

Government Decree No 239/2009 of 20 October

on the detailed conditions for pursuing accommodation service activities and the procedure for issuing accommodation licences

Exercising its authority stipulated in Section 12 (1) *f*) and *h*) of Act CLXIV of 2005 on Commerce, in Section 53 *a*) and *i*) of Act LXXVI of 2009 on the General Rules for the Commencement and Pursuit of Service Activities, and Section 6 (2) of Act LXXXII of 2007 on the Repeal of Certain Legal Regulations and Statutory Provisions with regard to Section 12 (1) *b*), performing its duties stipulated in Section 35 (1) *b*) of the Constitution, the Government decrees as follows:

Section 1 (1) This Decree specifies the detailed conditions for pursuing accommodation service activities in Hungary and the procedure whereby the operation of accommodation establishments is to be registered.

(2) This Decree does not cover properties not operated in the context of accommodation services but provided for use as long term residence under apartment rental, house rental, sub-rental or bed-rental arrangements.

Section 2 For the purpose of this Decree:

1. *bed*: a piece of furniture for lying down on (for resting and/or sleeping), located in a room of an accommodation establishment, typically comprising a bed frame and a mattress, for one or two persons depending on dimensions.

2. *other accommodation*: other accommodation as specified in Section 2 point 40 of Act CLXIV of 2005 on Commerce (hereinafter: Commerce Act),

3. *rural accommodation*: private accommodation or other accommodation in towns and villages of populations below 5000 or in areas with population density below 100 persons/km², not listed in Annex 1/3 to Act CXXXIX of 2018 on Country Planning and Certain High Priority Regions of Hungary (list of towns along and near the lakeshore, making up the Lake Balaton Priority Resort Area) and not included in the list of health resorts specified in other legislation on natural therapeutic factors, designed and built so as to portray and demonstrate rural living conditions, local rural customs and culture in a complex manner, as well as agricultural traditions together with associated services in certain cases.

4. *campsite*: a type of accommodation with at least nine housing units, established exclusively for the purpose of providing accommodation services on a separate piece of enclosed land, where for the purpose of accommodation, a separate area (hereinafter: land unit), or holiday house (hereinafter together: housing unit) and other service facilities and services [e.g. a sanitary unit for personal hygiene, washing, cooking and sanitary purposes, power supply, digital information (WiFi), reception services] are available for the guests and their vehicles.

4a. *harbour*: a harbour used for storing holiday boats, as specified in the rental licence issued by the navigation authority,

5. *community accommodation*: a type of accommodation established for the exclusive purpose of providing accommodation, where the beds in a room are utilised separately and where the number of rooms so utilised is at least three and the number of beds available is at least twelve,

6. *private accommodation*: the private accommodation specified in Section 2 point 39 of the Commerce Act,

6a. *holiday boat accommodation*: a holiday boat specified in Section 87 point 29a of Act XLII of 2000 on Water Transport, operated on waters designated for holiday boating as specified in the decree on water transport procedure, not operated for the exclusive purpose of providing accommodation services but utilised with the aim of providing accommodation services, where the number of housing units with beds inside, set up in the holiday boat utilised for such purpose, is at least two and where the minimum number of beds is four, with a capacity of up to 12 persons including the holiday boat crew,

7. *guesthouse*: a type of accommodation established exclusively for the purpose of providing accommodation services where, besides accommodation services, breakfast must also be provided, and where the number of rooms available is at least six and twenty-five at most, and the number of beds is at least eleven,

8. *the number of beds in an accommodation establishment*: the total number of pieces of furniture for lying down on located in the rooms of the accommodation site, where any piece of furniture for two persons shall count as two beds,

9. *accommodation capacity*: the number of beds available for accommodating guests in the establishment at the same time, meaning the maximum number is equal to the number of beds in the accommodation site together with extra beds suitable for guests to sleep on, placed in the unit on a temporary basis,

10. *total number of rooms in an accommodation establishment*: the total number of rooms in which visitors can be accommodated,

11. *accommodation establishment*: a term for which the meaning is defined in Section 2 point 22 of Act CLXIV of 2005 on Commerce (hereinafter: Commerce Act),

12. *property management system*: software used by the accommodation provider on a mandatory basis, a program suitable for transmitting data to the National Tourism Data Supply Centre,

12a. *accommodation agency activity*: a commercial service offered to accommodation providers and consumers with the purpose of linking the supply from accommodation providers with the demands of consumers, thereby enabling both the provision of information and the sale of accommodation services through the accommodation agency activity,

13. *accommodation service*: the concept defined in Section 2 point 23 of the Commerce Act,

13a. *accommodation quality assurance*: the activity specified by Section 2 point 41 of the Commerce Act,

14. *hotel*: a type of accommodation established exclusively for the purpose of providing accommodation services where, in addition to accommodation and breakfast, other services are also provided as part of the accommodation service, and where the number of rooms available is at least eleven.

15. *room*: a separately accessible unit in an accommodation establishment that can be let by itself, made up of one or more separate chambers and suitable for accommodating one or more guests at the same time. In the case of the campsite, the holiday house resort and holiday boat accommodation types, the equivalent of “room” is housing unit or land unit.

16. *holiday house resort*: a type of accommodation established exclusively for the purpose of providing accommodation services, on an area supplied with public utilities, where accommodation is provided for guests in a separate building or in a part of the building (holiday unit) with a separate entrance, provided the number of accommodation facilities available is at least three, regardless of the number of rooms or beds.

