

ASPECTS OF RURAL TOURISM IN ROMANIA THROUGH THE LENS OF LEGISLATIVE CHANGES IN RECENT YEARS

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Abstract: Due to its characteristics, rural tourism can represent an important factor of development at the level of a national economy by the fact that: it creates jobs, highlights local traditions, forgotten folk crafts, gastronomic customs, living habits and local culture. Rural tourism is also a real chance for the revitalization of Romania's economy, given that there are still many rural settlements and communities that preserve their local specificity, traditions, customs.

This form of tourism has the ability to attract tourists throughout the year, not being subject to the effect of seasonality, offering authentic experiences in a unique natural and traditional setting. With a well-organized tourism infrastructure and the international promotion of rural beauties and traditions, rural tourism can become a central pillar of the national economy, supporting the sustainable development of local communities.

The legislative changes in the field of tourism in general and rural tourism, in particular, aimed to support the development of rural tourism in Romania, facilitating access to financing for small entrepreneurs, simplifying authorization processes and providing support measures in the context of the pandemic. A priority within the current legislation is the emphasis on sustainability and the preservation of local traditions, in order to promote sustainable and attractive rural tourism for both Romanian and foreign tourists.

Key words: rural tourism, legislative changes, Romania

INTRODUCTION

Rural tourism and agritourism are considered different concepts by some, meaning the same thing to others. Most often, however, the term rural tourism is used to designate both types/forms of tourism. This is why both the Leader programs (I, II and III), initiated by the European Commission, and the report "Rural Tourism in the 12 EC States" (1987), emphasize and emphasize the need for a more precise definition of tourism practiced in the countryside, a definition that all member states agree with.

A clearer definition of rural tourism would make it easier to "sell" this product, following the principle that it is easier to sell something that is well defined for the consumer, and would also facilitate the shaping of strategies for the development of this sector throughout the world, because managers in tourism and adjacent sectors would work with the same concepts regarding what is understood by rural tourism.

The relationship between rural tourism and agritourism also needs to be clarified. In some European countries, agritourism is defined according to the profession of those who operate in this field; anyone who owns a rural household and makes it available to tourists is assumed to practice agritourism. But this conceptualization can also include owners of large, modern, mechanized households in which the rural characteristics (which represent the essence of agritourism) are greatly blurred. Similarly, there are countries where the term agritourism can only be used to designate those activities that provide the tourist side of the business with more than 50% of the total income of the household, the rest being obtained from agricultural production. All these inconsistencies generate a series of problems related to the marketing of this type of tourist product, and the message that is transmitted to the tourist who buys the product.

According to the methodology adopted by the Ministry of Tourism, the Research Center for the Promotion of International Tourism and ANTREC (National Association for

Rural, Ecological and Cultural Tourism), rural tourism embraces all tourist activities carried out in rural areas, with the aim of capitalizing on the natural and human potential of villages. Compared to agritourism, rural tourism has a much wider scope, is permanent in nature and has a heterogeneous reception structure, represented by rural hotels, inns, campsites, tourist stops, holiday villages, bungalows or villas grouped around common spaces for meals, leisure, sports entertainment, etc. The basic activity of the people involved is the provision of tourist services, and the income generated is permanent. Particular elements of this type of tourism are: [3,4]

- proximity to nature, the absence of crowds, the existence of peace and non-mechanized facilities;
- personal contact between the host and the tourist;
- the antithesis of urban anonymity;
- the spirit of continuity and stability in a distant history;
- the opportunity to get to know the area and the population that lives there;
- the development of the local community through the development of rural tourism.

According to the World Tourism Organization, rural tourism is "a form of tourism that includes any tourist activity organized and led in rural areas by the local population, capitalizing on local tourist resources (natural, cultural-historical, human) as well as tourist facilities, structures, including guesthouses and Agritourism farms". This definition is based on a series of specific features that characterize rural tourism activities:

- location in rural areas (existence in rural localities);
- construction of the tourist product in a functional way, based on the characteristics of the rural world (open space, contact with nature, tradition, organization and traditional practices);
- rurality as a scale (in terms of buildings and facilities - usually on a small scale - preserving the rural infrastructure);
- traditional character (slow and organic growth in connection with local families, taking into account the preservation of rural functionality and the preservation of the rural way of life);
- the diversity of presentation forms, depending on: rural and economic environments, history and settlement (while preserving the specific cultural identity).

