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Gala *Bulletin* thanksgiving event at Palma restaurant: See Inside



PALMA FESTIVE JOY

● Christmas lights are switched on, much to the delight of *Bulletin* readers who gather for special reception. See Page Three Inside.

Holiday rentals legislation to be challenged in Brussels

THE Aptur holiday rentals association and the Fevitur national federation have lodged a complaint with the European Commission against reform of the Balearic tourism law as it applies to holiday rentals. They believe that the legislation violates European free market and free competition directives.

Aptur's chief legal advisor, Joan Carles Moll, said yesterday that the association had been disappointed by the fact that the Spanish government had not appealed the legislation to the Constitu-

tional Court. In his view, the government's challenge to Balearic bullfighting legislation on the grounds of unconstitutionality deals with a matter of less importance to the Balearic economy. The normal procedure is that Madrid has three months to lodge an appeal once legislation is posted on the Official Bulletin. The deadline for this was 31 October.

Moll explained that the rentals legislation contravenes free market directives because it contains restrictive criteria. He specifically referred to the establishment of a limit on the number of accommoda-

tion places and the process for planning the allocation of places. He argued that administrations such as island councils and town halls have "full discretion" in determining their own maximum number of places. However, it has been stated (by the regional government and the Council of Majorca) that town halls will not be able to ask for more places than those which are allocated to individual municipalities.

The zoning principle of allocation, in Moll's opinion, is a restrictive criterion that will prevent economic activity. As

such, zoning is therefore contrary to the European Union's freedom of enterprises.

He warned that there is also the possibility that the limited number of places for new holiday rentals will result in existing owners with licences becoming the ones who "exercise this economic activity" in years to come, thus depriving others of the opportunity. In addition, Moll argued that state powers are being invaded, as with authorisation for rental being needed from communities of owners.