Section 3 In relation to Section 6/D, Section 6/G *f*) of the Commerce Act and the accommodation service activity, the Government appoints the town clerk of the local council with competence for the location of the given accommodation, or in Budapest the clerk of the relevant district, for areas directly administered by Budapest Metropolitan Council the metropolitan chief clerk, and regarding holiday boat accommodation the town clerk of the council with competence over the harbour concerned (hereinafter collectively: municipal clerk) as commercial authority with respect to Section 9 of the Commerce Law.

(2) With regard to the accommodation service activity, the government appoints the municipal clerk as the authority in charge of supervising the service specified in Act LXXVI of 2009 on the General Rules for Commencement and Pursuit of Service Activities (hereinafter: Services Act).

(3) Based on Section 6/D (6) of the Commerce Act, the government designates Magyar Turisztikai Minőségtanúsító Testület Nonprofit Korlátolt Felelősségű Társaság [Hungarian Tourism Quality Assurance Body Non-profit Limited Liability Company] (hereinafter: accommodation quality assurance body) to perform accommodation quality assurance activities.

Section 3/A In relation to the performance of the duties of the Metropolitan and County Government Office in accordance with this Decree, the powers stipulated in Section 9 *f)–i)* of Act CXCV of 2011 on Public Finance, as well as the powers to supervise legality and professionalism shall be exercised by the minister in charge of tourism as the minister directing professional management.

Section 4 (1) Hotel accommodation operation activities may only be pursued in a facility meeting the requirements laid down in Part 1/A of Annex 1.

(2) Guesthouse accommodation operation activities may only be pursued in a facility meeting the requirements laid down in Part 2/A of Annex 1.

(3) Campsite accommodation operation activities may only be pursued in a facility meeting the requirements laid down in Part 3/A of Annex 1.

(4) Holiday house accommodation operation activities may only be pursued in a facility meeting the requirements laid down in Part 4/A of Annex 1.

(5) Community accommodation operation activities may only be pursued in a facility meeting the requirements laid down in Part 5/A of Annex 1.

(6) Activities involving the operation of other accommodation may only be pursued in a facility meeting the requirements laid down in Part 6/A of Annex 1.

(6) 'Private accommodation' operation activities may only be pursued in a facility meeting the requirements laid down in Part 7/A of Annex 1.

(6) 'Holiday boat accommodation' operation activities may only be pursued in a facility meeting the requirements laid down in Part 8/A of Annex 1.

(7) Only one of the above types of accommodation operation activity may be pursued in any given accommodation establishment. For the case of a holiday house operated at a campsite, the requirements for holiday houses set out in Part 4/A of Annex 1 must also be met.

Section 5 (1) The accommodation service must continuously meet the requirements specified in Section 4, along with those prescribed in subsections *B*) of Sections 1-7 in Annex 1, depending on the type of accommodation.

(2) If only holiday houses are operated at a campsite, the name of the establishment operated in this way must include the term holiday house resort, if at least three houses are being used for this purpose.

(3) Accommodation service may only be provided in an establishment which has a property management system.

(4) In the case of an accommodation service offered through an accommodation agency, the accommodation provider must display the registration number used for the accommodation in the National Tourism Data Supply Centre in a way that is identifiable and clearly visible for the consumer, along with the type of the accommodation as it appears in the records referred to in Section 12 (1).

(5) The accommodation agency shall be entitled to contact the operator of the National Tourism Data Supply Centre in order to check the registration number and the classification of the accommodation type as registered in the National Tourism Data Supply Centre.

(6) The accommodation quality assurance body shall be entitled to contact the operator of the National Tourism Data Supply Centre in order to check if the accommodation provider has registered in the National Tourism Data Supply Centre.

(7) The accommodation quality assurance body shall pass on the results of the quality assessment to the National Tourism Data Supply Centre.

Section 6 (1) The notification shall include the following data

- a)* name, address and registered office of the accommodation provider,
- b)*
- c)* the accommodation provider's ID number and statistical code,
- d)* the address, topographical lot number and layout plan of the accommodation and, in the case of a holiday boat, the address, topographical lot number and layout plan of the harbour.
- e)* the capacity of the accommodation (number of persons):
 - ea)* the number of guest rooms, for a campsite the number of land units, for a holiday boat the number of housing units and
 - eb)* the number of beds,
 - f)* the legal grounds for using the accommodation,
 - g)* the name of the accommodation,
 - h)* the accommodation type for which the accommodation service activity is to be pursued,
 - i)* whether the accommodation provider intends to produce, use or sell food products and/or raw materials for food products at the accommodation site,
 - j)* whether the accommodation provider wishes to have an on-the-spot inspection conducted.

(2) The following shall be attached to the notice

- a)* in the case of accommodation not owned by the applicant, a document in proof of the legal grounds for use of the accommodation or a duplicate copy of the same, unless it is the title deed,
- b)* in the case of usufruct, if the accommodation provider is not the owner or usufructuary of the property, a document in proof of the usufructuary's consent,
- c)* in the case of a jointly owned accommodation site, if not all the co-owners are involved as accommodation providers, a document in proof of the co-owners' consent,
- d)* a document in proof of the existence of a property management system.