In another context, the practice of rural tourism presupposes the existence of the following elements: [1]

- the existence of a rural area rich in traditions with a special natural environment;
- people interested in practicing such an activity;
- the services offered by these people: accommodation and meals;
- the existence of a material base (which involves means of transport and access roads) and an adequate legislative framework, which would encourage people to practice such an activity.

In countries where tourism contributes substantially to the creation of national wealth, such as Spain, Italy, France, Switzerland, Austria, Sweden and others, we also encounter a rich legislation aimed at highlighting the importance, functioning and effects of practicing tourism in general, of its various forms in particular.

The community documents that supported the development of rural tourism at its beginning were:

- verdict on the future of the rural world (89/c298/10);
- the declaration of 1990, the European Year of Tourism;
- community measures for the development of rural tourism, from the Commission of 29 October 1990 (COM 90/438), focused on two main directions:

1. measures with economic support for investments through the Structural Funds.
2. development, promotion and organization measures.
 - community action plan in favor of tourism (COM 90-97/1991);
 - Report of the Committee on Transport and Tourism of the European Parliament on the Commission Report on Community action affecting tourism (DOCE No. C18/159, 1994);
 - Verdict on the policy for the development of rural tourism in the regions of the European Union of the Committee of the Regions (DECE No. C 210/99/1995);
 - Green Paper of the Commission (COM 95-97).

MATERIALS AND METHODS

This article has as main purpose to make an overview on the main steps of rural tourism evolution, in terms of legislation. Thus, to achieve this objective was used as a research method, the qualitative study method, secondary study. The study was directed in two main directions:

- Overview on the legislative evolution in Romanian rural tourism field
- Rural tourism in Romania-statistical evolution and benefits

As materials were use documentaries, laws, books and electronic bibliographic resources.

RESEARCH RESULTS

1. Overview on the legislative evolution in Romanian rural tourism field

Rural tourism in our country has always been practiced, but spontaneously, sporadically, accidentally, and especially unorganized; its form of materialization is represented, starting with the 1920s-1930s, by accommodation with citizens for occasional visitors to a rural settlement. The first attempts at organized tourism were made in 1967-1968, for groups of tourists on the Romanian Black Sea coast. It seems to have been a promising start, because in 1972 the Ministry of Tourism elaborated order 297/1972, as a result of which the Research Center for International Tourism Promotion proceeded to identify and select representative rural localities that were to be launched in forms of rural tourism. Following these studies, in agreement with the county tourism offices and local administration bodies, it was established that approximately 118 rural localities could be introduced into domestic and international tourism.

Starting from July 16, 1973, by order of the Ministry of Tourism number 744/1973, 14 localities were declared, experimentally, as villages of tourist interest, called "tourist villages", as follows: Lerești (Argeș), Fundata and Șirmea (Brașov), Sibiel (Sibiu), Tismana (Gorj), Mirighiol and Crișan (Tulcea), Racoș (Timiș), Sfântu Gheorghe (Tulcea), Bogdan Vodă (Maramureș), Vatra Moldoviței (Suceava), Poiana Sărată (Bacău), Vaideeni (Vâlcea). [2,9]

The following year, by decree 225/1974, it was forbidden to accommodate foreign tourists in private homes, tourist villages becoming non-functional for foreign tourism. The short period of "officialization" of rural tourism did not make it possible to organize the activity or the appropriate arrangement of tourist villages. In many localities, households that met the accommodation conditions were not approved (Rucăr, Vatra Moldoviței, Vaideeni), in others, the accommodation of Romanian tourists was done in an unorganized manner and without any records (Crișan, Bogdan Vodă, Rucăr). With very few exceptions, this situation lasted until 1989. Only some villages remained valid where ONT Carpați transported tourists to participate in various cultural and folkloric events.

