# IS THE VAT LEVEL A STIMULATIVE FACTOR FOR AGRITOURISM DEVELOPMENT IN ROMANIA?

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#### Abstract

Tourism is one of the most important industry of Romania, being considered a major source of income to the state budget, employment and investment. Taxes influence the development of the tourism and the value added tax (VAT) is a main factor of affecting the tourism competitiveness. The present study represents an analysis of VAT and of the impact of VAT rates on the tourism sector, respectively of the Romanian agritourism. Given the fact that VAT can be considered one of the most important types of taxes applied in the tourism sector, the study highlighted the immediate effect of reducing the VAT rate in 2018, compared to 2017 on overnight stays, arrivals and average length of stay, as well as the impact on the economy as a whole. At EU level, in 2017, the average standard VAT rate was 21%, a number of 21 countries having this average rate, including Romania, with 19%. Most Member States also applied reduced VAT rates for accommodation services, Romania being again one of them. Through this analysis it was concluded that in order to obtain the maximum effect of reducing the VAT rate in tourism, respectively agritourism, it takes several years for accommodation.

Key words: value added tax, reduced rates, agritourism, Romania, effect

#### INTRODUCTION

The tourism industry is very vulnerable to tax changes. However, at the same time, tourist taxes do not have the same level of political responsibility as other forms of taxes that generate greater public control [8].

The tourism sector can be taxed either by taxing businesses in the tourism sector or by directly taxing tourists. Both tax systems can be implemented through the general tax system or through tourism specific taxes [7].

Regarding the implications of tourist taxes, value added tax (VAT) can be considered as one of the most important types of taxes borne by tourists [8].

From the perspective of the share of revenues generated from value added tax at the level of the European Union (EU) it is considered that this tax is the most important indirect tax, falling within the general consumption taxes due to the fact that it applies to the total sales volume [2]. VAT revenue is an important

source of revenue for Member States' budgets and the EU budget [10].

"The first attempts to harmonize the VAT systems of the Member States took place in the late 1960s, with the adoption of the Sixth VAT Directive only in 1977, when governments agreed on common criteria based on taxation VAT in all Member States" [14].

In 1960, VAT was recognized by more and more countries, which subsequently adopted it, and at present, the number of countries globally that have adopted this indirect tax exceeds 130 [2].

"Member States could apply a reduced rate of VAT for a common list of goods and services, due to the Council wich adopted in 1992, the system of VAT rates. The conventions adopted in 1992 were, in principle, transitional, but still apply" [14]. In 1954, the first country wich implemented value added tax was France [27]. With regard to the European Union, according to the authors Jorge Martinez-Vazquez and Richard M. Bird in the article "Value Added Tax: Onward and

Upward?" (2010), all Member States have adopted value added tax, pursuing two major objectives: eliminating cascading taxation (replacement of the tax on the movement of goods), but also the improvement of the tax system [25].

Member States had to apply a single standard VAT rate, wich it must be greater than 15%, and also, one or two reduced VAT rates, at least 5%, with some exceptions. The reduced rates can only be applied to the delivery of certain goods and services, including accommodation and restaurants.

The value added tax (VAT) was introduced in Romania starting with January 1, 1993, the standard rate having a percentage of 18%. This rate has seen several changes over time, increasing or decreasing, reaching quotas up to 24%.

The changes in the VAT rate are established by the fiscal policy of each country, in accordance with the fiscal policy of the European Union.

Value added tax from tourism activities is often seen as distortive and detrimental to the competitiveness of prices charged in tourist destinations, which is why many EU countries apply reduced rates to tourism services, as allowed by the current EU VAT regime.

#### MATERIALS AND METHODS

In order to establish the way in which the value added tax (VAT) influences the development of the tourism activity, respectively of the agritourism in Romania, this study has combined the following research techniques:

- analysis of some definitions of VAT;
- the analysis of the main normative acts that establishes the application of this indirect tax both at the level of the European Union and at the level of Romania;
- comparative analysis of VAT rates in EU;
- evolution of VAT rates between 1993-2018;
- the influence of VAT on overnight stays, arrivals and the average length of stay related to the agritourism sector in 2017-2018, using data taken from the website of the National Institute of Statistics.