Section 7 For the purpose of conducting official inspections in relation to the accommodation service activity, with the exception of private establishments, the municipal clerk shall notify

- a)* regarding the observance and enforcement of hygiene and health protection, nutritional-health related and dietetic requirements, along with public health and epidemiological requirements pertaining to drinking water quality (not including the case referred to in paragraph *b)*), to communal waste and household waste water not collected by a public utility,

as well as the legal regulations concerning chemical safety and the designation of smoking areas,

aa) in the case of establishments to be operated on property other than that used for defence or military purposes, in proceedings of the first instance, the district (Budapest district) office of the Budapest or the county government office performing duties related to public health,

ab) in the case of establishments to be operated on property used for defence or military purposes, in proceedings of the first instance, the minister in charge of national defence,

b) if foodstuffs and/or raw materials for food products are produced, used or sold at the accommodation site, in matters regarding conformity to food hygiene, safety and quality requirements, in proceedings of the first instance, the district (Budapest district) office of the county government office performing duties related to food chain safety and animal health,

c) in the case of an establishment with a capacity of more than 10 persons, to assess conformity of the establishment to fire safety requirements,

ca) in the case of licensing establishments to be operated on property other than that used for defence or military purposes, in proceedings of the first and second instances, the first and second instance fire safety authority,

cb) in the case of licensing establishments to be operated on property used for defence or military purposes, in official proceedings of the first instance, the minister in charge of national defence, and

d) if no occupancy permit or retrospective planning approval was issued during the six months preceding submission of the application regarding the building in which the accommodation is to be operated, for the purpose running accommodation, in order to ensure conformity with general construction regulations,

da) in the case of licensing establishments to be operated on property other than that used for defence or military purposes, in proceedings of the first instance, the Budapest or the county government office performing duties related to construction regulations,

db) in the case of licensing establishments to be operated on property used for defence or military purposes, in official proceedings of the first instance, the minister in charge of national defence, and

e) in the case of establishments to be operated on property used for defence or military purposes, to ensure conformity with the occupational safety requirements in the defence sector, in proceedings of the first instance, the minister in charge of national defence

by forwarding verification that registration has been submitted regarding commencement of the operations.

Section 7/A (1) The provisions laid down in Section 7 *c)* shall also be applied to the accommodation type 'private accommodation'.

(2) The municipal clerk shall prepare an annual inspection plan to facilitate the conducting of official inspections.

(3) With the exception specified in paragraph (4), the municipal clerk monitors registered accommodation providers at least once every 6 years by carrying out an official inspection. If pursuant to the act on general administrative regulations it is justified for the purpose of conducting an effective official inspection, the municipal clerk, pursuant to Section 4 of Government Decree No 282/2007 of 26 October on the designation of bodies in charge of the sectoral requirements of specific fields and bodies acting with exclusive authorisation concerning specific technical matters and issuing expert opinions in certain specific fields, shall commission first and foremost the Hungarian Tourism Agency Private Limited Company to act as consultant.

(4) Once a year, the municipal clerk shall conduct an official check to ascertain whether the accommodation provider has fulfilled his obligation to register with and to regularly submit data to the National Tourism Data Supply Centre, which he must do using the ASP framework system's National Tourism Data Supply Centre system.

(5) In 2021, the municipal clerk shall fulfil the inspection obligation specified under paragraph (4) by 31 August.

(6) During the official inspection in accordance with paragraph (3), besides the things referred to in paragraph (4), the municipal clerk shall give priority to investigating whether

a) the accommodation provider fulfils the requirements laid down in Section 5 and

b) the accommodation conforms to the requirements and conditions for performing the accommodation service activities as specified in this Decree.

(7) The municipal clerk shall notify the National Tourism Data Supply Centre's operator of accommodation establishments that do not have a property management system or, according to the findings of an official inspection, have not registered with the National Tourism Data Supply Centre, or have not fulfilled their data supply obligations as prescribed by the government decree on the implementation of the act on the duties of the state regarding the development of tourism regions, or have not done so properly.

(8) The municipal clerk shall send his/her inspection plan for the year concerned, in the required format, to the National Tourism Data Supply Centre's operator by 1 December of the year preceding the year in question. Any diversion from the inspection plan must be justified in every case. The fact of diversion and the reasons for it must be sent to the National Tourism Data Supply Centre's operator within eight days. By 1 December of the year prior to the target year, the municipal clerk shall notify the National Tourism Data Supply Centre's operator if it will not perform an inspection in the target year or if there are no accommodation establishments operating in its jurisdiction. The National Tourism Data Supply Centre's operator shall publish the form and content requirements for the inspection plan and the method for submitting it on its website.

(9) The National Tourism Data Supply Centre's operator has the right to initiate inspection by the municipal clerk or the competent authority. The municipal clerk or the competent

authority must take appropriate action within 15 days on the basis of the inspection initiated by the National Tourism Data Supply Centre's operator.

(10) The record or notes produced as a result of the official inspection shall be sent to the National Tourism Data Supply Centre's operator by the municipal clerk within 8 days following conclusion of the official inspection. The National Tourism Data Supply Centre's operator shall publish the form of the record or notes and the method for submitting it on its website.

Section 8 (1) If the accommodation provider wishes to pursue any other commercial activities at the same accommodation (subject to a licence based on separate legislation), and submits his/her application to the municipal clerk for this separate licence together with notification, the municipal clerk shall act as the authority participating in the procedure aimed at issuing this other licence for this commercial activity subject to a licence.

(2) The participating authority shall forward the application to the authority competent to issue this separate licence, together with verification that notification has been made.

(3) The participating authority may not call on the customer to make up deficiencies in the application for the separate licence, apart from calling on the customer to pay an unsettled administration service fee or duty. The participating authority may also terminate the procedure if the circumstance that necessitated the procedure no longer obtains.

(4) If the municipal clerk has the purview and competency to review the application for the separate licence referred to in paragraph (1), then he/she shall review and decide on notification and the application for the separate licence in a single procedure.

