

## On approval of Rules of carrying out tour operator activity in religious tourism sphere

### *Unofficial translation*

Order of the Minister for Religious Affairs and Civil Society of the Republic of Kazakhstan dated November 22, 2017 № 166. Registered with the Ministry of Justice of the Republic of Kazakhstan on December 5, 2017 № 16056.

### *Unofficial translation*

**Footnote. The title - as reworded by Order No. 258 of the Minister of Information and Social Development of the Republic of Kazakhstan dated 21.07.2021 (shall be enacted ten calendar days after the date of its first official publication).**

Under Paragraph 4 of Article 15 of the Law of the Republic of Kazakhstan “On Tourist Activities in the Republic of Kazakhstan” **I HEREBY ORDER:**

**Footnote. The preamble - as reworded by Order No. 258 of the Minister of Information and Social Development of the Republic of Kazakhstan dated 21.07.2021 (shall be put into effect ten calendar days after the date of its first official publication).**

1. That the attached Rules for the Performance of Tour Operator Activities to Meet Religious Needs shall be approved.

**Footnote. Paragraph 1 - as reworded by Order No. 258 of the Minister of Information and Social Development of the Republic of Kazakhstan dated 21.07.2021 (shall come into effect ten calendar days after the date of its first official publication).**

2. In accordance with the procedure established by the legislation of the Republic of Kazakhstan the Committee for Religious Affairs of the Ministry of Religious Affairs and Civil Society of the Republic of Kazakhstan shall:

1) provide the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of state registration of this order, direct its copy in paper and electronic forms in the Kazakh and Russian languages to the Republican Center of Legal Information for official publication and inclusion in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) within ten calendar days after the state registration of this order, direct a copy of it for official publication in periodicals;

4) place this order on the Internet resource of the Ministry of Religious Affairs and Civil Society of the Republic of Kazakhstan after its official publication;

5) within ten working days after the state registration of this order, submit to the Legal Department of the Ministry of Religious Affairs and Civil Society of the Republic of

Kazakhstan the data on execution of the actions provided for in subparagraphs 1), 2), 3) and 4) of this paragraph.

3. Control over the execution of this order shall be entrusted to the Supervising Vice Minister of Religious Affairs and Civil Society of the Republic of Kazakhstan.

4. This order shall be enforced upon expiry of ten calendar days after the date of its first official publication.

*Minister of Religious Affairs and  
Civil Society  
of the Republic of Kazakhstan*

*N. Yermekbayev*

"AGREED"

Minister of Culture and Sports  
of the Republic of Kazakhstan

\_\_\_\_\_ A. Muhamediuly  
November 23, 2017

Approved  
by order № 166 of the  
Minister of Religions Affairs  
and Civil society of the  
Republic of Kazakhstan  
dated November 22, 2017

## **Rules for the Performance of Tour Operator Activities to Meet Religious Needs**

**Footnote. The Rules - as reworded by Order No. 258 of the Minister of Information and Community Development of the Republic of Kazakhstan dated 21.07.2021 (shall enter into force ten calendar days after the date of its first official publication).**

### **Chapter 1. General provisions**

1. These Rules for the Performance of Tour Operator Activities Aimed at Meeting Religious Needs (hereinafter - the Rules) have been developed under paragraph 4 of Article 15 of the Law of the Republic of Kazakhstan “On Tourist Activities in the Republic of Kazakhstan” (hereinafter - the Law) and establish the procedure for the performance of tour operator activities aimed at meeting religious needs.

2. The following basic concepts are used herein:

1) competent authority in the field of religious tourism - the public authority exercising state regulation in the field of religious activities;

2) tourism operator activities in the field of inbound tourism - entrepreneurial activities of natural or legal persons licensed for this type of activity, to create a tourist product, promote and sell it to tourists not permanently residing in the Republic of Kazakhstan, including via travel agents;

3) tourist - a natural person visiting a country (place) of temporary residence for a period of twenty-four (24) hours to one (1) year and spending at least one (1) night there for

recreational, educational, professional, business, sports, religious or other purposes without undertaking paid activities;

4) an agreement for the provision of tourism services is an agreement between a tour operator and a tourist for the provision of tourism services on a paid basis;

5) competent authority in the field of tourism activity - the central executive body responsible for public administration in the field of tourism activity;

6) tourism operator activities (hereinafter referred to as tour operator activities) are the entrepreneurial activities of natural or legal persons licensed for this type of activity to form, promote and sell tourism products in outbound tourism via travel agents and tourism products in inbound and domestic tourism to tourists, including via travel agents;

