanisms within the Member State;
- registration numbers are included in a public and easily accessible registry;
- hosts are able to submit all documents required as part of the registration process in a digital format.

Information to be provided by hosts

The amended text states that for each unit, the host should submit a declaration containing the following information:

- the specific address of the unit including, where applicable, its number, letterbox number, if different, the floor that the unit is on, the land registry reference or any other type of information that enables it to be precisely identified;
- the maximum number of available bed places and of guests that the unit accommodates;
- where applicable, whether the unit is subject to an authorisation scheme under which the host is required to obtain authorisation to offer short-term rental accommodation services from the relevant competent authority, and if so, whether the host has obtained such authorisation.

Where a host is a natural person, that person's name; national identification number or other information allowing the identification of the person; address and contact telephone number should be communicated.

Where appropriate, Member States may also enable hosts to declare additional services that are ancillary to the short-term accommodation rental services.

Verification by competent authorities

Competent authorities may, at any time after the registration number has been issued, verify the declaration and any supporting

documentation submitted by a host. Where a host fails to rectify the requested information or documentation, the competent authority should have the power to suspend the validity of the affected registration number or numbers and to issue an order requesting online short-term rental platforms to remove, or to disable access to, any listing relating to the unit or units in question without undue delay.

Where a registration procedure applies, Member States should ensure that national law enables the competent authorities to order providers of online short-term rental platforms to provide the requested information and to remove listings concerning units offered without a registration number or with an invalid registration number, or in cases involving the misuse of a registration number.

Safer rental services

Online short-term rental platforms should:

- make reasonable efforts to randomly check on a regular basis, declarations of the hosts concerning the existence or not of a registration procedure, and, where such a procedure exists, the validity of the registration number provided by the host;
- inform the competent authorities and hosts of the results of random checks as soon as possible, with regard to inaccurate host declarations, cases of misuse of a registration number, or invalid registration numbers;
- based on the information provided by the hosts, ensure that the datasets they transmit to the competent authorities pursuant to this Article are complete and accurate.

Exchange of data

Member States should set up a single digital entry point to receive data from platforms about host activity. Providers of online short-term rental platforms should collect and, on a monthly basis, transmit to the single digital entry point of the Member State where the unit is located, activity data per unit, together with the corresponding registration number as provided by the host, the specific address of the unit and the URL of the listing. Online short-term rental platforms that qualify as small or micro enterprises should not be expected to use machine-to-machine communication means of data sharing provided that they did not, in the previous quarter, reach a monthly average of 4 250 listings in the Union.

Member States should designate the national entity responsible for transmitting, for each unit, the activity data and the registration number obtained, the municipality where the unit is located and the maximum number of available bed places that the unit accommodates, on a monthly basis, to national, and where relevant, regional statistical offices and make such data available to Eurostat.

Transparency				
THALER Barbara	Shadow rapporteur	IMCO	28/11/2023	Airbnb Ireland UC
BENIFEI Brando	Shadow rapporteur	IMCO	04/07/2023	eu travel tech
IJABS Ivars	Shadow rapporteur	IMCO	26/06/2023	Airbnb Ireland UC
KOVAŽIK Ondřej	Shadow rapporteur for opinion	TRAN	02/06/2023	Tatra Trucks a.s.
BENIFEI Brando	Shadow rapporteur	IMCO	30/05/2023	Katholieke Universiteit Leuven
CHAIBI Leila	Shadow rapporteur for opinion	TRAN	26/05/2023	Housing Europe
KONEŽNÁ Kateřina	Shadow rapporteur	IMCO	24/05/2023	Eurocities
THALER Barbara	Shadow rapporteur	IMCO	16/05/2023	Privatvermieterverband Tirol
THALER Barbara	Shadow rapporteur	IMCO	11/05/2023	Europaregion Tirol-Südtirol-Trentino Euregio Inntal
THALER Barbara	Shadow rapporteur	IMCO	04/05/2023	BMAW Perm Rep of Austria
FLANAGAN Luke Ming	Member	14/09/2023	Threshold Ireland	
CLUNE Deirdre	Member	28/06/2023	Airbnb Ireland UC	

FITZGERALD Frances	Member	27/06/2023	Airbnb Ireland UC
FLANAGAN Luke Ming	Member	07/06/2023	Threshold Ireland
MALDONADO LÓPEZ Adriana	Member	06/06/2023	Secretario de Industria, Comercio y Turismo de España
MALDONADO LÓPEZ Adriana	Member	23/05/2023	Consejero de Turismo, Comercio y Consumo del País Vasco
BILBAO BARANDICA Izaskun	Member	23/05/2023	Gobierno Vasco
MALDONADO LÓPEZ Adriana	Member	27/04/2023	Comunidad de anfitriones de España
MALDONADO LÓPEZ Adriana	Member	20/04/2023	Airbnb
MALDONADO LÓPEZ Adriana	Member	29/03/2023	Representación Permanente de España Ante la Unión Europea