



LAW OF UKRAINE

On Tourism

(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 1995, No. 31, Article 24)

*{Enacted by the Resolution of the Verkhovna Rada
[No. 325/95-VR of 15 September 1995](#), BVR, 1995, No. 31, Article 242}*

*{As amended by Law
[No. 2470-III of 29 May 2001](#), BVR, 2001, No. 32, Article 172}*

*{As revised by Law
[No. 1282-IV of 18 November 2003](#), BVR, 2004, No. 13, Article 180}*

*{As amended by Laws
[No. 1276-VI of 16 April 2009](#), BVR, 2009, No. 38, Article 535
[No. 2468-VI of 8 July 2010](#), BVR, 2010, No. 49, Article 567
[No. 2608-VI of 19 October 2010](#), BVR, 2011, No. 11, Article 69
[No. 3679-VI of 8 July 2011](#), BVR, 2012, No. 14, Article 89
[No. 4385-VI of 9 February 2012](#), BVR, 2012, No. 40, Article 477
[No. 5316-VI of 2 October 2012](#), BVR, 2013, No. 38, Article 502
[No. 639-VII of 10 October 2013](#), BVR, 2014, No. 22, Article 770
[No. 1193-VII of 9 April 2014](#), BVR, 2014, No. 23, Article 873
[No. 124-VIII of 15 January 2015](#), BVR, 2015, No. 14, Article 96
[No. 2581-VIII of 2 October 2018](#), BVR, 2018, No. 46, Article 371
[No. 124-IX of 20 September 2019](#), BVR, 2019, No. 46, Article 295
[No. 768-IX of 14 July 2020](#)}*

{In the text of this Law, the words “central executive authority in the field of tourism” in all cases have been replaced with words “central executive authority shaping the state policy on tourism and resorts” in the relevant case under Law [No. 1193-VII of 9 April 2014](#)}

This Law shall determine the general legal, organisational and socio-economic principles of enforcing the state policy of Ukraine on tourism and aims at ensuring the rights of citizens enshrined by the [Constitution of Ukraine](#) to rest, freedom of movement, healthcare, environment

safe for life and health, satisfying the spiritual needs and other rights when making tourist trips. It determines the principles of the reasonable use of tourism resources and regulates the relations related to the organisation and carrying out tourism on the territory of Ukraine.

Section I GENERAL PROVISIONS

Article 1. Definitions

1. For the purposes of this Law, the following definitions shall apply:

tourism shall mean a temporary trip of a person from the place of residence for the healthcare, educational, professional and business purposes without carrying out paid activity in the place of person's destination;

{Paragraph 2 of Article 1 as amended by Law [No. 1276-VI of 16 April 2009](#)}

tourist shall mean a person travelling in Ukraine or to another country from a country of stay not prohibited by the law for a period from 24 hours to one year without carrying out any paid activity and with the obligation to leave the country or place of stay by the specified deadline;

tourism product shall mean a pre-developed set of tourism services combining at least two such services sold or offered for sale at the determined price, which includes the transportation, accommodation and other tourism services not related to transportation and accommodation (services for organising visits to cultural, entertainment and recreational facilities, facilities for selling souvenir products, etc.);

auxiliary tourism services and goods shall mean services and goods designated for meeting the needs of consumers, the provision and production of which will decrease insignificantly without sale thereof to tourists;

specific tourism services and goods shall mean services and goods designated for meeting the needs of consumers, the provision and production of which will decrease significantly without sale thereof to tourists;

promotion of a tourism product shall mean a set of measures aimed at creating and preparing for sale a tourism product or tourism services (organisation of advertising and introductory trips, participation in specialised exhibitions, fairs, issuance of catalogues, booklets, etc.);

place of sale of tourism services shall mean a country in which a relevant business entity, which sells the tourism product, is registered;

place of providing tourism services shall mean a country on the territory of which the tourism services are directly provided;

hotel shall mean an enterprise of any form of incorporation and form of ownership consisting of six and more rooms and providing hotel services on temporary residence with mandatory services. [The procedure for assigning categories of hotels](#) shall be determined by the Cabinet of Ministers of Ukraine. A category shall be assigned to a hotel for 5 years;

{Article 1 has been supplemented with paragraph 10 under Law [No. 2468-VI of 8 July 2010](#); as amended by Law [No. 768-IX of 14 July 2020](#)}

hotel service shall mean actions (transactions) of an enterprise on accommodation of a consumer by providing a room (place) for temporary residence in a hotel, as well as other activity related to accommodation and temporary residence. A hotel service shall consist of the main and additional services provided to a consumer according to the hotel's category;

{Article 1 has been supplemented with paragraph 11 under Law [No. 2468-VI of 8 July 2010](#)}

similar accommodation facilities shall mean enterprises of any form of incorporation consisting of rooms and providing limited hotel services, including the daily making of a bed, cleaning of rooms and bathrooms.

{Article 1 has been supplemented with paragraph 12 under Law [No. 2468-VI of 8 July 2010](#)}

Article 2. Legislation of Ukraine on tourism

Legislation of Ukraine On Tourism shall consist of the [Constitution of Ukraine](#), this Law, other regulatory act issued under them.

Property relations in the field of tourism based on equality, the autonomy of will and property independence of their participants shall be regulated by the [Civil](#) and [Commercial](#) Code of Ukraine subject to features determined by this Law.

If an international treaty of Ukraine ratified by the Verkhovna Rada of Ukraine provides for other regulations than those determined by this Law, the regulations of the international treaty shall apply.

Article 3. Tourism resources of Ukraine

Tourism resources of Ukraine shall be the tourist offers, made or to be made, based on and using the state-owned, municipal or private facilities.

Areas of management and development of tourism resources of Ukraine shall be determined by government authorities, local governments under the tourism development programmes.

Classification and assessment of tourism resources of Ukraine, mode of protecting them, procedure for using with keeping account of the maximum load on cultural heritage resources and environment, procedure for preserving the integrity of tourism resources of Ukraine, measures for restoring them shall be determined under the law.

Unique tourism resources may be under a special protection mode restricting access thereto. Restriction of access to tourism resources shall be determined by their actual capacity, level of acceptable man-made load, seasonal and other conditions.

During the urban development planning, design, placement, construction and reconstruction of urban development facilities on the territories of recreational zones, relevant executive authorities, owners of urban development facilities must provide for maximum integration of the constructed facilities into the local socio-economic, environmental, historical and cultural space.

Article 4. Organisational forms and types of tourism

Organisational forms of tourism shall be international and domestic tourism.

The international tourism shall include: inbound tourism — trips within Ukraine of persons not permanently residing in Ukraine, and outbound tourism — trips of the citizens of Ukraine and persons permanently residing in Ukraine to another country.

The domestic tourism shall be trips within the territory of Ukraine of the citizens of Ukraine and persons permanently residing in Ukraine.

Depending on the category of persons making tourist trips (travels, visits), their goals, facilities used or visited, or other elements, there are the following types of tourism:

children;

youth;

family;

for elderly persons;

for persons with disabilities;

{Paragraph 6, part 4 of Article 4 as amended by Law [No. 2581-VIII of 2 October 2018](#)}

cultural and educational;

for treatment and healthcare purposes;

sports;

religious;

environment friendly (green);

rural;

underwater;

mountain hiking;

adventure;

hunting;

car;

flashpacker, etc.

