



REPUBLIC OF SAN MARINO

REGULATION no. 3 of 8 June 2010

**We the Captains Regent
of the Most Serene Republic of San Marino**

*Having regard to Titles I and III of Law no. 22 of 27 January 2006 “Framework Law on Tourism”;
Having regard to Congress of State decision no. 21, adopted during its sitting of 24 May 2010;
Having regard to Article 5, paragraph 5 of Constitutional Law no. 185/2005 and to Article 13 of
Qualified Law no. 186/2005;*

Promulgate and order the publication of the following Regulation:

IMPLEMENTING REGULATION ON ACCOMMODATION COMPANIES REFERRED TO IN TITLES II AND III OF LAW NO. 22/2006 “FRAMEWORK LAW ON TOURISM”

CHAPTER I General Provisions

Art. 1 *(General provisions)*

1. This Regulation shall regulate the accommodation businesses in the Republic of San Marino, as provided for by Law no. 22 of 27 January 2006.
2. As provided for by article 2, paragraph 1, of Law no. 22 of 27 January 2006, in order to adapt the San Marino accommodation offer to the evolution of the tourist demand, two further types of accommodation businesses, called Youth Hostel and Religious accommodation facility, shall be established and governed by this Regulation.
3. For the accommodation companies referred to in articles no. 18 and 19 of Law n. 22 of 27 January 2006, for which specific regulations have already been issued, this Regulation shall only apply to what is not covered by Law n. 23 of 27 January 2006 and Delegated Decree no. 132 of 22 September 2009 and Decree no. 66 of 15 March 2006.
4. For accommodation facilities with an independent kitchen for the specific and exclusive use of the guests accommodated, no health authorisation shall be required. In case of provision of food and beverage or use of the kitchen as a common area self-managed by guests, health authorisation shall be required in accordance with article 10 of Law n.85 of 29 October 1992.
5. For all matters not provided for in this Regulation, urban planning, health, fire prevention and safety regulations in force shall apply.

Art. 2
(Classification)

1. This article shall regulate the procedures for the classification of accommodation facilities, which shall be classified by a number of five, four, three, two and one stars in accordance with the requirements set out in Tables A and B of the Annex to this Regulation. It shall also regulate the procedures for the classification of open-air accommodation facilities, which shall be classified by a number of four, three, two and one stars in accordance with the requirements set out in Table C of the Annex. 5-star hotels may be granted the additional “LUXURY” designation when they comply with the parameters contained in Table D of this Regulation. 3 and 4-star hotels may be granted the additional “SUPERIOR” designation if they meet the parameters contained in Tables A and B above.
2. The classification shall be assigned by the Commission for classification and supervision of accommodation businesses pursuant to art. 20 of Law no. 22 of 27 January 2006, upon request of the manager or owner of the business and upon declaration of the relevant requirements on the appropriate forms provided by the State Office for Tourism; this declaration shall be valid for five years and shall be an essential condition for the issue of the operating licence.
3. The owners of accommodation businesses shall be required to submit the application for classification by June of the year preceding the start of the five-year period begins. The State Office for Tourism may inform accommodation businesses before the deadline laid down by law. Classification operations shall be carried out in the six months preceding the year in which the five-year period of validity of the classification begins, through verification of the requirements possessed.
4. For newly established businesses, the classification shall be valid for the current five-year period and shall be assigned temporarily on the basis of the authorised building project and the declared information; the classification shall then be assigned definitively no later than ninety days from the start of the activity and following an inspection by the Commission.
5. Every accommodation company shall prominently display, both outside and inside the building, the distinctive sign corresponding to the number of stars assigned, issued by the State Office for Tourism.
6. If, during the five-year period, there are significant changes in the conditions that determined the classification level of the company, a review of the classification shall be carried out, either ex officio or upon request of the owner or manager.
7. In particular, if circumstances not corresponding to the assigned classification are found, the State Office for Tourism, after hearing the owner of the company and following the opinion of the Commission, shall order the necessary adjustments to be made within a time limit set according to the extent of the work. After the expiry of this time limit, the company will be classified at a lower level. If the company does not meet the requirements necessary to be classified as 1-star, it shall not be classified until the necessary work has been carried out. Financial interventions supporting requalification projects will be defined in a specific regulation.
8. The measures adopted by the Commission for classification and supervision of accommodation businesses shall be notified to the owner or manager by registered letter with acknowledgement of receipt within five days of their adoption. Appeals against the classification decision may be lodged with the Commission within 30 days of receipt of the notification.
9. The Commission shall decide on the appeals within thirty days from the date of their submission. Appeals against this measure may be lodged with the Administrative Court, pursuant to Law no. 68 of 28 June 1989.
10. With regard to accommodation facilities that are not subject to classification, the Commission for the classification and supervision of accommodation businesses shall carry out a specific inspection in order to confirm their suitability to carry out their activities, and shall communicate its findings to the competent State Office for Tourism.