(5) If the accommodation provider wishes to carry out any other commercial activity at the same accommodation (subject to notification under separate legislation), he/she may also make the notification pertaining to the other notifiable commercial activity that should be made to another competent authority, and may pay the duty payable for such notification, to the municipal clerk, at the same time as making notification of the accommodation service activity. The municipal clerk shall forward such notification without delay to the other authority designated to deal with the procedure related to the notification, in order that the measures prescribed in Section 23 of the Services Act may be taken.

Section 9 (1) If the accommodation provider submits his/her application for the authorisation of a name indicating the therapeutic nature of the institution as specified in separate legislation on natural therapeutic factors (hereinafter: authorisation of a name indicating medical nature) to the municipal clerk, at the same time as his/her application for the accommodation service licence, the clerk shall proceed as authority participating in the procedure aimed at authorising the name indicating medical nature.

(2) The participating authority shall forward the application to the competent authority with the purview to authorise a name indicating medical nature, together with verification that notification has been made.

(3) The participating authority may not call on the customer to make up deficiencies in the application for authorisation of a name indicating medical nature, apart from calling on the customer to pay any unsettled administration service fee or duty. The participating authority

may also terminate the procedure if the circumstance that necessitated the procedure no longer obtains.

Section 10 (1)–(5)

Section 11 (1)

(2) The municipal clerk shall communicate the notification concerning the pursuance of accommodation service activity to

a)

b) the National Tourism Data Supply Centre's operator.

(3) If the accommodation service provided at the establishment affects the scope of duties and purview of another authority specified in Section 7 (1) (in terms of the criteria indicated), the municipal clerk shall send verification that notification of the accommodation service activity in the other establishment has been made to the authority concerned. The authority shall notify the municipal clerk of the results of an inspection within eight days of its completion.

Section 12 (1) In addition to the data specified in Section 26 (2) *a)–d)* of the Services Act, the registry of persons engaged in accommodation service activities (hereinafter: accommodation registry) shall include the following:

a) the address, topographical lot number and layout plan of the establishment and, in the case of a holiday boat, the address and topographical lot number of the harbour,

b) the name of the accommodation establishment and, in the case of a holiday boat, the name of the harbour,

c) the accommodation provider's tax ID number and statistical code,

d) the type of the accommodation service activity,

e) the capacity of the accommodation based on the data in Section 6 (1) *e)*,

f) the registry number of the accommodation service activity and the date it was registered,

g) the fact and duration of temporary closure of the accommodation,

h) the date of and reasons for final closure of the accommodation.

(2) The municipal clerk shall post on the internet all the details of records kept.

(3) The registry specified in paragraph (1) qualifies as authentic public records.

Section 13 (1) The accommodation provider shall notify the municipal clerk in writing without delay of any changes in the data specified in Section 6 (1).

(2) The municipal clerk shall enter the changes in the data, as specified in the notification, into the registry.

(3)–(4)

(5) The accommodation provider must notify the municipal clerk of the final closure of an accommodation establishment within eight days of closure. The municipal clerk shall delete the accommodation establishment from the records immediately on receiving the notification.

Section 14 (1) Should there be a breach of any of the legal regulations or rules adopted by the authorities with respect to accommodation establishments, the municipal clerk shall determine the following legal consequences:

a) except for the cases defined in *c)–e)*, the municipal clerk shall call on the accommodation provider to eliminate the breach and to restore compliance with the statutory requirements, setting a deadline for doing so,

b) if the accommodation provider fails to eliminate the breach or to restore compliance with the statutory requirements within the deadline specified in subparagraph *a)*, the municipal clerk shall once again call on the accommodation provider and at the same time impose a fine,

c) if the accommodation fails to meet the requirements specified in Section 4, the municipal clerk shall call on the accommodation provider to eliminate the illegal conditions and restore compliance with the applicable regulations, setting a deadline for doing so, and shall order temporary closure of the accommodation until compliance is restored, but for not more than 90 days,

d) shall prohibit the operation of any accommodation establishment not included in the accommodation registry and not registered in the National Tourism Data Supply Centre with immediate effect and impose a fine on the operator concerned,

e) if the accommodation provider fails to terminate the illegal conditions within the prescribed deadline following temporary closure of the establishment, or if the accommodation provider repeatedly breaches the relevant regulations within one year such that he must be fined as specified in subparagraph *b)*, the municipal clerk shall order the closure of the establishment and at the same time delete the service provider from the records.

(2) The fine referred to in paragraph (1) *b)* shall amount to

a) for a hotel

aa) HUF 1.2 million if there are up to 50 beds,

ab) HUF 2 million if there are 51-100 beds,

ac) HUF 3 million if there are 101-150 beds,

ad) HUF 4 million if there are 151-200 beds,

ae) HUF 5 million if there are over 200 beds;

- b)* HUF 500,000 for a guesthouse;
- c)* for a campsite
 - ca)* HUF 200,000 if there are up to 20 housing units,
 - cb)* HUF 400,000 if there are 21-50 housing units,
 - cc)* HUF 600,000 if there are 51-100 housing units,
 - cd)* HUF 800,000 if there are more than 100 housing units;
- d)* HUF 100,000 for a holiday house resort;
- e)* for community accommodation
 - ea)* HUF 100,000 if there are up to 20 beds,
 - eb)* HUF 200,000 if there are more than 21 beds,
- f)* HUF 100,000 for private accommodation;
- g)* for other accommodation
 - ga)* HUF 100,000 if there are up to 20 beds,
 - gb)* HUF 200,000 if there are more than 21 beds.
- h)* HUF 100,000 for a holiday boat.