Features of carrying out certain types of tourism shall be determined by law.

Article 5. Participants in the relations emerging when carrying out tourism activity

Participants in the relations emerging when carrying out tourism activity shall legal entities and individuals creating the tourism product, providing tourism services (transportation, temporary accommodation, catering, excursion, resort, sports, entertainment and other services) or carrying out intermediary activity on providing specific and auxiliary services, as well as citizens of Ukraine, foreigners and stateless persons (tourists, excursionists, visitors, etc.) in whose interests tourism activity is carried out.

{Part 1 of Article 5 as amended by Law [No. 1276-VI of 16 April 2009](#)}

Entities carrying out and/or ensuring carrying out of tourism activity (hereinafter referred to as the tourism entities) shall be:

tour operators (hereinafter referred to as the tour operators) — legal entities established under the legislation of Ukraine for which the exclusive activity is organisation and ensuring the creation of tourism product, sale and provision of tourism services, as well as intermediary activity on providing specific and auxiliary services, and which have obtained the tour operator licence in accordance with the determined procedure;

travel agent (hereinafter referred to as the travel agents) — legal entities established under the legislation of Ukraine, as well as individual entrepreneurs carrying out intermediary activity on selling tourism product of tour operators and tourism services of other tourism entities, as well as intermediary activity on selling specific and auxiliary services;

{Paragraph 3, part 2 of Article 5 as amended by Law [No. 2608-VI of 19 October 2010](#)}

other business entities providing services for temporary accommodation (residence), catering, excursion, entertainment and other tourism services;

escorting interpreters, tour guides, sports instructor, guides and other tour escort specialists — individuals carrying out activity related to tour escort, except for the person employed on relevant position with enterprises, institutions, organisation owning or servicing the visiting facilities;

{Paragraph 5, part 2 of Article 5 as amended by Law [No. 1193-VII of 9 April 2014](#)}

individuals who are not business entities and provide services for temporary accommodation (residence), catering, etc.

The list of positions of tour escort specialists and qualification requirements to them shall be determined by a central executive authority shaping the state policy on tourism and resorts, subject to the approval of a central executive authority shaping the state policy on employment.

{Part 3 of Article 5 as revised by Law [No. 1193-VII of 9 April 2014](#)}

Section II

STATE POLICY AND GOVERNMENT REGULATION IN THE FIELD OF TOURISM

Article 6. Main ways and goals of the government regulation in the field of tourism. Main priority areas of the state policy on tourism

The state declares tourism one of the priority areas of developing the economy and culture and shall create conditions for tourism activity.

The state policy on tourism shall be enforced through:

determining and enforcing the main areas of the state policy on tourism, priority areas of tourism development;

determining the procedure for classifying and assessing the tourism resources of Ukraine, their use and protection;

allocating budget funds for the development and implementation of tourism development programmes;

determining the basics of tourism safety;

regulation of relations on the field of tourism (tourist, hotel, excursion and other types of services provided to citizens);

licensing in the field of tourism, determining the qualification requirements to positions of tour escort specialists;

{Paragraph 7, part 2 of Article 6 as amended by Laws [No. 1193-VII of 9 April 2014](#), [No. 124-VIII of 15 January 2015](#), [No. 124-IX of 20 September 2019](#)}

determining the statistics accounting and reporting system in the field of tourism and resort and recreational complex;

organising and exerting state control over the compliance with legislation on tourism;

determining the priority areas and coordination of scientific research and training of personnel in the field of tourism;

participating in the development and implementation of international tourism development programmes.

Government regulation in the field of tourism shall be carried out in other ways determined by law.

The main goals of government regulation in the field of tourism shall be:

ensuring the rights of citizens to rest, freedom of movement, recovery and promotion of health, environment safe for life and health, satisfying the spiritual needs and other rights enshrined by the [Constitution of Ukraine](#);

tourism safety, protection of rights and legitimate interests of tourists, other tourism entities and their associations, rights and legitimate interests of owners or users of land plots, buildings and structures;

preserving the integrity of tourism resources of Ukraine, their reasonable use, protection of cultural heritage and environment, taking into account the state and public interests when planning and developing the territories;

creating favourable conditions for the development of tourism, supporting the priority areas of tourism activity.

The main priority areas of the state policy on tourism shall be:

improving the legal principles of regulating the relations in the field of tourism;

ensuring that tourism becomes a highly profitable industry of the economy of Ukraine, encouraging national and foreign investments into the development of tourism, creating new workplaces;

developing the inbound and domestic tourism, environmentally friendly (green) tourism;
expanding the international co-operation, asserting of Ukraine on the global tourism market;
creating favourable conditions for the development of tourism by simplification and harmonisation of tax, currency, customs, border guard and other types of regulation;
ensuring that tourism and excursions are accessible for children, youth, elderly persons, persons with disabilities, financially disadvantaged citizens through the introduction of benefits for such categories of persons.

{Paragraph 7, part 5 of Article 6 as amended by Law [No. 2581-VIII of 2 October 2018](#)}

Article 7. Authorities regulating the field of tourism

Regulation in the field of tourism shall be carried out by the Verkhovna Rada of Ukraine, Cabinet of Ministers of Ukraine, central executive authority shaping the state policy on tourism and resorts, the Verkhovna Rada of the Autonomous Republic of Crimea and the Council of Ministers of the Autonomous Republic of Crimea, local governments, as well as other authorities within their competence.

Article 8. Powers of the Verkhovna Rada of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea and local governments in the field of tourism

1. The exclusive powers of the Verkhovna Rada of Ukraine in the field of tourism shall include:

determining the main areas of the state policy on tourism;

determining the legal principles in the field of tourism, their improvement and adjustment to the common provisions of international law;

determining the scope of financing of tourism industry in the law on the State Budget of Ukraine.

Under the [Constitution of Ukraine](#), the Verkhovna Rada of Ukraine may also admit for consideration other issues related to tourism.

The Verkhovna Rada of the Autonomous Republic of Crimea, oblast and raion councils shall, within their competence:

approve the regional tourism development programmes financed from the budget of the Autonomous Republic of Crimea, oblast and raion budgets;

determine the funds of the budget of the Autonomous Republic of Crimea, oblast and raion budgets for financing the regional tourism development programs;

control financing of regional tourism development programmes from the budget of the Autonomous Republic of Crimea, oblast and raion budgets.

2. Under the [Constitution](#) of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea shall also carry out other regulation on tourism, historical and cultural reservation areas, museums, other cultural institutions, resolve the issues on organising and developing the resort and recreational area and tourism, etc.

3. Representative local governments, namely village, settlement and city councils, shall, within their competence:

approve local tourism development programmes;

determine the funds of local budgets for financing the local tourism development programmes;

assign their executive authorities to finance local tourism development programmes at the expense of the local budgets;

take measures to encouraging the business entities engaged in the provision of tourism services.