Art. 3

(The Commission for classification and supervision of accommodation businesses)

1. The Commission for classification and supervision of accommodation businesses, referred to in Article 20 of Law no. 22 of 27 January 2006, shall be composed of the following members:
 - a) The Director of the State Office for Tourism, who shall coordinate the Commission;
 - b) three experts appointed by the sector's professional associations;
 - c) three experts chosen on a proportional basis by the parliamentary groups present in the Great and General Council.
2. In addition to the appointed members mentioned in the previous paragraph, directors of public offices, economic operators, representatives of the sector, experts and consultants may attend the Commission's meetings upon invitation by the Coordinator, in relation to the specific subject to be discussed. Subjects in an advisory capacity shall not have voting rights.
3. Officials of the State Office for Tourism, appointed for this purpose, shall also participate in the Commission's meetings, acting as Secretary taking the Minutes.
4. The Commission shall remain in office for 5 years and in any case until it is renewed.
5. The Commission's meetings shall be valid if the absolute majority of its members with voting rights is present.
6. The Commission's decisions shall be adopted by open ballot and with the majority of those present with voting rights: in the event of a tie, the Coordinator's vote shall prevail.
7. The Commission for classification and supervision of accommodation businesses shall have the following competences:
 - a) it shall carry out the administrative functions concerning the classification of accommodation facilities;
 - b) it shall decide on the granting of the classification and/or its revision;
 - c) it shall issue the certificate required to obtain the licence referred to in article 21 of Law no. 22 of 27 January 2006;
 - d) it shall cooperate with the State Office for Tourism in supervising accommodation businesses, in accordance with Article 27, paragraph 4 of Law no. 22 of 27 January 2006;
 - e) shall provide advice and proposals in relation to the hospitality industry and related activities.
8. The Commission for the classification and supervision of accommodation businesses shall be convened by the Coordinator, by means of notice to be sent by post, fax or email to the domicile of each voting member and of the persons participating in the meeting in accordance with the second paragraph of this article, at least five days before the date set for the meeting.
9. The notice referred to in the previous paragraph shall contain:
 - a) the date, time and place of the meeting;
 - b) if it is addressed to the voting members, a detailed list of the dossiers to be examined with a brief description of their content;
 - c) if it is addressed to persons with advisory functions, a brief but accurate description of the dossiers in relation to which they have been asked to express their opinions and observations.
10. Minutes of the Commission meetings shall be drawn up and approved by the Commission at a subsequent meeting and signed by the Coordinator and the Secretary taking the Minutes.
11. The Commission for the classification and supervision of accommodation businesses shall operate within the State Office for Tourism, which exercises administrative functions and tasks concerning classification procedures.

Art. 4

(Operating licence, name and reconversion)

1. The exercise of the accommodation activities governed by this Regulation shall be subject to the issue of a licence by the Office for Industry, Handicraft and Trade in accordance with the

provisions of the law in force regarding the issue of operating licences to natural and legal persons, with the exception of the activity referred to in Article 19 of this Regulation.

2. Sole proprietorships and companies with a licence to carry out accommodation activities shall be registered in a special Register of Tourist Companies kept by the Office for Industry, Handicraft and Trade.

