

Dochshanova A.S.  
**Legal overview of the types and forms of tourism**

This article deals with the legal aspects of types and forms of tourism on the basis of theoretical studies and legislative regulations. Different grounds for classification of tourism are shown. The differences between international and domestic tourism are demonstrated. Special attention is given to the socially oriented types, such as social and ecological tourism. The importance of agro tourism is mentioned.

**Key words:** tourism, tour, ecotourism, visa, social tourism.

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Дошанова А.С.  
**Туризм түрлері мен нысандарының құқықтық шолуы**

Мақалада туризмнің түрлері мен нысандарының құқықтық аспектілері қарастырылады. Туризмді жіктеуге негіздер бола алатын бірнеше теориялық концепциялар және оларды бекітетін құқықтық нормалар талқыланды. Халықаралық пен ішкі туризмнің айырмашылықтары көрсетілді. Әлеуметтік туризм және экотуризм сияқты туризмнің коммерциялық емес түрлеріне ерекше көңіл бөлінді. Сондай-ақ, агротуризмнің анықтамасы берілді.

**Түйін сөздер:** туризм, тур, экотуризм, виза, әлеуметтік туризм.

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Дошанова А.С.  
**Правовой обзор видов и форм туризма**

Данная работа посвящена правовым аспектам видов и форм туризма. Автор рассматривает различные теоретические концепции об основаниях классификации туризма, а также ее нормативно-правовую основу. Показаны отличия международного туризма от внутреннего. Особое внимание уделено некоммерческим видам туризма: социальному и экотуризму, рассмотрено понятие агротуризма.

**Ключевые слова:** туризм, тур, экотуризм, виза, социальный туризм.

## LEGAL OVERVIEW OF THE TYPES AND FORMS OF TOURISM

The Republic of Kazakhstan has all the necessary cultural, historical, geographical and climatic conditions for the further development of tourism. In this regard, the Government announced tourism one of the most important sectors of the economy in the program for long-term development of the Republic. The development of tourism in Kazakhstan discussed in a separate section of the program of forced industrial-innovative development of Kazakhstan [1]. In accordance with the objectives of the Program, the government collaborates with business partners in implementing the modernization and construction of tourist infrastructure in all regions of the country. The development of the industry will be directed to the formation of a competitive tourism product and the overall marketing strategy of Kazakhstan, including taking into account the provisions of the Concept of development of the tourism industry of the Republic of Kazakhstan up to 2020 [2].

In theory and in practice there are many types and forms of tourism. Different authors offer different separate grounds for the classification [3].

Thus, in accordance with T.A. Frolova tourism can be classified by the following features:

1. Recreational tourism.
2. Sport tourism, including water, skiing, mountaineering.
3. Medical and health tourism, which should include not only the need for treatment, but its combination with certain other tourism functions.
4. Cultural and educational tourism, based on the need to expand knowledge in various fields.
5. Nostalgic tourism, which is based on the need to visit the places connected with the events of an individual biography of a person and his family.
6. Adventure (extreme) tourism, assuming the satisfaction of human needs in a test of their capabilities in a variety of difficult situations. It is divided into several varieties: hiking expeditions, safari tours (hunting, fishing), yachting (sea and river travel).
7. Religious tourism (including a pilgrimage), based on religious needs of people of different faiths.
8. Missionary tourism, caused by the human needs of the most fully realize their spiritual purpose proliferation of certain spiritual values.

9. Event tourism involves meeting human needs in visiting any particular event.

10. Communication tourism, satisfying the human need for interpersonal contacts (searching for a life partner, a partner in collecting, etc.).

11. Eco-tourism – is based on a visit to protected areas, participation in environmental activities.

12. Educational Tourism – travel for the purpose of learning, such as language learning.

13. Social tourism – travel is subsidized from the funds allocated by the state for social purposes.

14. Business.

By territory of expansion tourism is divided for domestic and international. International tourism is divided into entry and exit.

By the age of travellers tourism is divided into children, youth and mature.

By traveling duration: short, regular, long and seasonal tourism.

By way of transportation: air, rail, motor touring, bus, sea cruise, river cruise, hiking and cycling.

According to the degree of independence: the individual and the group.

By type of offer: full service (package tour), all-inclusive, leisure club (club holidays), special attention (VIP).

In terms of activity: active and passive tourism. Active tourism is that the tourist chooses targets – objects that he would like to visit, he paves the route. Adventure tours include climbing, rafting, trekking (walking on foot along mountain trails with skis or without) [4].

According to another author, tourism is classified:

- in connection with targets: route-informative, sports, amateur, resort, ski, festival, hunting, shopping, tourism, religious, educational,

- in connection with the degree of mobility – mobile, landline, mixed;

- by the form of participation – individual, group, family;

- by the age – mature, youth, children, mixed;

- by the duration – day, multi-day, transit;

- by means of transport – road, rail, air, water, cycling, equestrian, combined;

- seasonal – the active tourist season, off-season, off-season;

- geography – intercontinental, international, regional;

- according to the method of transportation – walking, using traditional means of transport, transport of exotic species [5].