Article 9. Powers of the Cabinet of Ministers of Ukraine in the field of tourism

Under the [Constitution](#) of Ukraine and laws of Ukraine, the Cabinet of Ministers of Ukraine shall:

carry out government regulation and ensure enforcement of the state policy on tourism;

develop and approve the tourism development programmes in Ukraine and finance their implementation under the budget legislation;

adopt regulatory acts regulating the relations in the field of tourism activity;

ensure reasonable use of tourism resources and taking measures for preserving them;

promote the development of tourism industry and creation of the efficient tourist infrastructure;

take measures on ensuring the safety of tourists, protection of their rights, interests and property;

shape and ensure enforcement of the state investment policy in the field of tourism activity;

prepare and submit for consideration of the Verkhovna Rada of Ukraine the proposals on the scope of budget funds for financing the support for the tourism development projects and programmes as a component of the draft law on the State Budget of Ukraine;

inform the Verkhovna Rada of Ukraine on the implementation of tourism development programme in Ukraine;

determine the procedure for organising the rescue parties and procedure for taking rescue measures;

create the state system for scientific support in the field of tourism activity;

carry out international co-operation in the field of tourism;

resolve other issues included in its powers under the [Constitution](#) of Ukraine.

Article 10. Powers of central executive authorities shaping the state policy on tourism and resorts

1. A central executive authority shaping the state policy on tourism and resorts shall::

organise and ensure enforcement of the state policy on tourism, enforcement of this Law and other regulatory acts;

participate in the preparation of draft regulatory acts on tourism, develop and approve, within its competence, the regulatory acts, generalise the practice of applying the legislation on tourism, resort and recreational area, make proposal on improvements thereto;

ensure implementation of the tourism development programmes in Ukraine;

organise keeping the account of tourism resources of Ukraine, ensure their reasonable use and protection;

{Paragraph 6, part 1 of Article 10 has been deleted under Law [No. 124-VIII of 15 January 2015](#)}

organise the control over the quality of tourism services provision;

enforce the state investment policy in the field of tourism and resort and recreational area;

participate in the development of programmes for equipping the main transport routes with tourist infrastructure facilities;

participate in the training, retraining and recurrent training of the staff, determining the priority areas of scientific research in the field of tourism and conducting research and development works in this field;

research the tourism market, prepare and disseminate information about Ukraine and its tourism options on the international tourism market and inside the state;

within its competence, develop, enter into and perform the international agreements on tourism activity, represent the country in international tourism organisations and at international events on tourism;

take measures on expanding the international co-operation, asserting of Ukraine on the global tourism market;

promote co-operation of the executive authorities, business entities, their associations engaged in the field of tourism;

provide tourism entities with methodological, advisory and other assistance;

offer trademarks for common use by legal entities and individual entrepreneurs providing tourism services;

disseminate social advertising in the field of tourism;

for ensuring the performance of its powers, agreement and taking into account the interests of tourism entities, create a coordination and advisory body.

2. Other central executive authorities shall, within their powers:

ensure enforcement of the state policy on tourism;

prepare the proposals on enforcing the state policy on tourism;

participate in creation of the organisational and legal and economic mechanisms for the enforcement of the state policy on tourism;

Article 11. Powers of the Council of Ministers of the Autonomous Republic of Crimea, local state administrations, executive authorities of local government on tourism

1. The Council of Ministers of the Autonomous Republic of Crimea and local state administrations shall, within the powers:

perform executive and organisational and management functions on the organisation and development of resort and recreational area and tourism;

develop draft regional tourism development programmes and submit them for approval to the Verkhovna Rada of the Autonomous Republic of Crimea, oblast and raion councils, respectively;

take measures to implement the regional tourism development programmes;

promote the tourism activity in their region and create modern tourist infrastructure;

develop and introduce measures to protect local tourism resources;

{Paragraph 7, part 1 of Article 11 has been deleted under Law [No. 1193-VII of 9 April 2014](#)}

analyse the tourism services market within the administrative and territorial units, provide necessary information about the development of tourism in administrative and territorial units to a central executive authority shaping the state policy on tourism and resorts;

carry out social advertising of tourism resources, set up relevant information centres;

promote children and youth tourism;

participate in training, retraining and recurrent training of staff in the field of tourism activity financed at the expense of local budget;

provide tourism entities with methodological, advisory and other assistance on the organisation of their activity;

engaging enterprises, institutions and organisations located on the territory subordinated to it to solving issues of tourism development in regions.

submit proposals on including the measures from the regional tourism development programmes to relevant programmes to a central executive authority shaping the state policy on tourism and resorts;

make proposals to cancel a relevant licence to a central executive authority shaping the state policy on tourism and resorts in accordance with the determined procedure;

carry out other activity in the field of tourism under the legislation.

2. Executive authorities of local governments shall, within their competence:

develop draft local tourism development programmes and submit them to the relevant local councils for approval;

take measures to implement the local tourism development programmes;

engage, on a contractual basis, enterprise, institutions and organisations located on the relevant territory to solving the issues of local tourism development and supporting tourism resources;

organise the inventory control of tourism resources of local significance;

promote the protection and preservation of tourism resources;

engage local population to tourism activity by creating new workplaces;

promote the development of various types of tourism on the relevant territory.

Article 12. Tourism development programmes in Ukraine

In order to ensure the protection of tourism resources of Ukraine, their preservation and restoration, reasonable use, ensuring the tourism safe, constitutional rights of citizens to rest and other rights of citizens, patriotic education by government authorities and local governments within their competence, the state target, regional and other tourism development programmes shall be approved.

The tourism development programmes shall be approved for the purposes of implementing the long-term priorities of the country in the field of tourism and shall consist of the set of interrelated measures aimed at the exercise of constitutional rights of citizens and development of the tourism industry.

The state target, regional and other tourism development programmes must provide for measures on ensuring the safety in the field on tourism;

The procedure for forming, financing and implementing the regional and local tourism development programmes shall be determined by law.

Section III TOURISM SAFETY

Article 13. Safety in the field of tourism

Safety in the field of tourism shall mean a set of factors identifying the social, economic, legal and other state of ensuring the rights and legitimate interests of citizen, legal entities and state in the field of tourism.

Government authorities and local governments, their officer shall, within their competence, take measures aimed at:

ensuring the rights of citizens to environment safe for life and health enshrined by the [Constitution of Ukraine](#) when making tourist trips, protection of citizens of Ukraine outside Ukraine;

ensuring personal safety of tourists, preservation of their property, preventing damage to the environment;

inform the tourism entities of the threat to safety of the tourists in a country (place) of temporary stay;

providing necessary help to tourists who have faced an emergency;

ensuring that tourists (excursionists) are able to freely obtain medical, legal and other types of emergency aid and have access to communication means;

prohibiting the use of tourism for illegal migration, sexual, labour and other types of exploitation of citizens;

protecting the tourism resources of Ukraine, setting the maximum loads on cultural heritage resources and environment;

ensuring safety of the tourist visiting sites subject to the risk of natural and man-made catastrophes and other emergencies, etc.