3. In order to obtain a licence to carry out accommodation activities as a sole proprietorship, the applicant shall, in addition to meeting the personal requirements laid down in the legislation in force on the issuing of operating licences, meet the following requirements: a professional certificate issued by the Vocational Training Centre, or a professional diploma issued by Vocational Institutes for Hotel and Catering Services or Technical Institutes for Tourism or a degree in tourism or a master's degree in tourism issued by qualified institutes; or, if the interested person has not obtained one of the above-mentioned academic or professional qualifications, and provided the other requirements are met, he shall have successfully completed a qualification course as set out in Article 5 of this Regulation.

4. In order to obtain a licence to carry out accommodation activities as a company, the promoter or the natural person carrying out the activity shall, in addition to meeting the personal requirements provided for by the legislation in force on the issuing of operating licences, meet the requirements set out in the preceding paragraph.

5. As provided for in Article 2, paragraph 1, of Law no. 22 of 27 January 2006, in line with the legislation in force, the qualification exam for the exercise of entrepreneurial activity provided for in Article 13, paragraph 4 b, of Law no. 22 of 27 January 2006 shall be abolished.

6. The name and size of the accommodation facilities and changes thereto contained in the classification document shall be included in the licence. The name chosen to identify the company shall be subject, after consultation with the State Office for Tourism, to the approval of the Office for Industry, Handicraft and Trade, which may request its change to avoid homonyms between establishments and/or indications likely to mislead tourists.

7. Accommodation facilities may be reconverted from one type to another among those provided for, subject to the limits envisaged by Law no. 22 of 27 January 2006 and by this Regulation.

8. The Office for Industry, Handicraft and Trade shall transmit to the State Office for Tourism and to the Gendarmerie the notifications related to licences, suspensions, revocations and terminations, as well as changes of ownership. It shall also transmit information on the operators and/or the persons in charge of managing the accommodation facilities, who shall transmit information on opening and closing periods to the Office for Industry, Handicraft and Trade and the State Office for Tourism.

Art. 5

(Training courses)

1. Periodically, on the basis of the guidelines provided by the State Office for Tourism, the Vocational Training Centre or the sector's Professional Associations shall promote training courses to qualify for the activity of accommodation company, as referred to in Article 13, paragraph 4, of Law no. 22 of 27 January 2006 and Article 4, paragraph 3, of this Regulation.

2. Those who pass the course shall receive a specific professional certificate.

Art. 6

(Complaints)

1. Managers of accommodation businesses are obliged to ensure the highest standards of hospitality and courtesy, avoiding any cause for discussion with clients: in the event of disputes, the intervention of the Gendarmerie or Civil Police shall be requested.

2. Clients may submit a documented complaint within 30 days of the violation to the State Office for Tourism, which will act in accordance with the regulations in force.

3. Complaints may be lodged on the following grounds:
 - a) failure to display the table and tags with updated prices to the public;
 - b) non-compliance with the established price range;
 - c) Deficiencies in hygiene, health, public order and safety;
 - d) management shortcomings;
 - e) failure to observe opening periods;
 - f) communication of data that are untrue or do not correspond to the certifications and the licence;
 - g) failure to respect the authorised accommodation capacity;
 - h) any other justified complaint.
4. The State Office for Tourism shall be obliged to inform the owner (or operator) of the complaint received, giving him or her seven days to submit any observations.
5. If the complaint is well-founded, the State Office for Tourism shall notify, by registered letter with acknowledgement of receipt, the owner (or operator) and the relevant professional association and shall initiate the procedure for the imposition of the administrative pecuniary sanction and inform the client thereof.
6. If the complaint concerns the application of tariffs, the operator, regardless of the administrative sanction, shall be obliged to reimburse the client any amount paid in excess within fifteen days from the start of the procedure and, at the same time, to communicate the details of the payment to the State Office for Tourism and the professional Association.
7. Notwithstanding the competences of the Gendarmerie, the Civil Protection, the Office for Environmental Hygiene, the Office for Industry, Handicraft and Trade, the Environmental and Agricultural Resources Management Office and the Town Planning Office for their respective sectors, in order to supervise compliance with the provisions of this Regulation and to technically execute the measures set out herein, the Director of the State Office for Tourism shall resort, within the scope of his/her respective competences, to staff provided for, personnel from the Civil Police and the Commission established in Article 20 of Law no. 22 of 27 January 2006, in accordance with the regulations in force.