The average length of stay is calculated as a ratio between the number of overnight stays (SNZT) and the number of tourist arrivals (T):

$$\overline{D}_{\mathcal{S}} = \frac{\sum NZT}{T}$$

This indicator shows the average time (days) of tourists to stay in the accommodation and thus reflects the possibility of the offer to retain the tourist in a certain area, region, etc. [22].

### **RESULTS AND DISCUSSIONS**

"Value added tax is an indirect tax due to the state budget" [4].

"Value added tax (VAT) is also a consumption tax that applies to almost all goods and services bought and sold for use or consumption in the EU" [12].

Another definition given to value added tax shows that it is an indirect tax borne by the final consumer of the respective good / service. VAT is a tax cascaded by each economic agent who participates in the economic cycle of making a product or providing a service that falls within the scope of taxation [27].

Value added tax (VAT) is actually a general consumption tax borne by tourists and residents alike, not necessarily specific to the tourism industry, but affecting businesses operating in the tourism industry, such as accommodation providers, tour operators and travel agencies [8].

Countries from the EU can aplly in a different way the common VAT rules. In generally, for all goods and also for all services, we have to pay VAT [12]. As regards legislation, at the European Union level, Council Directive 67/227 / EEC adopted on 11 April 1967 was the first directive wich regulated the value added tax and also its characteristics like object, place, transactions, persons that have to pay this tax [2]. "Over time, this directive has undergone various changes. The reference document is now Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, which has consolidated all the texts issued since 1967 on VAT and establishing the specific

scope of taxation, as well as the minimum standard rate to be applied by Member States, which may not be less than 15%" [14].

Also Romania has to align to European practices and for making this possible was adopted Ordinance no. 3/1992 through wich the tax on the movement of goods was replaced by value added tax system starting with January 1, 1993, having a quota of 18% [17]. Government Emergency Ordinance no. 17/2000 and Government Decision no. 401/2000 constitutes the general legal framework regarding VAT.

In 2014, although the standard VAT rate was 24%, according to Law 571/2003 on the updated Tax Code, the reduced rate of 9% was applied to the accommodation, with the following amendments:

- if the accommodation package included one or more meals (in half board or full board), the applicable VAT rate is the reduced one of 9%;
- provided that the tourist has chosen to eat separate accommodation meals then the standard rate of 24% applies [24].

By the Government Decision no. 20/2015 for the modification of par. (6) of point 23 of VI Title "Value Added Tax" from the Methodological Norms for the application of Law no. 571/2003 regarding the Fiscal Code, in 2015 the reduced percentage of VAT of 9% was extended for the accommodation packages that included in the price meal services, restaurant and bar services.

"Given that the bar and restaurant services were provided individually to a client receiving accommodation and were not included in the contracted package, they were billed at 24% VAT" [11].

"Table 1 shows the level of VAT quotas from 2017, applied at the level of each member state of the EU and table 2 shows the evolution of this tax in Romania during the period 1993-2018" [9].

At the level of 2017, the Member States applied a standard VAT rate between 17% (in Luxembourg) and 27% (in Hungary). The average standard VAT quota was 21%, with 21 countries having this average rate, taking into account the plus / minus range of two percent. "Romania is in this range, with a

standard rate of 19%. Starting with January 1, 2017, for accommodation services, 25 of the 28 EU Member States have applied a reduced rate of VAT (18 of them applied a rate equal to or less than 10%)" and as regards restaurant services the reduced VAT rate was used only by 17 of 28 Member States having percentage between 3% in Luxembourg and 18% in Hungary [14].