After 1989, the first households registered in rural tourism were in the Moeciui-Bran-Rucăr area. Then the registered households expanded from the areas of Bârsa, Dorne, Maramures, the Apuseni Mountains, Cluj and the Sibiu Margins. In 1990, Government

Decision no. 438 was issued regarding the establishment of the Mountain Zone Commission, as well as Government Decision no. 688, which establishes the attributions of this commission. In 1993, the commission was reorganized, and its attributions were taken over by the Romanian Federation for Mountain Development. Subsequently, through Government Ordinance no. 62/1994 and Law 145/1994, new regulations appeared in the field of practicing tourism in Romania. The basic legal norms for practicing agritourism in our country are represented by Government Ordinance no. 63/1997, regarding the establishment of facilities for the development of rural tourism and Law no. 187/1998, for the approval of the Government Ordinance, which also provides for some amendments to the Government Ordinance.

The basic legal norms for practicing agritourism in our country are represented by Government Ordinance no. 63/1997, regarding the establishment of facilities for the development of rural tourism and Law no. 187/1998, for the approval of the Government Ordinance, which also provides for some amendments to the Government Ordinance.[8]

The first house in Romania to obtain the certification of agritourism guesthouse was the villa "Santa Maria" located on a hilltop, between the ridges of the Bucegi and Piatra Craiului Mountains, owned by Mrs. Mioara Stoian. Today, after a decade of activity, rural tourism consumers are familiar with a large number of approved tourist and agritourism guesthouses, which have entered the ANTREC circuit.

The special fund for the promotion and development of tourism is based on Government Ordinance no. 8 of 30 I. 1998. In the period that followed, this ordinance underwent numerous interventions of modification and completion, materialized in Government Ordinance no. 43 of 27 July 1998, Government Decision no. 511 of 27 August 1998, Government Decision no. 712 of 2 September 1999, Law no. 23 of 27 March 2000, Government Decision no. 296 of 8 March 2001, Government Decision no. 423 of 25 April 2001 and Government Decision no. 619 of June 27, 2001.

Non-governmental organizations interested in the development of rural tourism and Agritourism have emerged, such as: the Romanian Federation for Mountain Development (1991), the Botiza Tourist Association (1993), the "AGRO-TUR" Tourist Foundation, OSR (1994), the "Romanian Village Operation" Association, 1991, the Prahova Mountain Tourism Association, the Romanian Agency for Agritourism (1993).

After 1990, some government bodies also showed interest in the development of rural tourism, such as: the National Tourism Authority, the Ministry of Agriculture, Forests and Waters, the Ministry of Youth and Sports, the Ministry of Education and Research, research institutes: the Institute for Tourism Research and Development, the Institute of Geography, the Institute of Agrarian Economics), the Bucharest Economic Information Center, higher education institutions, high school, post-high school, from the state and private network, foundations and associations concerned with the rural community and its future.

Among the commercial companies active in the field of rural tourism, we mention: the "Țara Dornelor" Foundation from Vatra Dornei, "Branimpex" from Bran, "Trans Tour" SRL Praid, Harghita County, S.C. "Drăguș" Covasna, "Dublian" SRL - Câmpulung, "Ovidiu Tour" Bran, etc., in total about 25 tour operators. Among these, the activity of S.C. "Branimpex" SRL from Bran, Brașov County, which rents about 150 houses in the villages of Bran, Moieciu, Sirnea and Fundata, to tourists from Germany, the USA, France, Great Britain, etc.

In order to promote rural tourism and to provide professional information to those who want to focus on this new field, the National Association for Rural, Ecological and Cultural Tourism (ANTREC) was established in 1994. ANTREC is a non-governmental, apolitical, non-profit organization, a member of the European Federation of Rural Tourism

EUROSITES. The National Association for Rural, Ecological and Cultural Tourism was established in 1994, currently having a network of 30 branches in as many counties, with a number of approximately 2300 members, over 2500 tourist guesthouses and approved agro-tourism guesthouses, totaling about 7500 rooms. The purpose of ANTREC is to identify and promote rural tourism potential, to organize professional training courses for hosts, rural tourism agents through seminars, short and long-term courses, experience exchanges and to organize advertising campaigns for classified and approved units.

In 1994, the first legal regulations in Romanian rural tourism appeared: Government Ordinance no. 62/1994 and Law no. 145/1994, which introduced some facilities for the development of the rural tourism system in the mountain area, the Danube Delta and the Black Sea coast.

