

Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

- 7 October 1999 [shall come into force from 3 November 1999];
- 24 January 2002 [shall come into force from 20 February 2002];
- 27 February 2003 [shall come into force from 21 March 2003];
- 16 February 2006 [shall come into force from 21 March 2006];
- 11 June 2009 [shall come into force from 14 July 2009];
- 12 June 2009 [shall come into force from 1 July 2009];
- 10 December 2009 [shall come into force from 13 January 2010];
- 14 June 2012 [shall come into force from 19 July 2012].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*<sup>1</sup> has adopted and  
the President has proclaimed the following Law:

## Tourism Law

### Chapter I General Provisions

#### Section 1. Terms Used in this Law

The following terms are used in this Law:

1) **active tourism** – a type of tourism, in which the tourist carries out all necessary activities himself or herself;

2) **nature tourism** – a type of tourism, the aim of which is to discover nature, view typical landscapes, biotopes, observe plants and animals in natural conditions, as well as to educate oneself regarding issues of nature conservation;

3) [7 October 1999];

4) **consumer** – a natural or legal person that agrees to receive a package tourism service or purchases a package tourism service on behalf of a third person;

5) **package tourism service** – a combination of tourism services prepared previously or upon request of a consumer and relates to:

a) a time period that is longer than 24 hours and includes at least two of the following tourism services – transport, accommodation or a tourism service other than transport or accommodation auxiliary service and which covers proportionally the largest part of the combination of the tourism services,

b) a time period that is less than 24 hours, includes accommodation and at least one of the following tourism services – transport or a tourism service other than transport or accommodation auxiliary service and which covers proportionally the largest part of the combination of the tourism services;

6) [10 December 2009];

7) **culture tourism** – a type of tourism, the main objective of which is getting to know the cultural environment: cultural and historical heritage, traditions and lifestyle, as well as current processes of culture and art;

8) **resort** – an administrative territory of a local government or a part thereof, to which the status of a resort has been granted in accordance with the procedures specified in regulatory enactments;

<sup>1</sup> The Parliament of the Republic of Latvia

9) **recreational tourism** – a type of tourism, the aim of which is to renew a person's physical and mental potential, making rational use of natural and artificial recreation and recuperation resources;

10) **sports tourism** – competition in the best or fastest performance of individual skills of active tourism, as well as competition in set categories of difficulty in the completion of tourism routes;

11) **international tourism** – tourism of aliens in the territory of Latvia (export of tourism services) or the tourism of residents of Latvia in foreign states (import of tourism services);

12) **tourism** – a person's activities that are related to travelling and residence outside one's place of permanent residence for spending free time, completion of practical transactions or for another objective for not longer than one year;

13) **tourist** – a natural person, who travels outside his or her permanent place of residence for not longer than one year, stays in a public or private accommodation for not less than one night and does not carry out paid work in the place visited;

14) **travel agent** – a merchant or a performer of economic activities that on behalf of a tour operator on the basis of the authorisation or other civil legal agreement offers or sells the services prepared by tour operator;

15) [16 February 2006];

16) **tourism infrastructure** – the aggregate of services of the tourism industry or other sectors related thereto (transport, trade, communications, culture, health protection etc.), that ensures the activity of the tourism industry;

17) **tourist accommodation** – a building, group of buildings or well-appointed place (territory), in which a merchant or a performer of economic activities ensures daily accommodation and service provision for tourists;

18) **tourism industry** – an economic sector, the task of which is the development and provision of tourism services;

19) **tour operator** – a merchant, that organises provision of tourism services in Latvia or abroad and offers or sells such services directly to consumers or through intermediation of a tourism agency;

20) **tourism service** – a purposeful activity for the satisfaction of the interests and needs of tourists;

21) **tourism resources** – an aggregate of natural or man-made factors and stages that attract the emotional, spiritual, physical and recuperative interests of tourists;

22) **domestic tourism** – the tourism of residents of Latvia in Latvia;

23) **rural tourism** – a type of tourism the objective of which is, on the basis of local social, cultural and nature resources, to offer tourists the opportunity for recreation or the use of the tourist accommodation in rural territory;

24) **eco-tourism** – sustainable, environmentally friendly tourism the main objective of which is to facilitate the ascertainment of nature and cultural values and environmental protection, as well as to improve the environmental education and awareness of the general public;

25) [10 December 2009];

26) **natural curative resources** – mineral waters, thermal waters, surface waters, curative mud, clay, sand, forests, parks, climate and other natural resources, which, based on their properties proved by scientific research and practice, are used for improvement of the general condition and well-being of the body, as well as for prophylaxis, medical treatment and rehabilitation;

27) **health tourism** – a type of tourism, the objective of which is improvement of the general condition and well-being of the body, prophylaxis, medical treatment and rehabilitation, using also natural curative resources; and

28) **medical treatment institution of a resort** – a medical treatment institutions, in which prophylaxis, medical treatment and rehabilitation is performed, using natural curative resources.