In order to ensure safety of tourists, the tourism entities must, when carrying out a relevant type of activity:

inform tourists of the potential dangers during the trip, necessity to comply with the compulsory requirements and take precautions and preventive measures (medical vaccines, etc.);

create safe conditions in the places of providing tourism services, ensure proper equipment of the routes for hiking, walking, excursions, etc.;

ensure special safety requirements when providing high-risk tourism services (car, mountain hiking, skiing, bicycle, water, motor bicycle, walking tourism, caving, etc.);

ensure qualified tour escort specialists, special equipment and inventory for tourists;

ensure training of tourists in terms of preventing and protection from injuries, preventing accidents and providing first aid;

ensure the provision of prompt help to persons who suffered damage during a trip, transportation of the injured persons;

promptly inform local authorities and responsible person of the emergencies faced by tourists, provide information about missing persons.

Persons organising the exploitation of tourism resources must ensure the compliance with the requirements on environment protection and protection of cultural heritage, as well as take measures on ensuring the minimization or termination of adverse effect on environment and compensate for the losses caused in the course thereof.

The necessary help shall be provided to tourists who have faced an emergency within Ukraine by specialised state, municipal and private services, as well as rescue parties to be formed under the legislation.

Organisation of rescue parties and [procedure for taking rescue measures](#) shall be determined by the Cabinet of Ministers of Ukraine.

The state shall ensure protection of the legitimate rights and interests of foreign tourists under the legislation and international treaties of Ukraine.

Article 14. Protection of interests of Ukrainian tourists outside Ukraine

The state shall guarantee the protection of legitimate rights and interests of the citizens of Ukraine making tourist trips abroad.

In case of emergencies, the state shall take measures on protecting Ukrainian tourists outside Ukraine, including measures to evacuate them from a country of temporary stay.

Article 15. Financial provision for the liability of a tour operator and travel agent

In order to ensure rights and legitimate interests of citizens who are consumers of tourism services, a tour operator and travel agent must ensure financial provision of their civil liability (with a bank guarantee or guarantee of another lending institution) to the tourists.

In order to cover its liability for losses, which may be caused to a tourist if it becomes insolvent or as a result of commencing bankruptcy proceedings against it related to the necessity to cover tourist's losses on his/her returning to the place of residence (stay), compensate for the cost of services not provided stipulated by the agreement, a tour operator must provide a confirmation of financial provision for its liability (bank guarantee or guarantee of another lending institution) to a tourist in accordance with the determined procedure.

{Part 2 of Article 15 as amended by Law [No. 1276-VI of 16 April 2009](#)}

In order to cover its liability for losses, which may be caused to a tourist if it becomes insolvent or as a result of commencing bankruptcy proceedings against it related to the necessity to compensate for the cost of services not provided stipulated by the agreement, a travel agent must provide a confirmation of financial provision for its liability (bank guarantee or guarantee of another lending institution) to a tourist in accordance with the determined procedure.

The minimum amount of financial provision of a tour operator must be equivalent to at least EUR 20,000. The amount of financial provision of a tour operator providing services solely on domestic and inbound tourism must be equivalent to at least EUR 10,000. The minimum amount of financial provision of a travel agent must be equivalent to at least EUR 2,000.

Any amounts guaranteed by the financial provision for civil liability of a tour operator shall be used solely for satisfying the demands made under or subject to circumstances specified in this Articles.

Losses caused to a tourist in case of the insolvency of a tour operator (travel agent) or as a result of commencing the bankruptcy proceedings against it shall be compensated by a relevant lending institution under the tourist's application, tourism services agreement (voucher) and documents confirming that the tour operator (travel agent) failed to perform its contractual obligations.

Article 16. Insurance of tourists when making tourist trips

Insurance (medical and accident) is compulsory and shall be ensured by tourism entities under agreements with insurers. Tourists shall have the right to enter into such insurance agreements at their own. In this case, they must confirm in advance the availability of a duly concluded insurance agreement to a tour operator or travel agent.

An insurance agreement must provide for the provision of medical aid to the tourists and compensation for their losses in case of an insured event directly in the country (place) of temporary stay.

Information about the conditions of compulsory insurance must be communicated to a tourist before entering into a tourism services agreement.

Compulsory insurance (medical and accident) shall be executed one time for the entire period of a tourist trip.

At the tourist's request, a tour operator or travel agent shall insure them from other risks related to making a trip.

If a tourists wishes so, an insurance agreement may be entered into with him/her for covering the losses related to cancelling the tourism services agreement at the tourist's initiative, or an insurance agreement for covering the losses related to early return to the place of residence in case of an accident or disease.

{Part 6 of Article 6 as amended by Law [No. 1276-VI of 16 April 2009](#)}

Damage caused to life or health of a tourist or his/her property shall be compensated in accordance with the determined procedure.

Section IV ORGANISATION OF TOURISM ACTIVITY

Article 17. Licensing of tourism activity

In order to create equal opportunities for the tourism entities on the tourism services market and ensuring the protection of rights and legitimate interests of citizens, protection of environment, increasing the level of tourism services, tourism activity shall be licensed.

{Part 1 of Article 17 as amended by Law [No. 2608-VI of 19 October 2010](#)}

A tourism entity, which has obtained a tour operator licence, shall have the exclusive right to provide services on ensuring issuance of the documents for travelling outside Ukraine. A tour operator may also carry out travel agency activity.

{Part 2 of Article 17 as amended under Law [No. 2608-VI of 19 October 2010](#)}

The total size of a share of a tour operator in the authorised funds of other tour operators of Ukraine may not exceed 20 percent of their authorised funds.

A tourism entity shall have no right to use in its name the words "tour operator" without obtaining a tour operator licence.

{Part 4 of Article 17 as revised by Law [No. 2608-VI of 19 October 2010](#)}

No tour operator licence may be issued to a tourism entity with a name similar to the name of another business entity, which has obtained the licence earlier and information on which has been entered into a relevant register.

{Part 5 of Article 17 as amended by Law [No. 2608-VI of 19 October 2010](#)}

{Article 18 has been deleted under Law [No. 124-IX of 20 September 2019](#)}

Article 19. Assigning categories of tourist infrastructure facilities

In order to increase the level of tourism services, facilitate the consumers in conscious choice of tourism services, ensure the equal opportunities for tourism entities on the tourism services market, ensure the protection of rights and legitimate interests, life, health and property of citizens,

increase the level of environmental safety, the categories of quality and service level shall be assigned to tourist infrastructure facilities.

A relevant category shall be assigned to tourist infrastructure facilities (hotels, other facilities designated for the provision of services for accommodation, public catering, resort facilities, etc.) upon an application of its owner.

Types of categories of tourist infrastructure facilities, procedure for assigning them and changes, as well as the [procedure for communicating information to consumers on the types of a tourist infrastructure facility and type of its category](#) shall be determined by the Cabinet of Ministers of Ukraine.

{Part 3 of Article 19 as revised by Law [No. 3679-VI of 8 July 2011](#)}

Categories shall be assigned to tourist infrastructure facilities (hotels, other facilities designated for the provision of services for accommodation, public catering, resort facilities, etc.) by a central executive authority enforcing the state policy on tourism and resorts, and to tourist infrastructure facilities located on the territory of the Autonomous Republic of Crimea — by an executive authority of the Autonomous Republic of Crimea on tourism.