Art. 7

(Reporting accommodated guests to the Gendarmerie and statistical recording of tourist flows)

1. It shall be forbidden to provide accommodation to persons without a valid identity card or other identification document.
2. If the person to be accommodated does not have any documents, the operator shall contact the Gendarmerie, which will identify the person.
3. The client's personal details, date of arrival and departure as well as nationality shall be carefully recorded on paper or computer records. Transcription shall be carried out clearly and legibly, leaving no blank lines between clients. Guests details shall be sent to the Gendarmerie by fax or other computerised means within 24 hours of the client's arrival, and shall also be notified to the State Office for Tourism on the appropriate forms for the relevant statistics within the first ten days of the following month.
4. Failure to notify the Gendarmerie within 24 hours of the client's arrival shall result in the imposition of the sanctions for which the Gendarmerie is responsible under Law no. 22 of 24 February 2000.
5. Failure to communicate monthly statistical data to the State Office for Tourism shall result in the imposition of sanctions in accordance with Article 9 of this Regulation.

Art. 8

(Opening periods and times)

1. The operating license for accommodation facilities shall entail the obligation to be open for the entire year, with the sole exclusion of holiday periods as indicated below and in case of works to be carried out in the accommodation facility.
2. Accommodation facilities that are open all year round may close for holidays for a maximum of 60 days divided into one or more periods of the calendar year, subject to prior notification to the Office for Industry, Handicraft and Trade and the State Office for Tourism; they may also close for other reasons up to a maximum of 8 days per year, subject only to prior notification.
3. If the facility is closed for maintenance works, the operator shall be obliged to indicate the expected duration of the works.
4. The opening and closing times of the facilities at night, if any, are determined in accordance with the classification assigned.

Art. 9
(Sanctions)

1. The State Office for Tourism shall inform the Office for Industry, Handicraft and Trade of any infringement of the provisions contained in Law no. 22 of 27 January 2006 and in this Regulation of which it becomes aware.
2. Unless the act constitutes a more serious offence, failure to comply with these provisions and obligations shall be punished, for each individual violation, by means of an administrative pecuniary sanction imposed by the State Office for Tourism ranging from €154.00 to €1032.00, depending on the seriousness of the infringement. The administrative sanctions provided for in this article will be updated by means of the Delegated Decree referred to in article 32 of Law no. 68 of 28 June 1989.
3. If the State Office for Tourism reports that one of the compulsory requirements for the minimum level of classification or accessibility has not been met, or in the event of a repeat infringement, the administrative pecuniary sanction referred to in the preceding paragraph shall be accompanied by the accessory sanction of suspension of the licence for a period of one to six months, which shall be imposed by the Office for Industry, Handicraft and Trade. For the purposes of this Law, anyone who, during the five years prior to the last violation, has committed the same administrative violation shall be considered a repeat offender.
4. A licence may also be revoked by the Congress of State on the recommendation of the Office for Industry, Handicraft and Trade if:
 - a) One of the subjective requirements for the owner or operator is no longer met;
 - b) The owner or operator has not complied with the requirements imposed upon expiry of the period of suspension;
 - c) The town planning requirement is no longer met;
 - d) Further offences occur after the suspension of the licence.

CHAPTER II
Price discipline

Art. 10
(Determination of prices)

1. The determination of prices for accommodation businesses shall be coordinated by the State Office for Tourism in agreement with the competent bodies and the representatives of the Associations concerned.
2. By 30 September each year, the Professional Associations of the tourist sector shall propose to the Ministry of Tourism the minimum and maximum prices they intend to apply the following

year.

3. Religious accommodation facilities operators shall notify the State Office for Tourism by 30 September each year the minimum and maximum prices valid from 1 January of the following year. Failure to notify the prices to the State Office for Tourism shall entail the automatic application of the prices and opening periods reported for the previous year.

4. The Ministry of Tourism shall transmit the proposals, with its observations, to the Price Commission for the necessary approval, in accordance with Law no. 89 of 31 October 1994.