*[7 October 1999; 24 January 2002; 16 February 2006; 10 December 2009; 14 June 2012]*

## **Section 2. Purpose of this Law**

The purpose of this Law is to create a legal basis for the development of the tourism industry in Latvia, to specify the procedure in which State administrative institutions, local governments and merchants operate in the area of tourism and to protect the interests of tourists.

*[24 January 2002]*

## **Section 3. Tasks of Tourism Industry**

The main tasks of the tourism industry are as follows:

1) to provide free and equivalent opportunities for tourism, to raise the economic effectiveness thereof and to create new jobs;

2) to support integration of Latvia into the international tourism trade;

3) to support the development of domestic tourism and the export of tourism services;

3<sup>1</sup>) to promote the preservation and sustainable development of the rural social, economic and cultural environment, and facilitate the development of rural tourism and ecotourism;

4) to support the preservation and rational use of the cultural, historical and natural heritage, as well as to ensure the development of culture and nature tourism;

5) to ensure and promote rational use of natural curative resources for improvement of the general condition and well-being of the body, prophylaxis, medical treatment and rehabilitation, as well as to ensure the development of resorts complying with the environmental protection requirements and promoting the internal consumption and export of resort services;

6) to increase the competitiveness of those merchants, which provide tourism services;

7) to support the granting of tourism concessions for pensioners, invalids, young people and children;

8) to provide comprehensive and precise information on tourism resources and tourism services in Latvia and foreign countries;

9) to support the raising of the quality of tourism services and the qualifications of those employed in the tourism industry; and

10) to ensure harmonised development of tourism in accordance with nature and cultural environment protection so that tourism does not come into conflict with nature and cultural environment protection.

*[24 January 2002; 16 February 2006; 14 June 2012]*

## **Chapter II Tourism Policy**

### **Section 4. Objective of Tourism Policy**

(1) The State shall form a tourism policy in order to ensure the rational use and protection of tourism resources and to specially promote the development of local and international tourism.

(2) Tourism development policy planning documents shall be developed for the establishment and implementation of tourism policy.

*[16 February 2006]*

## **Section 5. State Means of Implementing Tourism Policy**

For the support of tourism development, the State, taking into account social, economic, cultural and regional development strategy, shall use:

- 1) a long-term, stable fiscal policy that is supportive of tourism development;
- 2) State financial and credit policy;
- 3) local and foreign investments;
- 4) local and international tourism development programmes and projects;
- 5) international agreements on co-operation in the field of tourism; and
- 6) a visa regime and border-crossing procedure that is supportive of tourism development.

## **Section 6. Government Competence in Provision of Tourism Development**

(1) The Ministry of Economics is the leading (highest) institution in the tourism industry. The functions thereof shall be determined by the Cabinet.

(2) The main tasks of the Ministry of Economics in the field of tourism are as follows:

- 1) to develop tourism development State policy, and to organise and co-ordinate the implementation thereof;
- 2) to develop draft legislation and draft regulatory enactments;
- 3) to represent the State's interests in the tourism industry;
- 4) to plan State aid to the tourism industry;
- 5) [24 October 2002];
- 6) [16 February 2006];
- 7) to prepare and implement international agreements regarding co-operation in the field of tourism, as well as to co-ordinate the development of international projects; and
- 8) to ensure the process of granting and cancellation of the status of a resort.

(3) State policy on tourism development shall be implemented by the Latvian Tourism Development Agency supervised by the Ministry of Economics.

(4) The by-law of the Latvian Tourism Development Agency shall be approved by the Cabinet.

*[7 October 1999; 24 January 2002; 27 February 2003; 16 February 2006; 14 June 2012]*

## **Section 6.<sup>1</sup> Resort and Granting of the Status Thereof**

(1) A resort is a territory, which has been granted the status of a resort in accordance with the procedures specified in this Law and which conforms to all of the following conditions:

- 1) natural curative resources are available therein;
- 2) at least one medical treatment institution of a resort is operating therein;
- 3) natural curative resources are used in order to ensure the operation of the medical treatment institution of a resort located in the relevant territory;
- 4) the environmental quality indicators conform to the requirements specified in regulatory enactments;
- 5) an appropriate tourism infrastructure has been established therein;
- 6) the development thereof is planned purposefully.