{Article 19 has been supplemented with part 4 under Law [No. 639-VII of 10 October 2013](#)}

It shall be prohibited to provide accommodation services without a certificate for assigning a relevant category.

{Article 19 has been supplemented with part 5 under Law [No. 639-VII of 10 October 2013](#)}

Article 19¹. Informing the consumers on the conditions of tourism services provision

Any information provided by a tour operator (travel agent) must contain true data on the terms and conditions of a tourism services agreement.

Information about the conditions of providing tourism services disseminated by a tour operator (travel agent) before entering into a tourism services agreement must be communicated in a clear, visual form, must be readable, understandable and contain information about:

- 1) the place of provision of tourism services, tourism services programme;
- 2) specifications of vehicles for transportation, in particular their type and category;
- 3) specifications of hotels and other facilities designated for the provision of tourism services for temporary accommodation, including their place of location, category, periods and procedure for paying for the hotel services;

{Clause 3, part 2 of Article 19¹ as amended by Law [No. 124-VIII of 15 January 2015](#)}

- 4) types and methods of ensuring catering during a tourist trip;
- 5) minimum number of tourists in a group, as well as informing a tourist that the tourist trip will not be made due to insufficient number of people in the group at least three days before the commencement of the tourist trip;
- 6) price of tourism services.

A tour operator (travel agent) must comply with the conditions of providing a set of tourism services of which the consumer has been informed before entering into the tourism services agreement, except for the cases when the consumer is notified of the changes in such conditions before entering into the agreement or if the changes are made under an agreement entered into by and between the parties to the tourism services agreement.

Before entering into the tourism services agreement, a consumer of a tourism product shall be provided with information about:

1) the main requirements to issuing the entry/exit documents (passport, permit (visa) for entering/exiting from a country of temporary stay), including the period of issuance thereof;

2) medical precautions for making a tourist trip, in particular contraindications due to certain diseases, features of physical condition (physical impairments) and age of tourists, as well as conditions of the safety of tourists in a country (place) of temporary stay;

3) tour operator (travel agent), location, postal details, contact phone number, availability of a licence to carry out tourism activity and other information under the legislation on the protection of consumer rights;

{Clause 3, part 2 of Article 19¹ as amended by Law [No. 124-VIII of 15 January 2015](#)}

4) head of a group and means of communication with him/her in case of making a tourist trip abroad or staying abroad of an underage and/or minor person in order to establish direct communication between the legal representatives of an underage or minor person;

5) time and place of intermediate stops and transport options and category of a place to be occupied by a consumer in a certain type of vehicle;

6) types and topics of excursion services, procedure for holding meeting and accompanying, escort of tourists;

7) condition of the environment, sanitary and epidemiological welfare;

8) name, address and contact phone number of a representative office of a tour operator or organisation (organisations) authorised by a tour operator to accept complaints and claims from tourists, as well as addresses and phone number of the diplomatic missions of Ukraine in a country (place) of temporary stay or local services which may be appealed to in case of difficulties during a tourist trip;

9) procedure for ensuring by a tour operator the compulsory and/or voluntary insurance of tourists, amount, procedure and conditions of paying the insurance compensation, as well as opportunity and conditions of voluntary insurance of expenses related to the termination of a tourism services agreement at the initiative of tourist, property insurance;

10) amount of financial provision of a tour operator (travel agent) in case of its insolvency (bankruptcy) and a lending institution, which ensured the financial provision.

{The Law has been supplemented with Article 19¹ under Law [No. 4385-VI of 9 February 2012](#)}

Article 20. Tourism services agreement

Under a tourism services agreement, one party (tour operator entering into the agreement directly or through a travel agent) undertakes to provide the other party (tourist), to its order, with a set of tourism services (tourism product), and the tourist undertakes to pay for such services.

General provisions of a tourism services agreement shall apply to a tourism services agreement, unless otherwise provided for by the law.

A tourism services agreement shall be entered into in written or electronic form under the law.

A tourism services agreement shall contain the following material terms and conditions of the agreement:

1) period of staying in a place of tourism services provision with the indication of start and end dates of tourism services;

2) specifications of vehicles for transportation, in particular their type and category, as well as date, time and place of departure and arrival (if transportation is a part of the tourism product);

3) hotels and other similar accommodation facilities, their location, category, as well as period and procedure for paying for hotel services;

{Clause 3, part 4 of Article 20 as amended by Law [No. 124-VIII of 15 January 2015](#)}

4) types and methods of ensuring catering;

5) minimum number of tourists in a group (if necessary), and in this regard a three-days period for informing a tourist that the tourist trip will not be made due to insufficient number of people in the group;

6) tourism services programme;

7) types of excursion services and other services included in the cost of a tourism product;

8) other tourism entities (their location and details) providing tourism services included in a tourism product;

9) insurer carrying out compulsory and/or voluntary insurance of tourist at the tourist's discretion, other risks related to the provision of tourism services;

10) rules of entering a country (place) of temporary stay and stay there;

11) cost of tourism services and payment procedure;

12) form of settlement.

It shall be allowed to change the price of a tourism product after entering into tourism services agreement only if it is necessary to take into account the rates for transportation services, introduce new or increase the valid rates of taxes and duties and other compulsory payments, change the exchange rate of UAH to a foreign currency in which the cost of a tourism product is denominated.

It shall be possible to change the price of a tourism product at least 20 days before the start of a tourist trip. In this case, the increase in the price of a tourism product may not exceed five percent of its initial price. If the price of a tourism product exceeds the initial price by five percent, a tourist shall have to waive the agreement, and a tour operator (travel agent) must return the amount paid earlier to him/her.

Each party to the tourism services agreement may, before the start of a tourist trip, demand entering amendments to such an agreement or termination thereof due to the change in material terms and conditions of the agreement and circumstances by which they were guided when entering into the agreement, in particular in case of:

- 1) aggravation of the conditions of a tourist trip, change of periods for making it;
- 2) unforeseen increase in the rates for transport services;
- 3) introduction of new or increase in the existing rates of taxes and duties, other compulsory payments;
- 4) significant change in the exchange rate of UAH to a foreign currency in which the price of a tourism product denominated;
- 5) agreement of the parties.

A tour operator (travel agent) must, no later than in one day after becoming aware of the changes in circumstances by which the parties were guided when entering into the tourism services agreement, and at least three days before the start of a tourist trip, notify a tourist of such change in circumstances in order to ensure that he/she is able to waive the agreement without compensating the tour operator (travel agent) for damages or to introduce amendments to the agreement by changing the price of tourism services.

A tour operator or travel agent shall have the right to waive the agreement only given that it fully compensates a customer for the losses confirmed in accordance with the determined procedure and caused as a result of termination of the agreement, except for the case when it happened due to the tourist's fault.

A tourist shall have the waive to waive the tourism services agreement before the start of a tourist trip given the he/she compensates the tour operator (travel agent) for the expenses related to the waiver actually incurred by him/her and documented.