Table 1. VAT rates in EU member countries in 2017

"Member States         Standard rate (%)         Reduced rate (%)         Superreduced rate (%)           Belgium BE         21         6/12         -           Bulgaria BG         20         9         -           Czech         Republic CZ         21         10/15         -           Republic CZ         21         10/15         -         -           Germany DE         19         7         -         -           Estonia EE         20         9         -         -           Ireland IE         23         9/13,5         4,8         -           Greece EL         24         6/13         -         -           Spain ES         21         10         4         -           France FR         20         5.5/10         2,1         -           Croatia HR         25         5/13         -         -           Italy IT         22         5/10         4         -           Cyprus CY         19         5/9         -         -           Luxiu LV         21         12         -         -           Luxembourg         3         -         -         -           NL	Table 1. VAI rai	tes in EU me	EU member countries in 2017				
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Source: table processed after data provided by European Commission (EC), VAT rates applied in the Member States of the European Union, Situation at 1st January 2018" [9].

Table 1 illustrates the standard and reduced VAT rates for 2017 applied in EU Member States.

Since its introduction, the VAT system has been no exception to the modest performance

of general fiscal policy. Between 1993 and 1998, three VAT rates were applied simultaneously - a standard rate (18%), a reduced rate (9%) and a zero rate. Between 1998-2000, the standard rate was increased to 22%, and the reduced rates (11%) and zero were maintained. During this period, several special laws appeared, which changed the structure of exemptions exemptions from VAT payment. As of 1 January 2000, a standard rate of 19% was applied, the reduced rate was abolished and the zero rate was maintained. This change in the VAT system was part of the tax reform initiated in early 2000 [5].

A new growth occurred in 2010, increasing VAT from 19% to 24%, thus delaying the exit from the recession of Romania by approximately nine months and at the same time reducing the demand for food and non-food products, by decreasing the purchasing power of the to consumers, due to rising prices [3].

This increase in the VAT rate has not been fully transferred to consumers, but has been supported by companies, leading to reduced investments, lower employment conditions and possibly, in the worst case, business closure.

In 2014, the standard VAT rate was 24%, and for the accommodation, the reduced VAT rate of 9% was applied, if the accommodation package included one or more meals (in half-board or full-board system).

Regarding the year 2015, the standard VAT rate was 24%, but at the level of the reduced one of 9%, certain changes regarding the accommodation services took place, namely that they benefited from the reduced rate of VAT only the accommodation packages that included in price meal services, restaurant and bar services. At the level of 2017, there was a decrease of the standard VAT rate, from 20% for 2016, to 19%, having a direct impact on consumers and economic agents, consumption, respectively increasing increasing sales, although the legislation in force at that time it did not oblige companies to reduce prices with the reduction of the VAT rate [20]. "The reduced quotas remained at the same level, respectively 9% and 5%. For accommodation in the hotel sector or in sectors with a similar function, including rental of camping grounds, restaurant and catering services, except alcoholic beverages, other than beer falling within CN code 22 03 00 10 (draft beer) the reduced VAT rate of 9% was applied"[21].

In 2018, the VAT rates remained the same as in 2017, the standard rate being also 19%, and the reduced rates being 9% and 5%, respectively. Since 1.11.2018, VAT for tourist services has decreased from 9% to 5%, including for restaurant and catering services. "This measure aims, on the one hand, to reduce tax evasion, and on the other hand to stimulate tourism and increase domestic consumption"[1].

Romania had one of the highest standard rates of value added tax in the European Union, wich was 24% and was applied between July 1, 2010 and December 31, 2015. Our country was overtaken by Hungary with a VAT rate of 27%, and also by Denmark and Sweden with a 25% quota. The average VAT rates in EU Member States ranges from 18% to 21% [15].

Table 2. Evolution of VAT rates in Romania during 1993-2018

Member state	Date	Low VAT rate	Standard VAT rate	
Romania	01.07.1993	-	18%	
	01.01.1995	9%	18%	
	01.02.1998	11%	22%	
	01.01.2000	-	19%	
	01.01.2004	9%	19%	
	01.12.2008	5%/9%	19%	
	01.07.2010	5%/9%	24%	
	01.01.2016	5%/9%	20%	
	01.01.2017	5%/9%	19%	
	01.01.2018	5%/9%	19%	

Source: table processed after data provided by European Commission (EC), VAT rates applied in the member states of the European Union, Situation at 1st January 2018.

