

(English version)

**Question for written answer E-001802/25  
to the Commission  
Matej Tonin (PPE), Romana Tomc (PPE), Milan Zver (PPE), Zala Tomašič (PPE), Branko Grims (PPE)  
(5 May 2025)**

*Subject:* Compliance of Slovenia's Hospitality Act (ZGos-1) with European law and notification to the Commission

On 14 March 2025, the Slovenian Government tabled a draft Hospitality Act (ZGos-1), which introduces excessively restrictive measures for providers of short-term rental accommodation nationwide. A number of stakeholders and academics have already expressed serious concerns to the Slovenian Government about whether the measures are proportional, justified and non-discriminatory, as well as about a possible interference with the freedom to provide services in the EU.

I would therefore be grateful if the following points could be clarified:

1. Notification to the Commission: Have the Slovenian authorities complied with their obligation to notify the draft Hospitality Act to the Commission as required by EU law (TRIS notification procedure), and what would be the consequences of the Slovenian authorities failing to notify the draft law to the Commission?
2. Compliance with European law: Are the measures on short-term letting proposed in the Hospitality Act in line with the provisions of the Services Directive, in particular with regard to the principles of proportionality, non-discrimination and necessity? Has the Commission already carried out an assessment of whether the proposed restrictions are justified and appropriate for achieving public interest objectives such as accessibility of housing and restricting excessive tourism, without unduly affecting providers of short-term rentals?

These questions are key to ensuring and implementing EU law, respecting fundamental freedoms within the EU and to the functioning of the Slovenian state in accordance with the applicable EU legal framework. Thank you for a timely reply and for any clarifications that may be provided on this matter.

Submitted: 5.5.2025

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission  
(1 July 2025)**

The Commission has contacted the Slovenian authorities about the Hospitality Act to seek clarifications on whether the draft law includes obligations for online service providers which would constitute technical regulations subject to the notification procedure established by the Single Market Transparency Directive <sup>(1)</sup> (EU) 2015/1535 (SMTD).

In its communication, the Commission reminded the Slovenian authorities that should the above-mentioned draft provide for any technical regulations as defined in Article 1 of SMTD, these technical regulations have to be notified to the Commission according to Article 5(1) of that directive.

According to the case-law of the Court of Justice of the EU (Case C-194/94, 'CIA Security International'), the failure to fulfil the notification obligation under Directive (EU) 2015/1535 constitutes a substantial procedural defect in the adoption of the technical regulation concerned, which implies that any interested individual could challenge the legality of the technical regulation before a national court and ask for its inapplicability.

Article 15 of the Services Directive <sup>(2)</sup> lists several requirements, like quantitative or territorial restrictions, that Member States must notify to the Commission before or after their adoption.

At the time of issuing this reply, no notification under the Services Directive has been received. The Commission will examine the compliance of the Slovenian measures at issue with the Services Directive, notably when they are notified by the Slovenian authorities, and take the appropriate measures.

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<sup>(1)</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum%3A310304\\_1](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum%3A310304_1).

<sup>(2)</sup> Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.