If during the performance of a tourism services agreement, a tour operator cannot provide a significant part of a tourism product agreed upon under the tourism services agreement, in order to continue the provision of tourism services, a tour operator must take alternative measures without imposing additional expenses on a tourist and, if necessary, must compensate him/her for the difference between the proposed services and those provided. If it is impossible to take such measures or a tourist waives them, a tour operator must provide an equivalent transport for returning to the place of departure or another place as agreed upon by the tourist without extra payment, as well as compensate for the cost of tourism services not provided by the tour operator and pay compensation in the amount determined in the agreement as agreed upon by the parties.

A tour operator shall be liable to a tourist for failure to perform or improper performance of the terms and conditions of a tourism services agreement, except for the cases when:

failure to perform or improper performance of the terms and conditions of a tourism services agreement was caused by the tourist's fault;

failure to perform or improper performance of the terms and conditions of a tourism services agreement was caused by the fault of third parties not related to the provision of services specified in such an agreement, and neither party was aware of or could foresee the emergence thereof;

failure to perform or improper performance of the terms and conditions of a tourism services agreement was caused by force majeure or results from the events, which could not have been foreseen by a tour operator (travel agent) and other tourism entities providing tourism services included in a tourism product.

A tourism services agreement may provide for the compensation in case of causing damage to a tourist by failure to perform or improper performance of tourism services included in a tourism product under the international conventions regulating the provision of such services.

Rights, obligations and liability of the parties and other terms and conditions of an agreement between a tour operator and travel agent shall be determined under the general provisions in the agency agreement, unless otherwise provided for by an agreement entered into by and between them, as well as under this Law.

Quality of tourism services must meet the terms and conditions of a tourism services agreement, procedure and ways of protecting the violated rights of tourists shall be determined by the [Law of Ukraine](#) “On the Protection of Consumer Rights”.

Liability for the damage caused to life, health and property of a tourist shall be determined by the law, unless wider liability of a tour operator is provided for by a tourism services agreement.

{Article 20 as amended by Law [No. 2608-VI of 19 October 2010](#); as revised by Law [No. 4385-VI of 9 February 2012](#)}

Article 21. Excursion services agreement

Under an excursion services agreement, one party (entity carrying out tourism activity) undertakes to provide, for payment fixed by the agreement and to the order of another party (excursionist), services the significant part of which is services of a tour guide (escorting interpreter) with the total duration of no more than 24 hours, which do not include the accommodation services.

An excursion services agreement shall be entered into under the rules determined by the civil legislation, including by issuing a voucher.

General provisions on a services supply agreement shall apply to the excursion services agreement, unless otherwise provided for by the law and contradicts the essence of an obligation.

A person providing excursion services must, before entering into an excursion services agreement, provide an excursionist with necessary and true information about the excursion services, their types and features, qualification of a tour guide, procedure and deadlines for paying for the excursion services, as well as provide an excursionist with other information on the excursion services at his/her request.

Liability of the parties for failure to perform, improper performance of obligations under the excursion services agreement, procedure for terminating the excursion services agreement shall be determined under the civil legislation and legislation on the protection of consumer rights.

Article 22. Hotel services agreement

Under a hotel services agreement, one party (hotel or another entity providing accommodation services) undertakes, under an assignment of another party (resident), to provide temporary

(overnight) accommodation services in the specially equipped residential premises (room), perform or organise performance of other hotel services determined by a hotel services agreement related to temporary accommodation, and a resident undertakes to pay a fixed fee for such services.

Services related to temporary accommodation include residential premises (room) maintenance services, catering (restaurant catering) services, services on preserving the property and luggage of a resident, and other services provided depending on a hotel category.

Provisions of the civil legislation, this Law, legislation on the protection of consumer rights and other regulatory acts adopted under them shall apply to the relations under a hotel services agreement. This Law shall apply during the provision of hotel services in motels, holiday centres, health and spa centre, recreation and retreat centres, as well as other places designated for the accommodation of citizens.

Hotel or another entity providing accommodation services must, before entering into an agreement, provide necessary and true information about hotel services, their types and features, procedure and deadlines for paying for the hotel services and provide a resident with other information related to the agreement and relevant hotel services at the resident's request, as well as other information provided for by the legislation on the protection of consumer rights.

A hotel services agreement shall be entered into both by entering into a written agreement and by accepting by a hotel of booking request via the mail, phone or another means of communication allowing to identify a person submitting the request. If the request is accepted, a hotel services agreement shall be deemed accepted once a hotel confirmation on accepting the order and indication of the potential start of hotel services provision from a determined time are received.

Liability for the damage caused to life, health or property of a resident shall be determined under the civil legislation, unless a wider liability of a hotel is provided for by a hotel services agreement.

Rights, obligations and liability of the parties and other terms and conditions of an agreement between a tour operator (travel agent) and a hotel or another entity shall be determined by the general provisions on the agency agreement, unless otherwise provided for by an agreement between them and this Law.

Article 23. Voucher

Voucher shall mean a form of a written tourist or excursion services agreement, which may be used under this Law.

A tourism services agreement entered into by issuing a voucher must contain the following information:

name and location of a tourism entity, number of a licence for a relevant type of activity, registered address;

{Paragraph 2, part 2 of Article 23 as amended by Law [No. 1193-VII of 9 April 2014](#)}

surname, given name (patronymic) of a tourist (in case of a group trip — surname, given names (patronymics) of group members);

periods of provision and types of tourism services, their total cost;

name, address and phone number of an accommodation facility, its type and category, meal regime;

amount of financial provision for the liability of a tour operator (travel agent) or limits of liability of a tourism entity under the agency agreement;

other details according to the nature of agreement, composition of a group, etc;

date of issuance of the voucher.

{Part 3 of Article 23 has been deleted under Law [No. 5316-VI of 2 October 2012](#)}

The procedure for issuing a voucher and using it shall be approved by a central executive authority shaping the state policy on tourism and resorts.

Article 24. Rights and obligations of tourism entities

Tourism entities shall have the right to:

produce and sell tourism services under the legislation;

make proposals on the protection of tourism resources of Ukraine, their preservation and restoration, procedure for using;

make proposals on improving the educational programmes on professional training in the field of tourism, increasing the level of recurrent training of employees and specialists in the field of tourism;

assignment of a relevant category to tourist infrastructure facilities (hotels, other facilities designated for the provision of services on accommodation, public catering, resort institutions, etc.) owned by them;

obtaining information necessary for carrying out their activity from the government authorities and local governments in accordance with the determined procedure;

participate in the development of tourism and resort and recreation development programmes in accordance with the determined procedure;

determine and making publicly available by publishing the general terms and conditions of a model (public) tourism services agreement;

determine the minimum number of tourists (excursionists) in a group;

compensation of damages caused as a result of illegal decisions, actions or inaction of the government authorities, local governments, their officers and officials or caused by tourism entities.