Art. 11

(Price display and requirements)

1. All accommodation businesses shall keep their prices on public display at the reception area.
2. It shall not be permitted to apply any prices, either higher or lower, other than the established ones.

3. The State Office for Tourism, in agreement with the relevant professional associations, shall be entitled to establish derogations from the previous paragraph in the case of promotional rates.

4. Upon arrival, the operator shall give the guest an identification card of the facility with the price of the agreed service, room number and duration of the stay.

5. Each room or accommodation unit shall be obliged to display in a clearly visible place a card issued and stamped by the State Office for Tourism containing the following data:

- name of the accommodation facility;
- classification;
- number of the room or accommodation unit;
- number of beds;
- price of the room or accommodation unit;
- time by which the room shall be vacated.

6. The State Office for Tourism shall publish the list of accommodation facilities with the relevant characteristics and prices charged.

CHAPTER III

Tourist companies: accommodation facilities

Art. 12

(Accommodation facilities)

1. Accommodation facilities, operating under a single management, provide the public with accommodation, with or without autonomous catering service and other services ancillary to the stay, including any bar and restaurant services.

2. They are distinguished in hotels, tourist accommodations and motels and shall not have less than seven rooms, with the exception of buildings of particular historical and monumental value located in historic centres or structures already existing when Law no. 22 of 27 January 2006 came into force.

3. Hotels shall be accommodation establishments open to the public, operated under a single management and providing accommodation, possibly food and other ancillary services, in rooms located in one or more buildings or parts thereof. Hotels shall be allowed to include residential accommodation units (with cooking facilities and related services) up to 20% of the total accommodation capacity of the facility.

4. Tourist accommodations shall be establishments open to the public, operated under a single management and providing accommodation, daily cleaning and ancillary services in furnished accommodation units consisting of one or more rooms. At least 80% of such units shall be equipped with an independent

kitchen and centralised services may possibly be offered. Tourist accommodations shall be allowed to include rooms and suites up to 20% of the total accommodation capacity of the facility.

5. Motels shall be hotels specially equipped for the parking and servicing of cars and motorbikes and shall provide repair services and possibly refuelling.

6. In addition to the main building, where reception and other general services are provided, accommodation facilities may also carry out their activity in annexes. Outbuildings shall be located in buildings other than the main one, in the same real estate property, or in a separate part of the same building, when accessed through a different entrance.

7. Accommodation facilities shall be classified by stars, as provided for in Article 1 of this Regulation.

Art. 13

(Open-air accommodation facilities)

1. Open-air accommodation facilities shall include tourist villages and campsites.

2. As provided for by Law no. 23 of 27 January 2006, rural tourism activities may also offer open air accommodations intended for campers.

3. Open-air accommodation facilities shall be classified by stars, as provided for in Article 1 of this Regulation.

4. Open-air accommodation operators shall visibly display the internal regulation, which, in addition to organisational aspects, shall also contain instructions concerning the tranquillity of the stay, safety and environmental protection. The regulation shall be drawn up at least in Italian and English.

5. Homonyms shall not be permitted in the name of campsites and tourist villages. Campsites and tourist villages may be given the additional designation “Holiday Centre” if they are equipped with sports, entertainment and leisure facilities and commercial and catering services, as provided for in Table C - Annex B of this Regulation.

Art. 14

(Tourist villages)

1. Tourist villages shall be accommodation establishments open to the public, operated under a single management, set up on fenced areas for the stop and stay of tourists who do not normally have autonomous means of accommodation, consisting of individual or grouped, dispersed or concentrated permanent accommodation units, with a maximum of two floors, such as flats, bungalows, cottages and buildings intended for recreational and catering activities, equipped with all services and consisting of one or more interconnected rooms with a single external access.

2. In tourist villages it shall be possible to reserve special areas to accommodate tourists with their own independent means of accommodation, within the limit of an accommodation capacity not exceeding 25% of the total.

Art. 15

(Campsites)

1. Campsites shall be accommodation establishments open to the public, operated under a single management, set up on fenced areas for the stop and temporary stay of tourists normally with tents, caravans, campers, mobile homes, maxi-caravans or other means of mobile accommodation.