International and domestic tourism are recognized as organizational forms of tourism.

International tourism includes travelling outside the country, due to the observance of certain formalities (customs, currency, medical control). Domestic tourism, as opposed to international, not associated with crossing the state border, and therefore does not require compliance with formalities of travel [6].

International tourism includes inbound tourism – travelling within the Republic of Kazakhstan of people who are not residing permanently on its territory.

In accordance with the decision of the Government of the Republic of Kazakhstan dated 26.06.2015 №483 citizens of the Commonwealth of Australia, Hungary, the Italian Republic, the Principality of Monaco, the Kingdom of Belgium, the Kingdom of Spain, Kingdom of the Netherlands, the Kingdom of Norway, the Kingdom of Sweden, Malaysia, the United Arab Emirates, Singapore, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Federal Republic of Germany, the Republic of Finland, the French Republic, the Swiss Confederation and Japan are exempt from the visa requirement for periods of up to 15 calendar days from the moment of crossing the state border in the period from July 16, 2015 to December 31, 2017.

Joint order of the Minister of Internal Affairs of the Republic of Kazakhstan on March 7, 2013 №175 and Acting Minister of Foreign Affairs of the Republic of Kazakhstan dated March 5, 2013 №08-1-1-1 / 71 approved the Rules for issuance of visas of the Republic of Kazakhstan, as well as the extension and shortening their action. According to the rules of the issuance of visas is performed:

- 1) abroad – by foreign establishments of the RK;

- 2) in the Republic of Kazakhstan: MFA of RK; divisions of the migration police of the Ministry of Internal Affairs of the Republic of Kazakhstan, departments of internal affairs of Astana, Almaty and regions.

The visa can be single, double, triple and multiple. Single visa entitles a foreigner or a stateless person for a single entry into the Republic of Kazakhstan and departure from the Republic of Kazakhstan. Double, triple and multiple entry visas entitle the recipient of a visa for a double, triple and multiple entries into the Republic of Kazakhstan and departure from the Republic of Kazakhstan within the visa validity.

In accordance with acting legislation the applicants can be refused a visa:

- 1) in the interests of national security, public order and / or public health;

2) if their actions are aimed at changing the constitutional order;

3) if they act against the sovereignty and independence of the Republic of Kazakhstan, calls for violation of the unity and integrity of its territory;

4) if they stir up the interstate, interethnic and religious hatred;

5) if it is necessary to protect the rights and legitimate interests of citizens of the Republic of Kazakhstan and other persons;

6) if during the previous stay in the Republic of Kazakhstan the facts of violation of legislation on the legal status of foreigners have been established;

7) if they provided false information about themselves or did not provide the full package of documents;

8) if they are convicted of terrorist activities, or adjudged by a special dangerous recidivist;

9) if they did not provide confirmation of the funds needed to stay in and departure from the Republic of Kazakhstan;

The reasons for refusal to the applicant are not explained in the visa application.

2) outbound tourism – traveling of citizens of the Republic of Kazakhstan and persons residing in the Republic of Kazakhstan to another country. Outbound tourism is associated with obtaining entry visas to the consular institutions of the country. But, in some cases for citizens of Kazakhstan to provide facilitated border crossing procedures.

Domestic tourism – travelling of nationals of the Republic of Kazakhstan and persons residing in its territory within the Republic of Kazakhstan. The development of domestic tourism is directly linked with the development of international inbound tourism, as they are based on the same infrastructure. If we assess the situation, clusters noted in the Concept of development of the tourism industry, which will be given special attention, are the resting place, which are the most popular directions among the citizens of the republic. So-called «weekend trips» has become very popular mostly at the south-east of Kazakhstan. From a legal point of view, this product is not recognized tourism, and titled just the tour. No less common is the medical and health tourism, where citizens have the opportunity to improve their health in the health resort areas.

Unfortunately, to date, domestic tourism, in spite of its beginnings, is not able to fully compete with the outbound tourism. This is due, primarily, to the lack of competitive infrastructure, and, most importantly, the financial side of the issue. The absence of strong demand generates high prices, which in turn is reflected in the slow development of do-

mestic tourism. In the current legislation of the Republic of Kazakhstan following types of tourism are named: social, ecological, adventure, sports, business, congress, health and fitness, cultural, educational, religious, medical, children and youth, event and others. Briefly discussing the specific types of tourism given special attention, it should be noted that social tourism is a kind of tourism, wholly or partly carried out at the expense of the employer, and (or) other third parties providing access to tourist services to the disabled, low-income groups. The Concept states that one of the priorities for all areas is the development of social tourism, providing opportunities to meet the needs of tourist services in the country of certain categories of the population, including the elderly and people with disabilities. In partnership with the private sector and industry associations need to intensify efforts to promote tourism and incentive mechanism to encourage the introduction of vouchers for recreation of workers in the country.

