

Draft

Exhibit to
(The Resolution of the Kyrgyz Republic's Cabinet of Ministers

No. ____ dated ____ _____ 2023)

REGULATIONS
concerning the System for Classification of Collective Accommodation in the Kyrgyz Republic

1. The Regulations concerning the State System for Classification of Collective Accommodation in the Kyrgyz Republic (hereinafter referred to as the Classifier) establish the Procedure for classification of collective accommodation inclusive of Classifier requirements, organizational structure and functions of its participants, procedure for execution of works within the Classifier, forms of documents used in the Classifier, appeals procedure, rules for applying collective accommodation Category Marking.

2. These Regulations apply to the classification of the following types of collective accommodation: hotel, guest house, yurt, boarding house.

3. Classification of collective accommodation facilities is not carried out against individual rooms, floors of the building (building, structure) or part of the building (building, structure), except in the case of provision of hotel services by several legal entities (branches of a foreign legal entity) and (or) individual entrepreneurs in one building (building, structure) or part of the building (building, structure) in which several hotels owned by the above listed individuals under the right of ownership, lease or other lawful title are located.

1. General Provisions

4. The following basic concepts are used in these Regulations:

classification of collective accommodation facilities - referring hotels to certain categories based on compliance assessment of the hotels and hotel services provided with the requirements established under these Regulations.

Applicant - legal entity, a branch or representative office of a legal entity, or an individual entrepreneur engaged in business activities to provide hotel services in collective accommodation facilities who has applied for classification of a collective accommodation facility using online platform www.GetStar.kg;

collective accommodation (facility) means a property complex including a building or part of a building, premises, equipment and other property used for temporary accommodation and temporary stay of individuals.

hotel - a collective accommodation facility in which hotel services are provided and which belongs to one of the types of hotels stipulated by these Regulations. Hotels do not include accommodation facilities used for the activities conducted by the recreation and rehabilitation organizations, medical organizations, social service organizations, physical education and sports

organizations, centralized religious organizations and (or) religious organizations within their organizational structure.

Boarding house - a collective accommodation facility located in therapeutic areas or resorts which provides a range of extra healthcare-related services in addition to the hotel services, including the use of therapeutic natural resources.

Category of the collective accommodation facility is an indicator that determines the compliance of collective accommodation facility and hotel services provided therein with the requirements stipulated by these Regulations for collective accommodation facility of a certain type and category.

Hotel room category - an indicator that determines the compliance of the hotel room with the requirements set forth in these Regulations for hotel rooms of a particular category.

Room Supply - total number of rooms in operations within a collective accommodation facility.

Classification Specialist is an individual who conducts professional activities related to expert evaluation based on a civil law contract executed with the Secretariat for Classification of Collective Accommodation.

Expert evaluation - verification of compliance with the classification of collective accommodation with the requirements of these Regulations performed by the Specialist.

5. Classification of collective accommodation facilities is conducted on a voluntary basis as requested by collective accommodation facilities in accordance with these Regulations.

6. The main objectives of the Classifier are:

- providing the consumer with necessary and reliable information about the compliance of collective accommodation facilities with the categories stipulated in these Regulations.

- Ensuring compliance with modern standards of service and quality provided in collective accommodation.

- differentiation and inventory of collective accommodation depending on the range and quality of services provided.

- improving the competitiveness of collective accommodation.

- Promoting tourist flow and increasing revenues from inbound and domestic tourism by building consumer confidence in credible assessment of the quality of services provided by collective accommodation facilities.

5. For classification purposes, all types of collective accommodation facilities are classified according to a Star System comprised of 5 categories: 5 stars, 4 stars, 3 stars, 2 stars and 1 star. The highest category is five stars and the lowest is one star.

6. These Regulations establish the following categories of hotel rooms:

- Economy (low-cost) room.

- Standard Room.

- Suite.

- Junior Suite.

- Apartments.

- Studio.

- Presidential Suite (VIP).

6. The classification requirements for collective accommodation are established within the Basic requirements for classification of collective accommodation in the Exhibit 1 to these Regulations.

7. Information about the requirements for classification of collective accommodation facilities, participants and the result of classification is considered public.

2. Participants to the classification of collective accommodation facilities and their functions

8. Participants to the classification of collective accommodation facilities are:

- Authorized State Body in the field of tourism,
- Secretariat for Classification of Collective Accommodation,
- Classification Expert,
- Appeals Committee,
- The applicant for classification of a collective accommodation facility.

9. The authorized state body in the field of tourism (hereinafter referred to as an Authorized State Body):

- is responsible for implementation of classification of collective accommodation facilities.

- conducts competition and selects an organization to perform the function of the Secretariat for classification of collective accommodation and organizes its functioning.