2. Pitches intended for parking and accommodation of family units shall be visibly numbered, and the number shall match the general plan of the campsite, which shall be displayed at the entrance. The perimeter of the pitch shall be delimited on the ground with stakes, trees, hedges, flowerbeds or other dividers, including artificial ones.

3. Each pitch shall be accessible through the internal roads of the facility directly or through

walkways, and may be connected to the water, sewage and electricity systems.

4. 4-star facilities shall have at least 30 percent of the pitches equipped with mains water point and grey waste drainage connected to the sewage system.
5. Tents, caravans and minimum non-mobile facilities installed by the operator as additional means of accommodation shall be permitted on campsites, up to a maximum of 25% of the total capacity of the campsite in relation to the usable area.
6. Permanent accommodation units set up on campsites shall meet the requirements set out above and in Table C of this Regulation.

Art. 16

(Characteristics of areas intended for campsites and tourist villages)

1. In order to guarantee a better quality of accommodation, the areas used as campsites and tourist villages shall have a minimum surface of 10,000 square metres.
2. The maximum density shall not exceed 90 family units and 360 persons per hectare.
3. An emergency exit in a position that ensures easy evacuation of guests in the event of an emergency shall be guaranteed.
4. The ground shall be equipped in such a way as to facilitate the drainage of rainwater and to allow easy access for vehicles, including towing vehicles.
5. The installation of awning tents, including those connected to the technological systems, shall be permitted for mobile accommodation vehicles, for a surface area of no more than 18 square metres.
6. It shall be permitted to set up service accommodation for the caretaker and/or service staff.
7. It shall be permitted to carry out accommodation activities also in outbuildings, which may be located in areas other than the main building, but at a distance of no more than 200 m as the crow flies. Outbuildings shall be smaller than the main building.
8. Open-air accommodation facilities shall have a car park with at least one parking space per pitch or accommodation unit, which may be located on the pitches, in reserved areas inside the facility or outside the area of the accommodation facility.
9. In open-air accommodation facilities with an authorised capacity of more than 500 guests, which are located more than 5 km from the nearest emergency department, an 8/24 hour emergency service with a qualified nurse and a doctor on call shall be provided.
10. The minimum number of sanitary facilities for every 10 pitches shall be set as follows:
 - four toilets, two of which are for males and two for females. At least one for each subgroup shall have the characteristics prescribed by Annex D "Technical standards implementing Chapter IV Section V" of Law no. 87 of 19 July 1995
 - four washbasins and two showers for each subgroup of services identified in the previous point;
 - four laundry tubs with hot and cold running water, two water fountains and two cleaner sinks, which shall be easily accessible and preferably be located outside the toilets and far from the lay-bys;
 - four electric hook-up points;
 - dump station for black and grey water.
11. The toilets shall be made of masonry or other suitable materials to ensure ease of cleaning, even if prefabricated.
12. All premises in which sanitary equipment is installed shall have walls covered with impermeable and washable materials, at least up to two metres. The floors shall be impermeable, preferably made of stoneware or ceramic, and shall have a drain with a siphon to allow jet washing.

