



**The Business & Law Readers Digest**

# **Tourism in Ukraine**

Banking and Finance // Beverages Industry // Corporate // Corporate Dispute Resolution // Due Diligence // Employment // Financial Services // Insurance // Investments // Kyoto Protocol Implementation // Logistics // Mergers and Acquisitions // Natural Resources // Oil and Gas // Representative Office // Land // Ukraine and the WTO // Ukraine and Russia // **Tourism**



## Contents

Licencing .....	3
Certification .....	4
New legislation which has influenced the development of tourism in Ukraine .....	5



According to data from the Licence Register of Tourist Activities in Ukraine dated 19 November 2007, 4641 Ukrainian companies have received a licence to act as tour operators or tour agents. Of these companies, 3042 are already functioning. In the year 2007 alone, 1991 companies obtained a licence.

The State Department for Tourism and Resorts regulates the activities of tour companies by means of licencing, and through observation of its licencing conditions.

According to the order and procedure prescribed by the Law of Ukraine "on the licencing of certain types of economic activities" No. 1775-III dated 1 June 2000, during the first nine months of 2007 the licences of 329 tour operators and tour agents in Ukraine were cancelled. Before the end of 2007 this number had increased further, due to the fact that information (documents and materials) became available which proved that many tour companies had violated the regulations set forth by the effective legislation. Those companies have been deprived of their licences as prescribed by law.

## Licencing

On 11 September 2007 the State Committee of Ukraine on matters of the regulatory policy and enterprise of the Ministry of Culture and Tourism of Ukraine issued the Order "On approval of licence terms and realisation of the activities of tour operators and tour agents" No. 111/55 (registered at the Ministry of Justice of Ukraine on 28 September 2007 by Order No. 1123/14390).

The terms mentioned above are formed by 11 sections:

1. General requirements.
2. Organisational requirements.
3. General requirements of the offi-

cial office for realisation of tour operators' and tour agents' activities.

4. Qualifying requirements for tour operators' and tour agents' staff.

5. Requirements for the financial providing of liability of tour operators and tour agents.

6. General requirements regarding the conclusion of agreements during realisation of tour operators' and tour agents' activities.

7. Requirements for providing tourists with insurance protection.



8. Requirements regarding the informational and advertising activities of tour operators and tour agents.

9. Requirements for the realisation of tour operators' activities.

10. Requirements for the realisation of tour agents' activities.

11. Tour operators' and tour agents' rights and duties.

The Amendment to the licencing terms is represented by documents such as individual applications to obtain a licence for tour operators' and tour agents' activities, and a common application to redraft a licence.

## Certification

On 27 January 1999 the Rules "On the obligatory certification of hotel services" were issued by the Order of the State Standard of Ukraine No. 37. The version of this Order No. 207 dated 3 September 2007 (approved by the State Committee of Ukraine on matters of technical regulation and consumer policy) issued the new version of the Rules that are now called the Rules "On the obligatory certification of services of temporal placing (residence)".

These Rules were duly restructured, changed and supplemented in order to improve them.

The effective version is formed by the following three sections:

1. General statements.
2. Procedure of obligatory certification of services in temporal placing.

According to the effective version of this procedure, the following eight stages are provided:

- submission and examination of the application for the certification of services of placing;
- reaching a decision regarding the application with an indication of the plan of certification;
- conduction of the complex of works determined by the select scheme of certification;
- analysis of the received results and reaching of a decision regarding the possibility of issuance of the certificate of accordance;
- reaching a decision regarding the possibility of appropriation of a certain category (if necessary);
- issuance of a certificate of accordance, appropriation of a certain category, registration of



the certificated service on placing with the Register of the state system of certification;

- technical supervision under the provision of the certificated services, under the accordance of the hotel or analogical type of accommodation to the appropriated category, under the certified system of managing the quality regarding provision of the services of the placing;
- informing the central authority of executive power in the industry of tourism about the results of the works on certification of services of placing.

3. Consideration of the disputed issues.

The Amendment to the licencing terms is represented by forms of documents such as: a plan for the obligatory certification of services in the temporal placing (residence); application for conduction of the obligatory certification of services of the temporal placing (with or without appropriation) of the category of hotel or analogical type of accommodation; prior analysis questionnaire for conduction of the obligatory certification of services of the temporal placing (residence) etc.

The Rules "On obligatory certification of services of catering" approved by the Order of the State Standard of Ukraine No. 37 on 27 January 1999 have remained the same.

## New legislation which has influenced the development of tourism in Ukraine

On 21 February 2007, Ukrainian President Victor Yushchenko issued the Decree "On measures to develop tourism and resorts in Ukraine" No. 136/2007. It declares 2008 'the year of tourism'. The plan "On measures, preparation and events for the year of tourism in Ukraine in 2008" was ratified by the Order of the Cabinet of Ministers of Ukraine No. 884-p on 17 October 2007.

This plan aims to create proper terms for the development of the sphere of tourism and tourist resorts, attraction of international visitors, expansion of internal tourism, and alterations to the current tourist infrastructure.

During 2007 the Cabinet of Ministers of Ukraine issued four orders on the signing of agreements on cooperation in the



sphere of tourism; agreements were signed with Portugal, Cyprus, Morocco and Italy. An agreement between

Ukraine and Portugal on collaboration within the tourism industry was approved by Ukraine on 28 September.



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