(2) The status of a resort shall be granted to the relevant territory and cancelled by the Cabinet.

(3) The Cabinet shall decide on granting of the status of a resort to the relevant territory on the basis of an application of the local government submitted in accordance with the procedures specified by the Cabinet. Concurrently with the application the local government shall submit:

1) a decision of the local government council, according to which it is requested to grant the status of a resort to the relevant territory;

2) spatial development planning documents, which confirm the boundaries of the territory of the resort and development prospects of the resort in the administrative territory of the local government;

3) documents confirming the conformity of the relevant territory with Paragraph one of this Section;

4) development planning documents of the resort, which confirm that the relevant local government has planned the development of the resort in at least medium-term.

(4) The relevant territory shall acquire the status of a resort from the day when the Cabinet has taken a decision on granting of the status of a resort to the territory.

(5) The relevant local government shall, not less than once in two years according to the procedures specified by the Cabinet, provide a report on the development of the resort provided for in the spatial development planning documents and the environmental quality indicators.

(6) The Cabinet shall decide on cancellation of the status of a resort if at least one of the following conditions has set in:

1) the local government council has taken a decision, according to which it is requested to cancel the status of a health resort for the relevant territory;

2) natural curative resources are not available in the territory, to which the status of a resort has been granted, or they are not used in order to ensure the operation of medical treatment institution of the resort located in the territory;

3) an appropriate tourism infrastructure has not been established in the territory, to which the status of a resort has been granted;

4) the relevant local government does not submit the report referred to in Paragraph six of this Section within a specific time period;

5) the relevant local government does not ensure the development of the resort provided for in the spatial and resort development planning documents;

6) the environmental quality indicators do not conform to the requirements of regulatory enactments.

(7) The procedures, by which the status of a resort shall be granted and cancelled for the territory, as well as information to be included in an application for granting of the status of a resort shall be determined by the Cabinet.

*[14 June 2012]*

## **Section 7. Competence of Latvian Tourism Development Agency**

*[12 June 2009]*

The Latvian Tourism Development Agency shall:

1) ensure the implementation of Latvian tourism development policy;

2) implement measures promoting tourism in Latvia and abroad;

3) introduce State and private partnership tourism development projects;

4) attract financial resources for tourism development;

5) create and maintain the Latvian tourism information systems;

6) create tourism information offices in Latvia and abroad that are units of the Latvian Tourism Development Agency;

7) participate in the implementation of intergovernmental co-operation agreements in the field of tourism;

8) carry out research into the local and international tourism market; and

9) perform introduction of the quality management in the field of tourism, the conformity assessment of Latvian tourism and providers of services related thereto, as well as of merchants.

*[7 October 1999; 24 January 2002; 16 February 2006; 12 June 2009; 14 June 2012]*

## **Section 8. Competence of Local Governments in the Field of Tourism**

In the field of tourism, local governments shall:

- 1) determine prospects of tourism, including resort, development and territories of resorts, in the spatial development planning documents;
- 2) in conformity with the spatial development planning documents provide measures for tourism, including resort, development, as well as provision of comprehensive and precise information in Latvia and foreign countries regarding tourism opportunities, natural curative resources and services of resorts in their territory;
- 3) in conformity with the spatial development planning documents ensure the preservation of tourism objects and opportunities to use them for tourism objectives;
- 4) participate in the development and financing of tourism information centres, points and stands; and
- 5) support cultural educational activity in the area of tourism and the promotion of a healthy lifestyle.

*[16 February 2006; 14 June 2012]*

## **Section 9. Latvian Tourism Advisory Council**

(1) The Cabinet shall establish the Latvian Tourism Advisory Council as a collegial, consultative and co-ordinating authority, in which the representatives of ministries, local governments, and merchants, as well as representatives of associations and foundations involved in the implementation of tourism policy are included.

(2) The by-laws of the Latvian Tourism Advisory Council shall be approved by the Cabinet.

(3) The objective of activities of the Latvian Tourism Advisory Council is to support the co-operation of ministries, local governments, merchants, as well as the co-operation of associations and foundations involved in the implementation of tourism policy, in order to support the integration of the tourism industry into the social economic development process of the State and to protect the interests of such merchants, which provide tourism services.

*[24 January 2002; 16 February 2006]*

## **Section 10. Tourism Fund [10 December 2009]**

### **Chapter III Tourism Services**

*[16 February 2006]*

## **Section 11. Tourism Service Providers and the Types of Activities Thereof**

(1) Tourism services may be provided by a legal subject, the objective of the activities of which is the provision of separate or package tourism services to tourists.