13. Toilets shall have direct ventilation from the outside or be equipped with adequate mechanical ventilation. They shall have a minimum surface area of 0.80 square metres (1.20 for new buildings) and a door that can be locked from the inside.
14. Closed showers shall be installed in rooms with a minimum size of 0.80 square metres (1.20 square metres for new buildings) and the door shall be lockable from the inside. The floor shall be made of non-slip material.
15. Dishwashing sinks with draining racks and laundry sinks shall be separate from other hydro-sanitary facilities. Solid waste bins shall be placed near them.
16. Permanent accommodation units shall have the following characteristics:
 - a) They shall be made of traditional masonry or of prefabricated materials and shall be firmly fixed to the ground;
 - b) they shall be subject to a building permit and shall comply with building and health and hygiene regulations;
 - c) the minimum surfaces of the rooms are 9 square metres for double rooms and 5 square metres for single rooms, and in any case with a linear dimension of no less than 2 metres;
 - d) a net internal surface area of no less than 18 square metres and no more than 54 square metres, in addition to any spaces intended for gardens, terraces, balconies and verandas, which may not exceed 40% of the gross area;
 - e) the living area, including the toilets, shall not be smaller than 6 square metres per person;
 - f) each unit may not accommodate more than 6 persons;
 - g) minimum furnishings shall include: beds, a table, chairs, a gas cooker with a minimum of 2 burners and a refrigerator. Any gas cylinder shall be placed outside;
 - h) hot water supply shall be guaranteed;
 - i) a reserved outdoor area, including a parking space, equal to the gross usable area, with a minimum area of 30 square metres;
 - l) bathroom equipped with washbasin, shower and toilet.
17. Mobile accommodation units, commonly referred to as caravans, campers and mobile homes, shall not be subject to any building permit or authorisation, provided that they are not permanently fixed to the ground in any way and that the facility operator guarantees in writing the rotation of clients, under penalty of revocation of the authorisation. In addition, the rotation mechanisms of mobile accommodation units shall be kept in operation and the connections to the technological networks shall be removable at all times.
18. All mobile accommodation units, except for tents and caravans, shall be supplied with hot water and shall have a reserved outdoor area, including a parking space, equal to their maximum dimensions, without prejudice to the minimum size of the pitch allowed for each classification level.
19. The equipment and installations shall be maintained in good and efficient working order, also in relation to safety regulations. The condition of the furnishings shall be appropriate to the classification level.

Art. 17

(Guesthouses characteristics)

1. Guesthouses shall be establishments with up to seven rooms in no more than three furnished apartments in the same building, in which accommodation and any complementary services are provided, as well as - limited to the accommodated persons - food and drink.
2. Guesthouses may not provide accommodation for a period of less than three days.
3. Resorting to the normal family organisation, guesthouses shall provide the minimum hospitality services, which shall be included in the room price:

- a) Room cleaning and change of linen at each change of client and at least once a week for each client;
 - b) Supply of electricity, hot and cold water and heating.
4. Guest bedrooms shall be easily accessible without the need to cross rooms intended for the family or other guests.
5. The accommodation used shall be equipped with at least one bathroom for every two rooms. The bathroom shall include a flush toilet, a washbasin with hot and cold running water, a bathtub or shower and a mirror.
6. For bedrooms, the minimum furnishings shall consist of: a bed, a chair or stool for each person, a wardrobe, a waste basket and a table.
7. The guesthouse activity may be exercised alongside a catering activity if it is carried out by the same owner and operator in a unitary building or in a separate building in the immediate vicinity. In this case, the facility may be classified as an “inn”.

Art. 18

(Youth hostels)

1. Youth hostels are establishments equipped for the accommodation and overnight stay of the public, in particular young people and any persons accompanying groups of young people.
2. Youth hostels shall guarantee the following services and minimum requirements:
 - a) a minimum area of 8 square metres for single rooms and 10 square metres for rooms with two beds, increased by at least 4 square metres for each additional bed and 1 square metre for each additional bunk bed;
 - b) minimum surface area of private bathrooms of at least 3 square metres with a minimum of one washbasin, one bidet, one bathtub or shower and one toilet;
 - c) for rooms without a private bathroom, a minimum of one washbasin, one toilet and one bathtub or shower for every eight beds, with a minimum of one complete bathroom per floor;
 - d) minimum bedroom furnishings: one bed, one chair or stool, one wardrobe space per person, one small table and one waste basket for each room; where accommodation is provided in dormitories, the wardrobe space may be replaced by a luggage storage service or by lockers located in a separate room;
 - e) a living room with a total surface area of 0.8 square metres per bed and 1 square metre per bed if the common areas coincide with the rooms intended for the serving and consumption of food and drinks and in any case not less than 20 square metres;
 - f) reception service provided for at least 12/24 hours;
 - g) attendant available on call at times when reception services are not available;
 - h) daily cleaning of the premises;
 - i) change of linen at each change of client and at least once a week; or where the service is not already provided, supply of bed linen and towels on request;
 - l) supply of electricity, hot and cold water and heating;
 - m) A shared telephone;
3. Youth hostels may have common kitchen areas for the personal preparation of meals by guests.