7) tourism operator (hereinafter referred to as tour operator) - a natural or legal person operating as a tour operator, tourist operator in the field of domestic, inbound or outbound tourism;

8) a tourism product is a set of all the necessary tourism services sufficient to meet the needs of the tourist during his or her trip;

9) tour operator activities in the field of outbound tourism means entrepreneurial activities of natural or legal persons licensed for this type of activity to create a tourist product, promote and sell it to tourists via travel agents, as well as to promote and sell a tourist product created by a non-resident of the Republic of Kazakhstan to tourists via travel agents;

10) tour operator activities in the field of domestic tourism - entrepreneurial activities of natural or legal persons licensed for this type of activity to create a tourist product, promote and sell it to tourists permanently residing in the Republic of Kazakhstan, including via travel agents.

## **Chapter 2. Procedures for performing tour operator activities aimed at responding to religious needs**

### **Paragraph 1. Procedures for the implementation of tour operator activities aimed at meeting religious needs in outbound tourism**

3. For the organisation of outbound tourism aimed at meeting the religious needs of persons, religious associations shall hold a tender for the distribution of a quota among tour operators (hereinafter referred to as the tender).

An agreement shall be drawn up annually between the religious association and the host country with criteria and a list of necessary documents for the selection of tour operators to undertake tourism activities aimed at meeting religious needs.

4. Religious associations shall publish information on the tender on their websites.

The information on the tender shall contain the following information:

1) the date and time for accepting documents for the tender;

- 2) a list of the documents required, in accordance with the agreement between the religious association and the host country;
- 3) the email and postal address of the religious association for applying for the tender.
5. To participate in the tender, tour operators shall submit, no later than the date and time of receipt of the documents indicated in the tender information, the documents pursuant to subparagraph 2) of paragraph 4 hereof in electronic or paper format by post or by courier.
6. Religious associations shall examine the documents submitted by tour operators for compliance with paragraph 3 hereof and make a decision identifying tour operators to perform tour activities aimed at meeting religious needs.
7. The decision of the religious association on the outcomes of the distribution of the quota among tour operators following the tender shall be sent for information to the competent authority in the field of religious activities and published on the website of the religious association.
8. Following a tender, a cooperation agreement shall be concluded between the religious association and the selected tour operators to organise outbound tourism aimed at meeting religious needs (hereinafter referred to as the agreement), under the Civil Code of the Republic of Kazakhstan.
9. For outbound tourism aimed at meeting religious needs, the tourist shall independently choose a tour operator from among those that have entered into an agreement with a religious association.
10. A tourist intending to undertake outbound tourism aimed at meeting religious needs shall conclude a contract for tourism services with a tour operator, as per the standard term contract approved by Order No. 81 of the Minister of Investment and Development of the Republic of Kazakhstan of January 30, 2015 “On Approval of the Standard Term Contract for Tourist Services” (recorded in the Register of State Registration of Regulatory Legal Acts under No. 10604) (hereinafter, Order No. 81).
11. Under paragraph 4 of Article 26 of the Law, three days prior to travel, tour operators shall provide tourists with written travel information, including necessary and reliable information on the rules of entry, exit and stay in the country (place) of temporary stay, on the legislation, on the customs of the local population, on religious practices, shrines, natural, historical and cultural monuments and other tourist attractions under special protection, the environmental conditions, and on the dangers with which the tourist is exposed, and shall implement preventive measures aimed at ensuring the safety of tourists.
12. Tour operators shall immediately inform the competent authority for tourism activities and the competent authority for civil protection, as well as the family of the tourist from the moment they learn or should have learned of an emergency incident involving a tourist during the trip.

If an emergency incident occurs to foreign tourists in Kazakhstan or to tourists who are nationals of Kazakhstan outside Kazakhstan, tour operators shall also inform the diplomatic service authorities.

13. The competent authority responsible for tourism activities shall inform tour operators and tourists of the possible dangers for tourists in the country (place) of temporary stay.

**Paragraph 2. Procedure for the performance of tour operator activities aimed at meeting religious needs in the field of inbound and domestic tourism**

14. Tour operators shall generate tourism products in inbound and domestic tourism aimed at meeting religious needs.

15. The tourist shall independently choose a tour operator for inbound and domestic tourism aimed at meeting religious needs.

16. A tourist intending to undertake inbound and domestic tourism aimed at meeting religious needs shall conclude a contract for tourism services with a tour operator under Order No. 81.

17. Tour operators shall supply tourists with the information stipulated in paragraph 11 hereof in writing three days prior to the commencement of the trip.

18. Should an emergency situation arise, tour operators shall immediately inform the authorities thereof under paragraph 12 hereof.