Guest houses and agritourism farms, regardless of location, are classified according to the norms approved by the Order of the Minister of Tourism no. 20 of April 1995, published in the Official Ministry of Romania, part I, no. 101, of May 25, 1995. This order is supplemented by Order no. 56 of June 27, 1995 for the approval of the Methodological Norms and criteria regarding the classification by stars and categories of tourist reception structures, published in the Official Gazette of Romania no. 220 of September 25, 1995.

Based on Government Decision no. 77/1996, "the tourist resort is defined as "the locality with a specified tourist function, equipped with natural resources and with structures necessary for the valorization and practice of tourism" which meets certain conditions regarding the framework and quality of the environment, access to the resort, utilities, tourist reception structures.

Starting with 1997, through Government Ordinance no. 63/1997, published in the Official Gazette of Romania no. 226 of 30.08./1997, certain facilities regarding the development of rural tourism are established. According to this ordinance, individuals, family associations and commercial companies whose sole object of activity is the provision of tourist services in tourist guesthouses and classified agritourism guesthouses, benefit from certain facilities granted according to the law on small and medium-sized enterprises and certain facilities such as: land areas for the construction and development of agritourism guesthouses, priorities for the installation of telecommunications lines, specialized technical assistance, the inclusion of the offer agrotourism guesthouses in tourism promotion materials published by the Ministry of Tourism, exemption from income tax for a period of 10 years, if the accommodation capacity is a maximum of 10 rooms.

By H.G. no. 522 of 22 June 2000, the Government of Romania approves the Special Program for disadvantaged areas, entitled "Supporting agricultural activities in rural areas", published in the Official Gazette of Romania no. 314 of 6 June 2000, which has as objectives, among others, the development of the entrepreneurial spirit and the increase of the level of training of entrepreneurs in rural areas. [11]

By Order of the Minister of Tourism no. 61/1999, [12] the approval of tourist guesthouses and their classification is elaborated. In the context of state support for the development of rural tourism, the Government of Romania issued a series of decisions and ordinances, such as: Decision no. 296 of 8 March 2001 for the approval of the Tourism Marketing and Promotion Program for 2001, published in the Official Gazette of Romania no. 140 of 21 March 2001 and Decision no. 619 of 27 June 2001 on the completion of the annex to Government Decision no. 286/2001. The program had the following objectives: improving the image of the Romanian tourist product on foreign markets, stimulating the partnership between the public sector and awareness of the role and importance of tourism in the national economy and stimulating domestic and international tourist demand.

Although international recognition had become a certainty, achieving the standards offered to tourists required certain interior and exterior arrangements of the host households (separate entrance for tourists, sanitary facilities for them, covered parking lots, etc.). To achieve these, significant amounts of money were and still are needed. Fortunately, the interventions and memoranda to the Government did not remain without a response; on the contrary, when it came, it was even satisfactory. Thus, Government Ordinance 63/1997, on the establishment of facilities for the development of rural tourism, came in addition to Law no. 145/1994, also eased the problems of the owners of tourist guesthouses and, in general, of rural tourism practitioners in Romania. According to this ordinance, "natural persons, family associations and commercial companies whose sole object of activity is the provision of tourist services in tourist guesthouses and agritourism guesthouses benefit from an exemption from income tax, respectively profit tax, for a period of 10 years." In the version adopted by the Chamber of Deputies, the ordinance provides that the aforementioned natural and legal persons may benefit from preferential interest loans, granted for a maximum period of ten years. For such loans, granted for the development and arrangement of accommodation capacities, the interest will be set at a level representing 50% of the value of the interest rates charged on the banking market. The amounts necessary for granting preferential loans are provided by the Special Fund for the Development and Promotion of Tourism, within the limits set by the Ministry of Tourism.