The study considers the period 2017-2018, as in 2018 a 4% decrease in VAT on accommodation was established compared to the previous year, from 9% to 5%. We also analyzed the immediate effect of the VAT reduction regarding the accommodation services within the tourism, respectively of the Romanian agritourism.

The total number of overnight stays and arrivals registered in the period 2017-2018 was taken into account, both at the level of the total number of tourist reception structures, with tourist accommodation functions, and at the level of agritourism pensions in Romania. The overnight stays registered in total tourist reception structures in 2018 were increasing by 6% compared to those of 2017, and at the level of agritourism pensions the increase was 17%. Of the total number of overnight stays in the tourist reception structures in 2018, the overnight stays of Romanian tourists accounted for 81%, while foreign tourists accounted for 19%. In 2017, overnight stays of Romanian tourists were 80%, and the difference of 20% was for foreign tourists. Regarding the agritourism pensions, in 2018 of the nights Romanian tourists represented 92%, and those of the foreign tourists only 8%. In 2017, the nights of Romanian tourists registered a percentage of 91%, and those related to foreign tourists only 9%.

The arrivals registered in total tourist reception structures in 2018 increased by 6% compared to those of 2017, and at the level of agritourism pensions the increase was also 17%. Of the total number of arrivals from tourist reception structures in 2018, the arrivals of Romanian tourists accounted for 78%, while the arrivals of foreign tourists accounted for 22%. In 2017, the arrivals of Romanian tourists accounted for 77%, and the difference of 23% was allocated to foreign tourists. The arrivals of Romanian tourists related to agritourism pensions, in 2018 were 92%, the remaining 8% coming to foreign tourists. The situation was insignificantly changed, in the sense of decreasing by 1%, respectively 91% Romanian tourists and 9% foreign ones. The increase of the number of Romanian tourists from the level agritourism pensions both at nights and at arrivals was 18% in 2018 compared to 2017. The average length of stay was 2.22 days in 2018 compared to 2.23 days in 2017, and at the level of agritourism pensions it was the same in both years, respectively 1.92 days. As can be seen in table no. 3 presented below, as well as from the ones mentioned above, in Romania there was a slight increase in the number of overnight stays, respectively arrivals of tourists at the level of the total tourist reception structures with accommodation capacity, while the percentage increase of these indicators was was almost triple in terms of agritourism pensions.

As the accommodation expenses of tourists account for most of their total expenses, a low level of VAT rate, coupled with lower accommodation rates, can have a large influence on the number of arrivals and overnight stays, as well as other related expenses

"The relative elasticity of demand and supply can cause tourism units to offer tourists reduced rates, as a result of the reduction of the VAT rate. The application of a low level of VAT rate for tourism and hospitality services not only favors the creation of new jobs but determines economic growth and stimulates investment. Therefore, in order for small businesses and micro-enterprises to continue to invest in tourism, it is very important that Member States continue to apply low VAT rates, as well as mapping all taxes and taxes affecting tourism at national level" [14].

Unlike most export products, accommodation and restaurant services sold to foreign tourists cannot benefit from the VAT exemption. Value Added Tax (VAT) is applied for goods and services sold at home, but not for exports, as specified by World Economic Forum [14]. As can be seen from the above, the immediate effect of reducing the VAT rate was not spectacular. The study by Copenhagen Economics (2007) suggested that it may take up to two years for the effect to be fully realized after a change in the tax rate [23].

Forsyth (2013) conducted a study on assessing the impact of reduced VAT rates on British tourism and the British economy as a whole, with members of the British Hospitality Association as a sample, of whom 95% said that part or all of the quota change VAT is transferred further. Forsyth concluded that around 60% of the VAT reduction would lead to lower prices and that it would also take

four years to achieve the maximum effect [13].

In another survey, conducted by Wason and Nevin (2013) on the reduction of VAT, which had as respondents about 20% of hotels in Germany, it was found that 89% of them started (or planned) new investments, 32 % hired (or planned to hire) more staff and 32% reduced their prices, all occurring in the first year after the VAT rate change [26].