Tourism entities must:

carry out activity in the field of tourism subject to licensing only if licences are in place;

{Paragraph 3, part 2 of Article 24 has been deleted under Law [No. 124-VIII of 15 January 2015](#)}

engage persons meeting the relevant qualification requirements set by the legislation to the provision of tourism services;

{Paragraph 4, part 2 of Article 24 as amended by Law [No. 1193-VII of 9 April 2014](#)}

provide the tourists with necessary and true information about tourism services, rights, obligations and code of conduct of tourists (excursionists), insurance conditions, procedure for compensating for the caused losses, conditions of refusing from the services, rules of visa and customs regime, crossing the state border and other information provided for by this Law;

provide tourism services in the scope and within the periods provided for by the agreement;

comply with the requirements of the law on ensuring safety of tourists, protection of tourism resources of Ukraine and environment;

keep accounting and other documentation determined by the legislation, provide accounting and statistics reporting in accordance with the determined procedure;

compensate for the losses caused to tourists (excursionists), other persons and environment.

Article 25. Rights and obligations of tourists and excursionists

Tourists and excursionists shall have the right to:

exercise the rights of citizens to rest, freedom of movement, recovery and promotion of health, environment safe for life and health, satisfying the spiritual needs, protection and respect for human dignity enshrined by the [Constitution of Ukraine](#);

necessary and true information about the rules of entering a country (place) of temporary stay, as well as exiting a country (place) of temporary stay and staying there, customs of the local population, national, historical and cultural monuments, and other tourist sightseeing sites under special protection, state of the environment;

information about a business entity engaged in the field of tourism having a license and other documents, which are mandatory under the legislation;

{Paragraph 4, part 1 of Article 25 as amended by Law [No. 1193-VII of 9 April 2014](#), [No. 124-VIII of 15 January 2015](#)}

obtain compulsory information preceding entering into the agreement;

receive tourism services provided for by the agreement;

protection of safety, protection of life, health, consumer rights and property;

receive necessary medical aid;

get compensation for pecuniary and non-pecuniary losses in case of failure to perform or improper performance of the terms and conditions of the agreement;

facilitation by the government authorities of Ukraine in obtaining the legal and other types of aids, and for the citizens of Ukraine — also outside Ukraine;

exercise other rights.

Tourists and excursionists must:

not violate the rights and legitimate interests of other persons, requirements of laws effective on the territory of a country of stay;

comply with the customs, border guard, sanitary and other rules;

respect the political and social order, traditions, customs, religious beliefs of a country of stay (place) of stay;

preserve the environment, carefully treat the natural and cultural heritage in a country (place) of temporary stay;

comply with the conditions and rules provided for by the agreement on the tourism services provision;

provide personal information to the extent necessary for selling the tourism product;

comply with personal safety rules during a trip;

compensate for losses caused by their unlawful actions.

Perform other obligations provided for by the legislation of Ukraine and legislation of a country of temporary stay.

Section V

PROFESSIONAL TRAINING OF SPECIALISTS AND SCIENTIFIC SUPPORT OF TOURISM. ASSOCIATIONS OF ENTERPRISES AND NON-PROFIT ORGANISATIONS IN THE FIELD OF TOURISM

Article 26. Professional training of specialists in the field of tourism

Professional training, retraining and recurrent training of employees in the field of tourism shall be carried out by state-owned, municipal and private education institutions in accordance with the procedure determined by legislation.

Training of certain categories of tour escort specialists (escorting interpreters, tour guides, sports instructor, guides, etc.), which do not require obtaining of professional or higher education by citizens with obtaining of a qualification under a relevant academic degree, may be carried out in accordance with the determined procedure by legal entities and individuals.

A central executive authority shaping the state policy on tourism and resorts shall participate in preparing the educational plans and programmes of training specialists in the field of tourism, their professional training, retraining and recurrent training.

{Part 3 of Article 26 as amended by Law [No. 1193-VII of 9 April 2014](#)}

Article 27. Scientific research of tourism development

Scientific research of tourism development shall be conducted for the purpose of:

scientific support of the state policy on tourism, forecasting and determining the perspective of its development;

determining the methods of classifying and assessing the tourism resources, regime of protecting them, preserving and restoring, procedure for using;

keeping account of the maximum load on cultural heritage sites and environment;

developing proposals on the draft state target, regional and local tourism development programmes, as well as determining the licensing conditions and list of positions of tour escort specialists, qualification requirements to them, improving the professional training of specialists in the field of tourism activity, etc.

Determination of the priority areas, management and coordination of scientific research in the field of tourism fall under the competence of the scientific tourism development centre.

Regulation of the scientific tourism development centre shall be approved by a central executive authority shaping the state policy on tourism and resorts.

Article 28. Associations of tourism entities and non-profit organisations in the field of tourism

Participants in relations arising when carrying out the tourism activity — legal entities and citizens providing tourism services, depending on their goal, may form associations of enterprises, which are legal entities or without establishing legal entities, or joint such associations in accordance with the procedure determined by the [Commercial Code of Ukraine](#) and other laws.

In order to exercise and protect their rights and legitimate interests in the field of tourism, tourism entities may establish non-profit organisations in the field of tourism activity in accordance with the procedure determined by the [Civil Code of Ukraine](#) or [Law of Ukraine](#) “On Associations of Citizens” or other laws.

Citizens of Ukraine, foreigners and stateless persons may form public tourism organisations in order to exercise and protect their rights and legitimate interests.

Non-profit organisations in the field of tourism may carry out their activity on:

forming and disseminating the information about tourism resources of Ukraine:

drafting proposals on tourism development, resort and recreation, protection of tourism resources of Ukraine, their preservation and restoration, procedure for using;

promoting tourism and facilitating its development;

developing the standards of tourist, hotel, excursion and other services and rules of professional conduct;

{Paragraph 5, part 4 of Article 28 as amended by Law [No. 124-IX of 20 September 2019](#)}

introducing own systems of quality control over carrying out the tourism activity;

offering trademarks for common use by legal entities and individual entrepreneurs providing tourist services;

improving the educational programmes on professional training in the field of tourism, increasing the level of recurrent training of employees and specialists in the field of tourism;

self-regulation in the field of tourism;

exercising and protecting common rights and interests of the participants in tourism activity;

solving other tasks not contradicting the legislation of Ukraine.

Public tourism organisations may represent the interests of citizens who are consumers of tourist services under the law.

Section VI

CONTROL OVER THE ACTIVITY IN THE FIELD OF TOURISM. LIABILITY FOR VIOLATING THE LEGISLATION OF UKRAINE ON TOURISM

Article 29. Authorities competent to control the activity in the field of tourism

Government authorities, local governments, their officers and officials shall control the compliance with requirements of the legislation on tourism activity, conduct inspections of the quality of tourist services provided or be provided, compliance with licensing conditions, provisions and rules on carrying out tourism activity in cases and in accordance with the procedure determined by the law and shall impose penalties and take other measures for violations of the legislation on tourism under the law.

{Article 29 as amended by Law [No. 124-IX of 20 September 2019](#)}

Article 30. Liability for violating the legislation on tourism

Violation of the legislation on tourism shall be punishable by law.