Implementation of tourism certificates as documents that promote social tourism through the involvement of the state, employers and employees to the mechanism of partial subsidy may be provided by the following measures:

1) optimization of regulation of the legal status of a tourist certificate as a document of strict accountability, performing two functions – accounting and statistical reporting (to assess the correctness of the tax base for assessment of tourist flows, forecasting and planning in the tourism destination);

2) determination of the requirements for the proper form and type of tourist certificate and the rules of its use.

3) consideration of the use of additional tax incentives of tourism industry, including in the field of social tourism.

Children and youth tourism – kind of tourism which is carried out for groups of children and youth in the form of trips, expeditions, trips, excursions.

Medical tourism – kind of tourism, involving the combination of relaxation with access to specialized and highly specialized medical care outside the residence.

Event tourism – kind of tourism involving visits to sports and spectacular cultural events. For all the regions of Kazakhstan the most attractive tourist products include eco-tourism, which is one of the priority types of tourism, including travel to places with relatively unspoiled nature with a view to get an idea of the natural, cultural and ethnographic peculiarities of the area.

At the same time such visits should not violate the integrity of ecosystems and create conditions for the protection of nature and natural resources beneficial to the local population.

Ecotourism is travelling to protected areas, virgin places, nature reserves, wildlife sanctuaries with research and field goals. Ecotourism involves the connection of active rest with the wild harsh nature. According to V. Hrabovchenko, ecotourism should contain three components:

- «knowledge of nature», i.e. journey involves presence of elements of the study of nature, tourists receive new knowledge and skills;

- «conservation of ecosystems», implying not only the appropriate behavior of the group on the route, but also the participation of tourists and travel agencies in programs for environmental activities;

- «respect the interests of local residents» is not only compliance with local laws and customs, but also the contribution of tourism to the socio-economic development of tourist destinations.

There are four types of eco-tourism: scientific tourism; tours of Natural History; adventure tourism; journey into nature reserves [7].

In turn, the International Ecotourism Society, headquartered in Vermont (USA) defines ecotourism as «responsible travel to natural areas that conserves the environment and contributes to sustainable prosperity of the local population» [8].

With regard to the intended course of the country in the transition to the principles of «green economy», the example of agro-tourism, not only as a generator of alternative rural employment, ensure financial support to the regional economy and the development of environmentally «clean» agriculture. Farmhouse is a powerful tool for environmen-

tal protection, promoting the involvement of the local population, for whom respect for nature will be cost-effective.

As the prospects for the development of rural tourism are great in all regions of Kazakhstan, local executive bodies on tourism must ensure the modernization of existing and, if necessary, the creation of new tourism infrastructure, identify the mechanisms of state support for the establishment and development of small and medium entrepreneurs in the region engaged in tourism, to ensure the development of manuals, provision of advice to entrepreneurs, opening guest houses, to determine an effective tool for information support and promotion of guest houses at the local and regional levels.

To ensure high quality of services is necessary to solve the problem by developing a unified classification of rural holiday homes, to determine the criteria for this classification and highlight the unified standards for rural guesthouses.

For cross-border regions of Kazakhstan, there are also great opportunities for tourism development. It is advisable to deepen international cooperation, to create and develop joint tourist routes, including one or two day trip to the neighboring country nationals, cultural festivals.

In general, the local executive authorities should strengthen cooperation with the central competent authority in the field of tourism, revise and develop a regional master plans for development of tourism in the short-term or long-term perspectives, constantly updated database containing a list of functioning of tourist organizations, tourist infrastructure, which includes placements by type, entertainment and other facilities.

## References

- 1 Decree of the President of the Republic of Kazakhstan dated August 1, 2014 «On approval of the State program of forced industrial-innovative development of Kazakhstan» // <http://strategy2050.kz/ru/page/gosprog3>
- 2 Regulation of the Government of the Republic of Kazakhstan dated May 19, 2014 «On approval of the Concept of development of the tourism industry of the Republic of Kazakhstan up to 2020» // <http://adilet.zan.kz/rus/docs/P1400000508>
- 3 Frolova T.A. *Ekonomika i upravlenie v sfere socialno-kulturnogo servisa I turizma*. – Taganrog: TTI YuFU, 2010 // [aup.ru](http://aup.ru)
- 4 Smagulova Zh. *Analiz sovremennogo sostoyaniya turizma v Kazahstane I perspektivy ego razvitiya // aktualni problemi ekonomiki*. – №11. – 2012. – S. 459-466.
- 5 *International tourism* // <http://www.bibliotekar.ru/mezhdunarodnye-otnosheniya-1/81.htm>
- 6 Voskresenskiy V.Yu. *Mezhdunarodnyi turizm* // [http://tourlib.net/books\\_tourism/voskresenskiy11.htm](http://tourlib.net/books_tourism/voskresenskiy11.htm)
- 7 Hrabovchenko V.V. *Ekologicheskiy turizm*. – M., 2003.
- 8 *Sostoyanie mira 2002. Doklad Instituta WorldWatch o razvitiu po puti k ustoichivomu obshchestvu*. – M.: Ves mir, 2003.