(3) The amount of the fine referred to in paragraph (1) *d)* is twice the amount specified in paragraph (2).

(4) The fine referred to in paragraph (1) *b)* and *d)* shall be paid into the central budget.

Section 15 The municipal clerk shall notify the authorities referred to in Section 11 of the changes specified in Section 13 without delay, and of deletion of the service provider from the records.

Section 16 (1) An accommodation provider operating private accommodation or 'other accommodation' shall submit data to the municipal clerk in writing concerning a given calendar year (hereinafter: current year) by 31 January of the following year, including the following:

- a)* the number of guests hosted and
- b)* the number of nights spent by guests at the accommodation.

(2) The data specified in paragraph (1) *a)* and *b)* shall be provided in aggregated form and broken down by guests with and without residence in Hungary. The data supplied as specified in paragraph (1) may not include personal data.

(3) The municipal clerk shall make the data he/she has been provided with in accordance with paragraph (1) available to the Central Statistical Office for the purpose of statistics.

Section 17 (1) Except for the stipulations in paragraph (2), this Decree shall come into force on the fifth day following its promulgation.

(2) Section 21 shall come into force on 1 July 2012.

Section 18 (1) When this Decree comes into force, accommodation establishments with effective operating licences for any of the types of business activities listed in Section 4 of Annex 2 to Government Decree No 133/2007 of 13 June on the procedure for operating shops and the conditions for pursuing certain commercial activities without shops [hereinafter: Government Decree No 133/2007 of 13 June] in force on 30 September 2009, shall qualify as accommodation establishments with accommodation operating licences according to the rules of conformity laid down in Section I of Annex 3, and the shop operating licence holders shall be regarded as holders of the accommodation operating licences.

(2) Accommodation establishments operated by accommodation providers registered when this Decree comes into force as per Section 2 of Government Decree No 110/1997 of 26 June on the utilisation of private accommodation for tourism purposes [hereinafter: Government Decree No 110/1997 of 26 June] (in force on the day before this Decree comes into force), in accordance with the rules of conformity defined in Section II of Annex 3, shall qualify as accommodation establishments with accommodation operating licences as per this Decree, with the proviso that the landlords listed in the private accommodation registry shall be regarded as the holders of the accommodation operating licences.

(3)

(4) Should there be any change to the data prescribed in Section 13 with regard to an accommodation establishment subject to paragraphs (1) and (2), the accommodation provider shall notify the municipal clerk of the change without delay. The municipal clerk shall proceed in accordance with Section 13 with regard to the data change.

(5) If an accommodation establishment was already in operation and had an accommodation operating licence when Government Decree No 441/2015 of 28 December on amendments to certain government decrees aimed at reducing bureaucracy in public administration came into force, the accommodation provider need only submit notification as specified in this Decree if there were any changes to the data specified in Annex 1. If the accommodation service is modified or discontinued, the accommodation provider must return the accommodation operating licence to the issuer.

Section 19 (1) An accommodation provider who had registered his/her accommodation service activity in accordance with Section 4 (1)-(2) when Government Decree No 155/2019 of 27 June amending certain government decrees on accommodation service activity (hereinafter: Amending Decree) came into force, or already had an operating licence, shall submit the document specified in Section 6 (2) *d*) hereof to the municipal clerk by 30 November 2019, together with a declaration on conformity with the notification and operating requirements specified in Sections 1 and 2 of Annex 1.

(2) An accommodation provider who had registered his/her accommodation service activity according to Section 4 (3)-(6) when the Amending Decree came into force, or already had an operating licence, shall submit the document specified in Section 6 (2) *d*) hereof to the municipal clerk by 30 November 2019, together with a declaration on conformity with the notification and operating requirements specified in Sections 3-6 of Annex 1.

(3) A 'provider of other accommodation' registered by 30 September 2020, or who has an operating licence, who meets the requirements on private accommodation, may submit a request by 31 December 2021 for the municipal clerk to change their accommodation registration to private accommodation service.

(4) An accommodation provider who requests modification of their accommodation service activity as specified in paragraph (3), at the same time as submitting the request for modification, shall submit the document referred to in Section 6 (2) *d*), as well as a declaration on conformity with the notification and operating requirements specified in Section 7 of Annex 1. This accommodation provider shall proceed as prescribed in Section 15 (3) of Government Decree No 237/2018 of 29 December on the implementation of Act CLVI of 2016 on the Duties of the State Regarding the Development of Tourism Regions.

(5)

Section 20

(2) The stipulation in Section 7/A (10) concerning withdrawal of the subsidy, as well as Section 7/A (11), shall be applied for the first time with regard to fiscal year 2021.

Section 21 The rules of this Decree valid on 31 December 2021 shall be applied to the accommodation providers registered by 31 December 2021 who have fulfilled their obligations specified under Section 21/A, until the first accommodation quality assessment has been carried out by the accommodation quality assurance organisation.

Section 21/A (1) In the case of accommodation providers registered by 31 December 2021, the first accommodation quality assessment shall be requested from the accommodation quality assurance body by the following dates, according to accommodation type:

- a) hotels: by 31 December 2021,
- b) guesthouses: by 31 December 2021,
- c) campsites: by 30 June 2022,
- d) holiday house resorts: by 30 June 2022,
- e) community accommodation: by 30 June 2022
- f) other accommodation: by 1 January 2023,
- g) private accommodation: by 1 January 2023.