Violations of the legislation on tourism shall be:

carrying out tour operator activity without obtaining a relevant licence or failure to comply with the licensing conditions;

{Paragraph 2, part 2 of Article 30 as revised by Law [No. 1193-VII of 9 April 2014](#)}

engaging persons who fail to meet the relevant qualification requirements set by the legislation to the provision of tourist services;

{Paragraph 3, part 2 of Article 30 as amended by Law [No. 1193-VII of 9 April 2014](#)}

{Paragraph 4, part 2 of Article 30 has been deleted under Law [No. 124-VIII of 15 January 2015](#)}

failure to provide, late provision or provision of false information to a tourist;

violation of the provisions and rules in the field of tourism;

{Paragraph 6, part 2 of Article 30 as amended by Law [No. 124-IX of 20 September 2019](#)}

illegal use of a category of tourist infrastructure facility;

violating the terms and conditions of an tourist services agreement between a tourist and tourism entity;

failure to comply with the directives of competent authorities and authorised person on eliminating the violations of licensing conditions;

violating the rules on the protection or use of tourist infrastructure facilities, destruction of damage to sightseeing sites;

creating obstacles for an officer or official authorised by law to control the tourism activity, inspect the quality of tourist services provided or to be provided, or comply with the licensing conditions, provisions and rules on carrying out tourism activity;

{Paragraph 11, part 2 of Article 30 as amended by Law [No. 124-IX of 20 September 2019](#)}

illegal interference with carrying out of the tourism activity;

disclosure of information, which is confidential or other information protected by law.

The laws may also provide for liability for other violations in the field of tourism activity.

Article 31. Liability of government authorities, local governments, their officer and officials in the field of tourism activity

Government authorities, local governments, their officer and officials in the field of tourism activity shall be liable for the violation of legislation under the law.

Decisions, actions or inaction of government, local governments, their officer and officials may be appealed to a court in accordance with the procedure determined by law.

Damage caused by government authorities, local governments, officers and officials to individuals or legal entities during the performance of obligations vested in them shall be subject to compensation in accordance with the procedure determined by law.

Article 32. Civil and other types of liability of tourism entities

A tour operator, travel agent and other tourism entities shall bear pecuniary and other liability for improper performance of their obligations determined by an agreement under the current legislation.

The amount of pecuniary liability of a tour operator, travel agent or another tourism entity may not exceed the damages actually caused to a customer due to their fault.

Pecuniary disputes between the tourist entities and consumers of tourist services shall be resolved in accordance with the determined procedure subject to the requirements of this Law.

For violating the rules of carrying out economic activity determined by the legislative acts, government authorities and local governments shall apply organisational and legal or pecuniary measures to business entities aimed at termination by a business entity of the offence and liquidation of its consequences in accordance with the determined procedure.

Article 33. Compensating the damage caused by a violation of the legislation on tourism activity

A tourism entity, which has violated the legislation on tourism activity when providing a tourist service, and it caused damage, must fully compensate a tourist for the losses, unless lesser or larger compensation is provided for by an agreement or law.

Moral (non-pecuniary) damage caused to a tourist by which his/her legitimate rights have been violated shall be compensated by a tourism entity in accordance with the procedure determined by legislation.

Tourism entities, which have been caused damage by legal entities or individuals as a result of violation by them of the legislation on tourism, shall get compensation for losses under the law.

Article 34. Procedure for considering disputes on the provision of tourist services

Disputes on the provision of tourist services shall be considered in accordance with the procedure determined by law by arbitrators and general jurisdiction courts.

Section VII INTERNATIONAL CO-OPERATION IN THE FIELD OF TOURISM

Article 35. International treaties of Ukraine in the field of tourism. Participation of Ukraine in the international tourism organisations

Legal basis of the international co-operation in the field of tourism shall be the international treaties of Ukraine entered into under the [Law of Ukraine](#) “On International Treaties of Ukraine”.

The state shall facilitate the extension and enhancement of the international co-operation in the field of tourism based on the principles and provisions developed by the World Tourism Organization (UNWTO).

A government authority ensuring the representation and exercise of interests of Ukraine in the field of tourism in relations with other countries and international tourism organisations shall be a central executive authority shaping the state policy on tourism and resorts, which shall participate in entering into international treaties on tourism in accordance with the determined procedure.

Ukraine shall participate in the activity of international tourism organisations under the international legal obligations of Ukraine and statutory documents of such organisations.

Article 36. Representative offices of Ukraine in the field of tourism outside Ukraine

In order to extend the international co-operation, asserting of Ukraine on the global tourism market and efficient use of its tourism resources, certain powers on representing the interests of Ukraine in the field of tourism outside Ukraine shall be vested in its trade delegations.

Following the submission of a central executive authority shaping the state policy on tourism and resorts, the Cabinet of Ministers of Ukraine may open tourism representative offices outside Ukraine. The procedure for establishing, operating and liquidation tourism representative offices shall be determined by the Cabinet of Ministers of Ukraine under the international treaties of Ukraine.

Article 37. Features of carrying out activity in Ukraine by foreign tourism entities

Legal entities established under the legislation of other states, foreigners and stateless persons shall carry out tourism activity on the territory of Ukraine under the international treaties of Ukraine in accordance with the procedure determined by law.

Foreign legal entities and individuals may carry out tour operator and travel agency activity by establishing enterprises under the legislation of Ukraine and obtaining a licence to carry out tour operator activity in accordance with the determined procedure.

{Part 2 of Article 37 as amended by Law [No. 2608-VI of 19 October 2010](#)}

Tour escorting carried out on the territory of Ukraine may be provided by tour escort specialists, citizens of Ukraine and persons permanently residing on the territory of Ukraine, unless otherwise provided for by an international treaty ratified by the Verkhovna Rada of Ukraine.

It shall not be allowed to carry out intermediary activity on the territory of Ukraine on entering into tourism services agreements with foreign tourism entities. Such activity may be carried out only through tour operators established under the legislation of Ukraine.

Agreements entered into in violation of the requirements of this Article shall be invalid.

Section VIII FINAL AND TRANSITIONAL PROVISIONS

1. This Law shall enter into force on 1 January 2004.

2. Laws and other regulatory acts shall apply to the extent not contradicting this Law until the legislation is brought in line with this Law.

3. Individuals and legal entities, which have obtained a licence to organise foreign, inbound, outbound tourism, excursion activity before the date of official publication of this Law, may, by 1 April 2004, obtain a licence to carry out tour operator or travel agency activity for the period until the expiration of the previous licence provided that they comply with the requirements of this Law and the [Law of Ukraine](#) “On Licensing of Certain Types of Economic Activity”.

4. Within one month after the enactment of this Law, the Cabinet of Ministers of Ukraine shall:

prepare and submit for consideration to the Verkhovna Rada of Ukraine proposals on bringing the laws of Ukraine in line with this Law;

ensure that the regulatory acts provided for by this Law are adopted, within their competence;

bring its regulatory acts in line with this Law;

ensure that ministries and other central executive authorities review and cancel their regulatory acts contrary to this Law.

5. [Clause 50 of Article 9](#) of the Law of Ukraine “On Licensing of Certain Types of Economic Activity” (The Official Bulletin of the Verkhovna Rada of Ukraine, 2000, No. 36, Article 299; 2001, No. 22, Article 105) shall be amended to read as follows:

“50) tour operator and travel agency activity”.

President of Ukraine	L. KUCHMA
City of Kyiv 15 September 1995 No. 324/95-VR	



On Tourism

Law of Ukraine on September 15, 1995 № 324/95-ВР

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