A certain reduction of the VAT rate in the accommodation and restaurant industry it cannot negatively influence the revenues collected by the Government." In the case of Ireland, where VAT on hotels and restaurants

was halved in 1986, the tax yield doubled between 1984 and 1993 as a result of the large increase in the number of businesses in this sector and in their volume of business. The government earned more revenue despite lowering the rate. "[6].

The study by Deloitte and Touche (2014) showed that high taxes can reduce tourism revenues, while increasing or decreasing the tax rate significantly influences tourists' decisions about the destination of a trip [18]. In other words, due to mobility, information and price sensitivity, tourists often choose the destination, taking into account the prices charged by travel service providers [16].

Table 3. "Evolution of the number of nights, arrivals and the average length of stay related to agritourism pensions in Romania during 2017-2018"

III Komama dun					1				
Types of tourist reception structures	Types of tourists	Over	nights	2018/2017 %	Arri	ivals	2018/2017	Average length of stay	
Year		2017	2018		2017	2018		2017	2018
UM		Number of people						Days	
Total tourism	Total	27,092,523	28,644,742	106%	12,143,346	12,905,131	106%	2.23	2.22
-	Romanian	21,801,487	23,315,138	107%	9,383,266	10,108,509	108%	2.32	2.31
-	Foreign	5,291,036	5,329,604	101%	2,760,080	2796622	101%	1.92	1.91
Agritourism pensions	Total	1,928,485	2,255,286	117%	1,004,400	1,173,455	117%	1.92	1.92
-	Romanian	1,750,354	2,068,888	118%	917,213	1,083,662	118%	1.91	1.91
-	Foreign	178,131	186,398	105%	87,187	89,793	103%	2.04	2.08

Source: Table made by the authors based on statistical data extracted from the Romanian National Institute of Statistics (Tempo Online), for the period 2017-2018 [19].

#### **CONCLUSIONS**

Value added tax (VAT) can be considered one of the most important types of taxes borne by tourists [8].

Member States had to apply a single standard VAT rate, wich it must be greater than 15%, and also, one or two reduced VAT rates, at least 5%, with some exceptions. As a result, many European Union (EU) countries apply reduced rates to tourism services, as allowed by the current EU VAT regime.

The value added tax has been introduced in Romania since January 1, 1993, the standard rate having a percentage of 18%. This rate has seen several changes over time, increasing or decreasing, reaching quotas up to 24%.

At EU level, the VAT rates in 2017 were between 17% (in Luxembourg) and 27% (in Hungary). The average standard VAT rate was 21%, a number of 21 countries having this average rate, including Romania, with 19%. Most Member States also applied reduced VAT rates for accommodation services, with percentages less than 10, and for restaurants services between 3% and 18%. In 2017, Romania also had two reduced VAT rates, namely 5% and 9%, and in terms of the tourism sector, the rate applied was 9%.

The most important change in terms of the VAT rate in the tourism sector, consisted in its decrease from 9% for the period 2014-2017 to 5% in 2018.

As presented in the study, the reduction of the VAT rate could lead to an increase in the flow

of tourists, respectively the increase in the number of nights, arrivals and the average length of stay both at the level of tourism and at the level of agritourism in Romania. However, the maximum desired effect it can be achieved in a few years from the date of the change, because there may be a gap between the reduction of the VAT rate in tourism industry, the change in the prices of goods and services and also for the tourist demand.

The relative elasticity of demand as well as supply can cause tourist units to offer tourists reduced rates, due to the reduction of the VAT rate.

It should also be noted that even if VAT changes are not fully passed on to consumers, a reduction in VAT may have positive effects on the economy as a whole by increasing state budget revenues, increasing investment in the tourism sector, and increasing strength for work.

In conclusion, in order to improve the competitiveness of the tourism sector, respectively the increase of the number of overnight stays, arrivals and the average length of stay both at the level of tourism and at the level of agritourism in Romania, the reduction of the VAT rate should influenced the decrease of accommodation rates, the prices of the other goods and services offered to tourists and also as well as in the increase of investments in the sector.

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