Based on H.G. 805/2001, the accommodation rates charged by economic agents, owners of structures corresponding to qualified tourist reception, are determined by them freely, based on demand and supply and the quality of the services provided. In this regard, economic agents will establish:

- rates for the accommodation of tourists on their own, which will be expressed in lei/day/place type of room and will be displayed visibly; hosts are required to specify whether or not the rates include the equivalent of breakfast;
- rates for tourists coming in an organized manner. Economic agents owners of corresponding tourist structures may establish, depending on the tariff policy, the profitability of the activity, the degree of occupancy, the season, the following categories of gratuities or facilities:
 - free accommodation for children under 7 years old;
 - rate reductions for pupils, students, pensioners, veterans, invalids, war widows, the handicapped, etc.; foreign guest journalists, employees of the Ministry of Tourism.

According to the provisions of the Order of the Minister of Tourism 510/2002, the location of rural tourist pensions must be carried out in places protected from pollution and any other elements that would endanger the health or life of tourists. It contains the methodology and classification criteria for all types of tourist reception structures with accommodation and public catering functions in Romania. [13] According to this Order, the types of tourist reception structures with accommodation functions in rural areas are: $\frac{3}{4}$ 3, 2 star holiday villages; $\frac{3}{4}$ 4, 3, 2, 1 star campsites; $\frac{3}{4}$ 3, 2, 1 star camping spaces organized in households of the population; $\frac{3}{4}$ 2, 1 star tourist stops; $\frac{3}{4}$ 5, 4, 3, 2, 1 star rural tourist pensions; $\frac{3}{4}$ apartments or rooms for rent in family homes or in buildings with other purposes of 5, 4, 3, 2, 1 stars.

The construction of a tourist guesthouse requires obtaining the authorizations provided for by Law no. 50/1991 on the legal regime of constructions and Government Decision no. 31/1996.

Not without importance in terms of the legislative framework of rural tourism and agrotourism is ORDER no. 143 of March 4, 2005 on the definition and characterization of rural space. [10]

In recent years, the legislation on rural tourism in Romania has undergone significant changes, aimed at improving the organization and development of this sector. One of the most important updates is Government Decision no. 1193 of September 25, 2024, which approves the National Strategy for Tourism Development for the period 2025-2035. [14] This strategy sets clear directions for transforming Romania into a world-renowned tourist destination, emphasizing the valorization of cultural and natural heritage, including in rural areas. [6]

Previously, in March 2023, Law no. 64/2023 was promulgated, approving Emergency Ordinance no. 86/2022, amending and supplementing Government Ordinance no. 58/1998 on the organization and conduct of tourism activity in Romania. These amendments concern, among other things, the criteria for establishing destination management organizations, essential aspects for the development of rural tourism. [7]

Also, in October 2022, Government Decision no. 1252 was adopted, approving the Methodological Norms on the creation, arrangement and approval of hiking trails. These norms have a direct impact on rural tourism, facilitating the development of tourism infrastructure and the promotion of ecotourism activities in rural areas.

These legislative updates reflect the authorities' efforts to support and regulate rural tourism, ensuring that it develops in a sustainable and beneficial way for local communities.

2. Rural tourism in Romania-statistical evolution and benefits

In Romania, rural tourism has had different stages of evolution, where in some stages it was supported by legislative and fiscal measures, and then it had some constraints. From the point of view of analyzing the phenomenon of rural tourism in Romania, there were some inconsistent measures related to the registration of accommodation possibilities in rural localities. Nationally, three major categories of accommodation units are registered that can operate in rural areas, namely:

- Rural guesthouses, focused on accommodation and leisure, without owning agricultural land and practicing traditional agricultural occupations;
- Rural guesthouses in peasant households where accommodation and meals, leisure are based on agricultural land and their own vegetable and animal production;
- Rooms for rent in rural households that have surplus living space that is made available to tourists. And the statistical data of rural tourist units reveal an upward trend. (see table 1)

Table 1

Statistical evolution of the number of rural tourist accommodation units

Types of structures	1990	2010	2020	2021	2022
	MU: Number				
Total	3213	5222	8610	9146	9120
Inns	131	4	3	3	4
Tourist villas	-	768	752	752	758
Tourist cottages	-	49	92	112	127
Tourist guesthouses	-	949	1729	1745	1696
Agro-tourism guesthouses	-	1354	3022	3460	3484

Source: <http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table> [15]