(2) If the accommodation provider has a valid certification mark of the type published on the accommodation quality assurance body's website, they shall be required to register on the accommodation quality assurance body's website by the date specified in paragraph (1) and to verify the valid certification to the accommodation qualification body, which must accept it.

Section 21/B The accommodation quality assurance body shall commence the assessment of accommodation quality applications on 1 January 2022.

Section 22 This Decree is intended to provide for conformity with Articles 9-11 of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

Annex 1 to Government Decree No. 239/2009 of 20 October

Requirements for each type of accommodation

1 Hotel

1/A Notification requirement

1 A reception area with a reception desk or counter.

2 A breakfast room or a room suitable for serving breakfast.

3 A lift only in buildings with more than 3 floors.

4 Telephone available for guests to use, in the reception area or at the reception desk.

5 The size of at least 80% of all room units (room plus bathroom), for each type of room, shall be at least 12 square metres; if there are three or more beds, an additional 5 square metres per additional bed.

6 Furniture in the hotel room unit:

a) size of the beds: single bed: at least 80 × 190 cm; double bed: at least 160 × 190 cm, bed structure: flexible bed frame (box spring, sprung slats or other similar solution),

b) bed mattress: hygienic mattress in a condition suitable for sleeping on, at least 13 cm thick,

c) modern, hygienic cover, suitable for sleeping under (duvet, blanket) and modern, hygienic pillow,

d) for each bed: night stand or a table to put things on, reading lamp, seat (at least 1 chair), at least four identical coat hangers,

e) wardrobe or storage space, coat rack or pegs,

f) table or desk,

g) luggage rack or suitcase storage space,

- h)* waste paper basket or rubbish bin,
- i)* power sockets for guests to use,
- j)* room lighting,
- k)* curtains or shutters on the windows,
- l)* 100% of rooms have: a bathroom, shower and toilet or bathtub and toilet. Bathroom facilities: shower curtain, washbasin, mirror, light(s), toiletry shelf, towel rail or hanger, power socket next to the mirror, rubbish bin.

1/B. Operating requirements

- 1 24/7 reception service: 24/7 availability by telephone from inside and outside the hotel. Personnel available at least 14 hours a day.
- 2 The person professionally responsible for hotel operations should also be available at night.
- 3 Cleanliness and hygiene throughout the hotel.
- 4 Equipment and installations in a safe condition, suitable for use.
- 5 Identifiable staff.
- 6 Beds in the rooms made every day.
- 7 Daily cleaning of rooms and communal areas.
- 8 Changing sheets:
 - a)* bedclothes must be changed at least once a week; and every time there is a new guest,
 - b)* bathroom textiles: hand towels, bath towels once every two days, or as requested by guests.
- 9 Bathroom supplies: one towel per person (bath towel), packaged soap or liquid soap or shower gel, one toothbrush glass per person, toilet paper plus additional rolls.
- 10 Conveying messages, alarm call
- 11 Meals: at least continental breakfast in the hotel up till 10:00 a.m.
- 12 Beverages served or vending machine in the hotel.
- 13 Safe deposit for luggage and valuables.
- 14 Hotel website with up-to-date information, authentic photographs and informative content for guests.

15 Information for guests on hotel services available at least in some printed form in the room or electronically, through an app.

16 Local information leaflets at reception.

17 The accommodation provider is responsible for fully observing the regulations concerning the personal safety and protection of the property of persons using its services, and for having them observed.

18 The property management system referred to in Section 5 (3).

2 Guesthouse

2/A Notification requirement

1 Communal area.

2 Public telephone or one available to guests.

3 Room size:

a) single: at least 8 square metres with a shower,

b) double or triple: at least 12 square metres with a shower, if there are three or more beds, an additional 4 square metres for each extra bed.

4 Room furniture:

a) size of the beds: single bed: at least 80 × 190 cm; double bed: at least 160 × 190 cm,

b) bed mattress: hygienic mattress in a condition suitable for sleeping on, at least 13 cm thick,

c) modern, hygienic cover, suitable for sleeping under (duvet, blanket) and modern, hygienic pillow,

d) for each bed: seat (at least 1 chair), at least four identical coat hangers,

e) wardrobe or storage space, clothes rack or pegs,

f) table or desk,

g) power sockets for guests to use,

h) room lighting,

i) curtains or shutters on the windows,

j) 100% of the rooms have: a bathroom, shower and toilet or bathtub and toilet. Bathroom facilities: shower curtain, washbasin, mirror, light(s), toiletry shelf, towel rail or hanger, power socket next to the mirror, rubbish bin.

2/B. Operating requirements

- 1 24/7 reception service Staff available by appointment.
- 2 Safe deposit for luggage and valuables.
- 3 Cleanliness and hygiene throughout the guesthouse.
- 4 Equipment and installations in a safe condition, suitable for use.
- 5 Daily cleaning of the rooms, toilets and communal areas.
- 6 Towels changed at least once every 3 days, or as requested by guests.
- 7 Bedclothes must be changed at least once a week; and every time there is a new guest,
- 8 Bathroom supplies: one towel per person (bath towel), packaged soap or liquid soap in dispenser or shower gel, one toothbrush glass per person, toilet paper plus additional rolls.
- 9 Website with up-to-date information, authentic photos and informative content for guests.
- 10 Information for guests on guesthouse services available at least in some printed form in the room, or electronically, through an app.
- 11 Local information leaflets at reception.
- 12 Beverages served or vending machine in the guesthouse.
- 13 Meals: at least breakfast in the guesthouse or in its immediate vicinity.
- 14 The accommodation provider is responsible for fully observing the regulations concerning the personal safety and the protection of the property of persons using its services, and for having them observed.
- 15 The property management system stipulated in Section 5 (3) of the Decree.