(2) The following types of tourism services and activities of the following tourism service providers are regulated by this Law:

- 1) tour operator;
- 2) travel agent;
- 3) [10 December 2009];
- 4) tourist accommodation;
- 5) tourism information office, centre, point; and
- 6) tourist guide.

(3) [7 October 1999]

(4) [16 February 2006]

(5) The Cabinet shall determine the procedures for the preparation and implementation of a package tourism service, information to be provided to a consumer, the rights and duties of the tour operators, travel agents and consumers, procedures for the registration of travel agents and tour operators in the database of travel agents and tour operators.

(5<sup>1</sup>) The Ministry of Economics shall ensure the registration of travel agents and tour operators and maintenance of the relevant database.

(5<sup>2</sup>) The Ministry of Economics may delegate the State administration task determined in Paragraph 5.<sup>1</sup> of this Section to other person, including subject of private rights.

(5<sup>3</sup>) In Latvia services of a travel agent and a tour operator may be provided by a merchant which in accordance with the procedures specified in regulatory enactments is registered in the database of travel agents and tour operators.

(6) [10 December 2009]

(7) A merchant and a performer of economic activities shall ensure that the foreigners accommodated in tourist accommodation personally complete and sign a declaration form and prove their identity, by presenting a valid identification document. This provision shall not apply to the spouse, minor children of the referred to foreigner and members of a tourist group. The declaration form for foreigners who travel in tourist groups shall be completed and signed by the tourist group leader. The sample of the declaration form, the procedures and the time periods for the completion, signing and storage thereof, as well as the procedures by which they shall be transferred to law enforcement institutions shall be determined by the Cabinet.

*[7 October 1999; 24 January 2002; 16 February 2006; 12 June 2009; 10 December 2009; 14 June 2012]*

## **Section 12. Duties and Liability of Tourism Merchants**

[7 October 1999]

## **Section 13. Mandatory Requirements of Tourist Accommodation**

[24 January 2002]

## **Section 14. Providers of Tourism Information**

(1) The division of providers of tourism information in Latvia is as follows:

1) an office established by the Latvian Tourism Development Agency, which operates in Latvia or abroad and provides information regarding tourist objects and services in the relevant region or for the whole of Latvia and assists in the use of tourist services;

2) tourism information centre – an association, State or local government institution, an institution established by a local government or several local governments, which provides information regarding tourism objects, services and assists in the use of tourist services;

3) tourism information point – an association, local government institution, an institution established by a local government or several local governments, which provides information regarding tourism objects and services in the relevant administrative territory and assists in the use of tourist services; and

4) tourism information stand – information equipment or stand, which contains information regarding tourism objects and services.

(2) Conformity assessment and certification of tourism information centres and tourism information points shall be voluntary.

(3) Conformity assessment and certification of tourism information centres and tourism information points in conformity with Latvian national standards shall be performed by

certification institutions accredited according to the procedures specified in regulatory enactments.

*[16 February 2006]*

## **Section 15. Activity of Guides** [7 October 1999]

### **Section 15.<sup>1</sup> Tourist Guide as a Provider of Tourism Services**

(1) A tourist guide is a professionally prepared person who provides detailed information regarding tourism objects, as well as conducts a trip of local or foreign tourists according to previously developed routes.

(2) A relevant local government has the right to determine those tourism objects, as well as sightseeing places included in the tourism routes (historical centres, cultural and historical objects, culture monuments, places of activity of famous persons, etc.), within public outdoors of the administrative territory thereof regarding which detailed information may be provided by the guide who has certified his or her vocational qualification.

(3) A local government has the right to specify the requirements for professional qualification of tourist guides, the procedures by which tourist guides shall be certified, tourist guide services shall be provided and the supervision and control of their professional activities shall be implemented, the authority, which shall certify tourist guides, as well as those tourism objects and sightseeing places located in the public outdoor space, regarding which the information may be provided by tourist guides who have confirmed their professional qualification.

*[10 December 2009; 14 June 2012]*

## **Section 16. Security Guarantees for Money Deposited by Consumers**

(1) It is mandatory indispensable for the tour operator who organizes package tourism services to have a security guarantee for the money deposited by consumers.

(1<sup>1</sup>) A travel agent may offer or sell only such package tourism service, which is ensured with the security guarantee of money deposited by consumers.

(2) If a tour operator until proclamation of his or her insolvency proceedings or in cases of his or her insolvency cannot or partially cannot fulfil contractual liabilities to the consumer, the security guarantee of money deposited by consumers shall ensure:

1) compensation to the consumer of losses resulting from the non-fulfilment or partial fulfilment of obligations; and

2) the return of the tourist to the country from which the tour began, if the contract does not specify otherwise.