Art. 19

(Religious accommodation facilities)

1. Religious accommodation facilities are accommodation facilities owned by ecclesiastical entities, characterised by religious purposes, which offer hospitality against payment to anyone who requests it,

respecting the religious character of such hospitality and accepting the consequent rules of behaviour and service limitations.

2. For the purposes of this Regulation, ecclesiastic entities are considered to be those recognised under Decree no. 47 of 30 June 1992.
3. Religious accommodation facilities shall ensure the following minimum services:
 - a) independent access;
 - b) a minimum area of 8 square metres for rooms with one bed and of 10 square metres for rooms with two beds;
 - c) one toilet and one bathtub or shower for every eight beds, with a minimum of one toilet and one bathtub or shower per floor;
 - d) a living room with a minimum total area of 20 square metres for the first ten beds and 0.5 square metres for each additional bed;
 - e) adequate space for a possible communal kitchen
 - f) Minimum furnishings for bedrooms: one bed, one chair, one bedside table, one wardrobe space for person, one small table and one waste basket for each room;
 - g) a shared telephone;
 - h) Room cleaning at each change of client and at least once a week;
 - i) change of linen at each change of client and at least once a week;
 - l) supply of electricity, hot and cold water and heating.
4. The authorisation to operate a religious accommodation facility may include the serving of food and drink limited to the guests, as well as to those who may use the facilities in accordance with the social purposes of the facilities.
5. The activity of religious accommodation facility shall be started following a declaration of commencement of the activity to the State Office for Tourism. The declaration of commencement of the activity shall be accompanied by a certificate of building conformity for the premises concerned by the activity of religious accommodation facility.

Art. 20

(Holiday houses and apartments)

1. Holiday houses and/or apartments shall be accommodation units consisting of one or more furnished rooms, equipped with toilets, with or without a self-catering kitchen and operated under a single management as a business, to be rented to guests not resident in the Republic of San Marino, without providing centralised services and through contracts valid for no more than three consecutive months.
2. The non-occasional and organised management of three or more houses or apartments for tourism, work, business, study purposes and the like shall be considered accommodation activity carried out through the management of holiday houses and apartments.
3. Operators of holiday houses and/or apartments cannot provide accommodation for less than seven days.
4. The following services shall be guaranteed in the management of such houses and apartments:
 - a) Cleaning of the accommodation units at each change of client and at least once a week;
 - b) Provision of clean linen at each change of client and change of linen on request;
 - c) Supply of electricity, water, gas, heating and/or air conditioning;
 - d) Assistance with the maintenance of the accommodation units and the repair and replacement of furniture, fittings and equipment;
 - e) Guest transfer and reception service.
5. The management of houses and apartments shall not include the serving of food and drink and the provision of other centralised services typical of hotels.
6. The accommodation used shall be equipped with at least one bathroom for every 6 people. The bathroom shall include a toilet, a washbasin with hot and cold running water, a bathtub or

shower and a mirror.

7. For bedrooms, the minimum furnishings shall consist of: a bed, a chair or stool for each person, a wardrobe and a waste basket.

8. The kitchen shall be equipped with cookware and tableware for the preparation and consumption of meals in an amount corresponding to the number of beds.

9. The use of houses and apartments as holiday houses shall not entail their change of use for town planning purposes.

10. The operation of holiday houses and apartments shall be subject to the issuing of a licence, as provided for in Article 17, paragraph 7, of Law no. 22 of 27 January 2006. The licence shall indicate the number of accommodation units, beds, bathrooms and any other authorised services.

11. Anyone intending to provide accommodation in holiday houses and apartments for periods of up to thirty days, in a non-business form, shall annually notify the State Office for Tourism thereof, specifying the location and housing characteristics of the accommodation rented.

Art. 21

(Starting date)

1. The classification procedures of accommodation facilities shall start immediately, while the other provisions of this Regulation shall be applied starting from 1 January 2011, in order to allow operators to have a full understanding of the new rules and to adapt accordingly.

Done at Our Residence, on 8 June 2010/1709 since the Foundation of the Republic

THE CAPTAINS REGENT
Marco Conti – Glauco Sansovini

THE MINISTER OF
INTERNAL AFFAIRS
Valeria Ciavatta