3 Campsite

3/A Notification requirement

- 1 The area is fenced off and dust free, with rainwater drainage, roads suitable for vehicular traffic, with outdoor lighting throughout.
- 2 Telephone available to guests, at least for emergency calls.
- 3 Digital access (WiFi) available to guests.
- 4 The average unit area is at least 40 square metres.
- 5 Separate facilities for men and women:

a) hot and cold showers and washbasins, with shelf, mirror and power socket for each washbasin,

b) flush toilet with brush and brush holder, toilet paper holder and toilet paper, facility for washing hands.

6 Cooking, washing and washing up facilities in a roofed section for use by guests.

7 Waste (refuse) bins with regular emptying.

8 The requirements in points 5-6 applicable to the sanitary facilities for bathing, showering, washing and cooking: for every 250 persons (reckoning an average of 2.5 persons per unit area) (if accommodation is also provided in holiday houses on the campsite, and if these facilities are available in the holiday houses, the number of guests who can stay in the holiday house(s) must be disregarded when calculating the requirements), enclosed waste water drainage and/or treatment at the campsite, a drinking water supply, as detailed below:

9 If the campsite is open all year round, the services specified in Sections 5-6 are available in a heated room or rooms during the heating season.

3/B. Operating requirements

1 24/7 reception service capable of providing first aid.

2 Daily cleaning of common rooms and the campsite's communal areas.

3 The accommodation provider is responsible for fully observing the regulations concerning the personal safety and protecting the property of persons using its services, and for having them observed.

4 The property management system stipulated in Section 5 (3) of the Decree.

4 Holiday house resort

4/A Notification requirement

1 The premises in a holiday house resort:

a) One or more bedrooms, with not more than 4 beds in each (the size of a bedroom: single: at least 8 square metres, double or more: at least 12 square metres, with 4 more square metres for each additional bed from the third one up. Maximum number of beds: 4 per room, bunk beds may be provided for children.

b) Kitchen with hotplate, sink, dishes, table, chairs, refrigerator; the holiday house resort has a drinking water supply.

c) Parking space for one car is available to guests.

d) Bathroom with tub or shower, non-slip mat, hand and bath towels.

e) Toilet separately or in the bathroom, toilet brush with holder, toilet paper holder and paper, plus sanitary bag.

2 For holiday houses without bathroom: separate shared showers with hot and cold water and toilets for women and men.

4/B. Operating requirements

1 24/7 reception service, digital network (WiFi).

2 The holiday house is cleaned once a week and always when there are new guests. The holiday house is cleaned, bedclothes and towels changed once a week, and always when there are new guests.

3 Common rooms cleaned daily.

4 Guaranteed full observation of all rules and regulations related to the physical safety and protection of the property of natural persons staying in the accommodation.

5 The accommodation provider is responsible for fully observing the regulations concerning the personal safety and the protection of property of persons using its services, and for having them observed.

6 The property management system referred to in Section 5 (3).

5 Community accommodation

5/A Notification requirement

1 At least 10% of sleeping capacities are women's dormitories.

2 At least 4 m² floorspace per bed, or 5 m³ air space is available per person. The size of beds is at least 80× 200 cm, the distance between the sides of beds at least 75 cm. Bunk-beds may be used. Each bed has a mattress, bedclothes must be provided.

3 Luggage storage facilities available in the rooms. Separate, lockable luggage storage available for each person in shared rooms.

4 Separate bathing or showering facilities with hot water for men and women. Bathroom facilities and accessories: shower or tub, washbasin, mirror, toiletry shelf, towel rail, clothes peg, power socket, rubbish bin (preferably with lid), soap, hand dryer.

5 Separate toilets for men and women, one for every 10 persons. Toilet facilities and accessories: Toilet brush with holder, toilet paper holder and paper, washbasin, paper towel or hot air dryer for hygienic hand drying. Liquid soap or shower gel in dispenser and hand dryer in shared bathrooms.

6 Telephone and WiFi available for guests to use.

7 Indoor and/or outdoor communal area for guests.

8 Kitchen for cooking and dining with hot plate, sink, refrigerator, table and chairs.

9 Room furnishings: night stand and/or table to put things on, power socket, reading lamp, coat hanger. Waste paper basket, curtain or shutter in each room.

5/B. Operating requirements

1 24/7 reception service

2 Daily cleaning of dormitories, common rooms and toilets.

3 Daily cleaning of the rooms and common areas.

4 Changing sheets:

a) bedclothes must be changed at least once a week, and every time there is a new guest,

b) bathroom textiles: hand towels, bath towels once every three days or as requested by guests.

5 Bathroom/shower supplies: liquid soap in dispenser or shower gel, hair dryer, (paper) towels/dryer for hygienic hand drying.

6 Toilet supplies: Toilet paper, plus extra rolls, (paper) towels/dryer for hygienic hand drying.

7 Room for safe keeping of baggage and valuables or (automatic) locker facility.

8 The accommodation provider is responsible for fully observing the regulations concerning the personal safety and protection of the property of persons using its services, and for having them observed.

9 The property management system stipulated in Section 5 (3) of the Decree.

6 Other accommodation

6/A Notification requirement

1 Room size:

a) single: at least 8 square metres,

b) double or more: at least 12 square metres, with 4 more square metres for each additional bed from the third one up,

2 Sanitary facilities: separate bathroom/shower or washroom for guests, toilet with brush holder, toilet paper holder with paper, hygienic waste bin.