(3) The security guarantee of money deposited by the consumer shall be:

1) insurance, or

2) a bank guarantee.

(4) The procedures for the deposit of the security guarantee of the money shall be determined by the Cabinet.

*[7 October 1999; 24 January 2002; 11 June 2009; 10 December 2009; 14 June 2012]*

## **Section 16.<sup>1</sup> Conformity Assessment and Certification of Tourist Accommodation**

(1) Conformity assessment and certification of tourist accommodation shall be voluntary.

(2) Conformity assessment and certification of tourist accommodation in conformity with Latvian national standards shall be performed by a certification institution accredited according to the procedures specified in regulatory enactments.

*[14 June 2012]*

## **Chapter IV**

### **Protection and Security of Rights of Tourists**

#### **Section 17. Safety of Tourists**

- (1) A tourist has the right to receive information on any question that is related to his or her trip from the merchant, which provides tourism services.
- (2) A merchant which provides tourism services has a duty to:
- 1) based on information provided by State authorities, inform the tourist regarding the security situation in the place to which the tourist desires to travel;
  - 2) when selling package tourism services, offer the tourist medical or another type of insurance related to travel;
  - 3) provide parents, guardians or trustees with information that would allow them to maintain contact with persons, who are travelling or for whom they are responsible; and
  - 4) when selling package tourism services, inform a consumer regarding a security guarantee for the deposited money performed by a tour operator, as well as rights and duties of a consumer, merchant and guarantee provider related thereto.
- (3) In active tourism and sports tourism events, organisers of the relevant event shall be responsible for the security of the tourists and the fulfilment of special technical requirements.
- (4) The tourist is responsible for compliance with this Law and other regulatory enactments, as well as for the fulfilment of obligations that are provided for in the contract entered into between a merchant and the tourist.

*[24 January 2002; 10 December 2009]*

#### **Section 18. International Co-operation in the Field of Protection of Rights and Security of Tourists**

- (1) Latvia shall co-operate with other countries, in order, if necessary, to ensure:
- 1) the fast delivery of the tourist to the country of residence, if he or she has suffered trauma in an accident or illegal activity has been committed against him or her;
  - 2) the delivery of property stolen and later found to the country of residence;
  - 3) the provision of emergency medical treatment;
  - 4) that, all necessary information on the condition of health of the victim and the circumstances, in which illegal activity has been committed against the tourist, is rapidly placed at the disposal of the country of permanent residence; and
  - 5) the delivery of his or her mortal remains to the country of permanent residence in the event of the tourist's death.
- (2) The protection of the rights of Latvian tourists in foreign states shall be implemented by the diplomatic and consular representative offices of the Republic of Latvia.

#### **Transitional Provisions**

1. The Cabinet shall establish the Latvian Tourism Development Agency by 1 July, 2002.

*[24 January 2002]*

2. The Cabinet shall approve the Tourism Fund by-law referred to in Section 10, Paragraph three of this Law by 1 July 2002.

*[24 January 2002]*

3. Section 11, Paragraph six of this Law shall come into force on 1 January 2008.

*[16 February 2006]*

4. Section 11, Paragraph seven of this Law shall come into force on 1 January 2007.  
*[16 February 2006]*

5. New wording of Section 11, Paragraph five of this Law, as well as Paragraphs 5.<sup>1</sup>, 5.<sup>2</sup> and 5.<sup>3</sup> shall come into force on 1 March 2010.  
*[10 December 2009]*

6. The Cabinet shall, not later than by 1 March 2010, issue the regulations referred to in Section 11, Paragraph five of this Law.  
*[10 December 2009]*

7. Amendments to Section 1, Clause 8, Section 1, Clause 28, Section 6, Paragraph two, Clause 8, Section 6.<sup>1</sup>, as well as amendments to Section 8, Clauses 1, 2 and 3 (procedures for granting of the status of a resort) of this Law shall come into force on 28 December 2012.  
*[14 June 2012]*

8. The Cabinet shall issue the regulations referred to in Section 6.<sup>1</sup>, Paragraph seven of this Law by 28 December 2012.  
*[14 June 2012]*

#### **Informative Reference to the Directives of the European Union**

This Law includes legal norms, which arise from Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours.  
*[16 February 2006]*

This Law shall come into force on 1 January 1999, but Paragraph 16 of this Law - on 1 January 2000.

*Note.* This Law shall come into force on 1 July 2009.  
*[12 June 2009]*

This Law has been adopted by the *Saeima* on 17 September 1998.

President

G. Ulmanis

Rīga, 7 October 1998