Forms of rural tourism create added value for small farmers, local communities and visitors. Through interactions with tourists, farmers can develop new skills, sell their

products directly to consumers and enhance community exchanges. This leads to the flow of funds from industrial regions to less industrialized areas, the preservation of rural uniqueness and long-term economic development. It also helps to reduce rural depopulation and strengthens the relationship between consumers and producers in terms of global sustainability. [5]

One of the great advantages of rural tourism is that it is not affected by seasonality, which can influence other forms of tourism. Regardless of the season, villages and communes in Romania offer a variety of activities specific to each period of the year. Spring brings agricultural and gardening activities, summer offers the opportunity to pick berries and mushrooms, autumn is dedicated to preparing must and preserves for the winter, and the cold season brings Christmas traditions, which delight tourists from the city. In 2023, data from the National Institute of Statistics indicated a 12% increase in the number of foreign tourists who chose to vacation in Romanian rural areas. This demonstrates the potential of rural tourism to generate stable income for small entrepreneurs throughout the year.

Rural tourism brings significant benefits to local communities in Romania. The development of tourism in rural areas contributes to the economic growth of communities, generating additional income for locals through accommodation services, restaurants and the sale of traditional products.

Rural tourism also contributes to the preservation of cultural heritage and the preservation of local traditions and customs. Through interaction with tourists, local people are encouraged to preserve their traditions and crafts and pass them on to future generations.

Another positive consequence of rural tourism is the creation of employment opportunities for local people. The development of the rural tourism industry generates jobs in areas such as tourist guiding, event organization and recreational activities.

CONCLUSIONS

The current legislative framework regulating rural tourism activity is subject to a package of laws, some of which are general in nature and are applicable to small and medium-sized enterprises, regardless of the type of activity.

In order to promote and develop rural tourism, a series of normative acts, ordinances and implementation instructions have been developed in Romania, designed to create the legal and legislative framework for the proper conduct of tourism activities in rural areas. Also, the ministries involved in this activity - the Ministry of Tourism and the Ministry of Agriculture and Food - have developed, based on a collaboration protocol, instructions, regulations and norms regarding the organization, conduct and development of rural tourism, as well as the norms and criteria regarding the star classification of rural tourist guesthouses and agro-tourism farms. The normative acts issued between 1990 and 2004 constitute the necessary framework - legal and legislative - for rural tourism and agrotourism to align with European standards in terms of: the operating system, the degree of comfort, the norms of behavior as well as some facilities granted for the development of the rural tourism system in our country. Following the legislation targeting rural tourism, we proceeded to systematize it, as follows: general regulations, professional qualification courses, authorizations, approvals, certifications, financial aspects and tourist protection.

Regarding the general legislative framework for the establishment and operation of units in the rural tourism sector, we mention:

- Law no. 21/1924, which grants the possibility of creating associative forms with legal personality, such as non-governmental organizations, which also operate in the field of tourism;

- Decree - Law no. 54/1990, on the organization and development of economic activities based on free initiative;

- Law no. 31/1990, on commercial companies provides the necessary framework for the establishment of companies whose object of activity is rural tourism;

- H.G. 412/2004 on the organization and operation of the Ministry of Transport, Construction and Tourism and H.G. 413/2004 on the organization and operation of the National Authority for Tourism.

National legislation has been completed, adapted, and modeled according to the community acquis. The new changes to the Tourism Policy, as well as the legislative simplification at the Community level, constitute a challenge for the legislative and executive branches.

The inflation of legislation, especially if it is insufficiently substantiated, negotiated with internal partners and communicated to farmers, constitutes a vulnerability that can entail both the risk of infringement (at EU level) and other risks with a major impact. The risk of having "forms without substance", strategies unrelated to reality and the sector, is real. Improving the legislative framework by initiating, in collaboration with professional, employer, trade union and non-governmental associations, regulations that would impose unitary, simplified and functional normative acts in the field of tourism, aiming to:

- review the sector-specific legislation;
- develop and promote a coherent package of normative acts;
- amend, for the purpose of harmonization, other legal provisions initiated previously or in related fields, with direct or indirect influence on tourism;
- promoting normative acts that generate an economic environment stimulating the development of agritourism by creating specific facilities;
- joining international associations in the field.

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