3 Kitchenette: set up for making coffee and tea and breakfast dishes (hot plate, sink, table, chairs) with accessories (e.g. dishes), separate refrigerator for use by guests.

6/B. Operating requirements

1 Duty: the landlord or his employee either present on site or available by telephone.

2 Guests may access the site at all times outside duty hours.

3 Cleaning:

a) guest room(s) at least once a week, together with change of bedlinen and towels (bedclothes: 1 duvet and 1 pillow per person, towels: 1 hand towel and 1 large towel per person), and every time there are new guests,

b) communal areas cleaned every day.

4 Bathroom/shower or washroom supplies: liquid soap or shower gel in dispenser, hair dryer.

5 Toilet supplies: Toilet paper plus extra rolls, (paper) towels/dryer for hygienic hand drying.

6 The accommodation provider must display the name and type of the accommodation establishment in a prominent spot outside the entrance (in Hungarian and English and/or German), also inside the establishment, visibly and in a prominent spot, the name of the establishment, the accommodation provider's name and telephone number, and the operating permit number.

7 The accommodation provider is responsible for fully observing the regulations concerning the personal safety and the protection of property of persons using its services, and for having them observed.

8 The property management system referred to in Section 5 (3).

7 Private accommodation

7/A Notification requirement

1 Room size:

a) single: at least 8 square metres,

b) double or more: at least 12 square metres, with 4 more square metres or 5 cubic metres of air space for each extra bed from the third one up,

c) maximum number of beds: 4 per room, bunk beds may be provided for children.

2 Sanitary facilities: separate bathroom/shower or washroom for guests, toilet with brush holder, toilet paper holder with paper, hygienic waste bin.

3 Kitchenette: set up for making coffee and tea and breakfast dishes (hot plate, sink, table, chairs) with accessories (e.g. dishes), separate refrigerator for guests to use.

7/B. Operating requirements

1 Duty: the landlord or his employee either present on site or available by telephone.

2 Guests may enter the site at all times outside duty hours.

3 Cleaning:

a) guest room(s) at least once a week, together with change of bedlinen and towels (bedclothes: 1 duvet and 1 pillow per person, towels: 1 hand towel and 1 large towel per person) and always when there are new guests,

b) communal areas cleaned every day.

4 Bathroom/shower or washroom supplies: liquid soap in dispenser or shower gel, hair dryer, (paper) towels/dryer for hygienic hand drying.

5 Toilet supplies: Toilet paper plus extra rolls, (paper) towels/dryer for hygienic hand drying.

6 The accommodation provider must display the name and type of the accommodation establishment in a prominent spot outside the entrance (in Hungarian and English and/or German), also inside the establishment, visibly and in a prominent spot, the name of the establishment, the accommodation provider's name and telephone number, and the operating permit number.

7 The accommodation provider is responsible for fully observing the regulations concerning the personal safety and the protection of property of persons using its services, and for having them observed.

8 The property management system referred to in Section 5 (3).

8. Holiday boat accommodation

8/A Notification requirement

1 The number of housing units and beds in the holiday boat; minimum requirement: 2 housing units.

2 Sanitary facilities inside the holiday boat: shower and washroom, toilet, with brush holder, toilet paper holder with paper, hygienic waste bin.

3 Kitchenette inside the holiday boat: set up for making coffee and tea and breakfast dishes (hot plate, sink, table, chairs) with accessories (e.g. dishes), with refrigerator.

4 Sanitary facilities in the harbour: separate bathroom, shower or washroom for guests, toilet with brush holder, toilet paper holder with paper, hygienic waste bin.

8/B. Operating requirements

1 Duty: the landlord or his employee either present on site or available by telephone.

2 Guests may access the harbour sanitary facilities at all times outside duty hours.

3 Cleaning:

a) always if there are new guests, together with change of bedlinen (bedclothes: 1 bed sheet, 1 duvet and 1 pillow per person),

b) communal areas in the harbour cleaned every day.

4 Inside holiday boat; shower or restroom and toilet supplies: liquid soap or shower gel in dispenser, toilet paper plus extra rolls.

5 Harbour sanitary facilities: Toilet paper and extra rolls.

6 The accommodation provider must display the name of the holiday boat in a prominent spot. A holiday boat card must also be available, with the data stipulated in Section 15/A (6) c) of Government Decree No 515/2017 of 29 December on the detailed rules for certain official procedures of the inland navigation authority.

7 The accommodation provider is responsible for fully observing the regulations concerning the personal safety and the protection of property of persons using its services, and for having them observed.

8 The property management system referred to in Section 5 (3).

Annex 2 to Government Decree No. 239/2009 of 20 October

Annex 3 to Government Decree No. 239/2009 of 20 October

Rules of conformity referred to in Section 18 of Government Decree No 239/2009 of 20 October

I

Business operation as specified in Government Decree No 133/2007 of 13 June	Accommodation type as specified in Government Decree No 239/2009 of 20 October
4100. Hotel	hotel
4200. Guesthouse	guesthouse
4400. Campsite	campsite
4300. Holiday house	holiday house
4500. Tourist hostel	community accommodation
4600. Youth hostel	community accommodation
4700. Other accommodation	community accommodation

II.

Accommodation type as specified in Government Decree No 110/1997 of 26 June Accommodation type as specified in Government Decree No 239/2009 of 20 October

accommodation

Other accommodation

rural accommodation

Other accommodation

Annex 4 to Government Decree No. 239/2009 of 20 October