- Creates and organizes functioning of Appeals Committee.

- driven by the proposal of the Secretariat, decides to assign a certain category to the collective accommodation facility, or refuses assigning a category to the collective accommodation facility in case of non-compliance with the category selected by the applicant.

- issues Certificate confirming the category of collective accommodation facility as per the form determined in the Exhibit 2 to these Regulations (hereinafter referred to as the certificate), keeps records of certificates issued.

- places on its official website and provides for functioning of an online platform www.GetStar.kg;

- determines the procedure for maintaining the Register of classified collective accommodation facilities and ensures its maintenance at an online platform www.GetStar.kg;

- suspends, renews and terminates the certificate.

- interacts with foreign accommodation Classification Systems.

10. Secretariat for Classification of Collective Accommodation:

- accepts applications from collective accommodation facilities using online platform www.GetStar.kg;

- organizes the works on classification of collective accommodation and based on the results, makes a proposal to an authorized body to assign accommodation to the declared or other category provided by these Regulations, or to refuse assigning the category to a collective accommodation facility.

- ensures proper functioning of online platform www.GetStar.kg and carries the costs of its maintenance.

- determines the fee for classification of collective accommodation.

- executes contract with the applicant for classification of a collective accommodation facility.

- conducts a competitive selection and creates pool of experts for classification of collective accommodation facilities, as well as provides for capacity building.

- executes Services Contract with Classification Expert and pays for such services.

- organizes and controls Expert Evaluation of the results arising from classification of collective accommodation facilities.
- conducts an information campaign and otherwise informs the stakeholders about the Classification System of collective accommodation facilities.
- organizes formalization of Certificate Forms and keeps records.
- collects and analyses information related to the Classification System of collective accommodation, makes recommendations for its improvement to the Authorized State Body.
- interacts with the Appeals Committee in accordance with these Regulations.
- organizing expert verification of classification results acting on behalf of Appeals Committee.
- exercises other powers stipulated by these Regulations.

11. Classification Expert:

- visits collective accommodation facility and conducts an expert evaluation to enable classification of collective accommodation facility, drafts an Evaluation Act supplemented with the conclusions about the compliance or non-compliance of collective accommodation facility with the requirements established under these Regulations.
- posts the results of expert evaluation on the online platform www.GetStar.kg,
- ensures confidentiality of information obtained during the evaluation.

12. Appeals Committee considers disputes between classification participants based on the results of classification of collective accommodation.

Appeals Committee is formed by an authorized state body engaging representatives of tourism industry and other organizations operating in the field of tourism. The Appeals Committee meets as needed. Appeals on issues related to the classification are considered in accordance with the procedure established by these Regulations. The decision of Appeals Committee is binding on all participants to the process of collective accommodation classification.

13. Applicant:

- forwards applications for collective accommodation classification using online platform www.GetStar.kg;
- pays the costs of services provided by the Secretariat for classification of the collective accommodation, and in case of an appeal to the Appeals Committee, pays the costs associated with the consideration of his appeal.
- After receiving the certificate, the applicant is granted with the right to use the category and “stars” marking in the design of documents and for promotional purposes.
- ensures collective accommodation facility meets the requirements of the assigned category established by these Regulations for the duration of the certificate.
- informs the Secretariat of all changes that affect eligibility of assigned category.
- provides classification experts and members of the Appeals Committee with the opportunity to verify the compliance of collective accommodation with the requirements of category assigned in accordance with these Regulations.
- during the period of certificate validity, informs an Authorized State Body about termination of activities related to hotel services’ provision, as well as termination of activities as an individual entrepreneur or liquidation of a legal entity, branch or representative office of a legal entity in accordance with the legislation on state registration of legal entities, branches or representative offices and individual entrepreneurs.

3. Procedure for classification of collective accommodation facilities

14. Using an online platform www.GetStar.kg the applicant fills out a questionnaire with the criteria established for obtaining the required marking of appropriate category of collective accommodation facility. The system of collective accommodation classification automatically displays the result of classification based on completed application form of the applicant.

In case of a positive result of classification of a collective accommodation facility, the applicant submits an application for classification (hereinafter referred to as application) using an online platform www.GetStar.kg specifying: full name (surname, first name and patronymic) of the applicant, type and title of collective accommodation facility, name and patronymic of the applicant's representative, contact information (e-mail and phone details) of the applicant; and executes a contract for classification of collective accommodation facility.

15. The following shall be attached to the Application:

- copy of the State registration (re-registration) certificate of the legal entity, branch or representative office or copy of the certificate of state registration of an individual as an individual entrepreneur.

- copy of the document certifying the identity of the manager or other representative of the legal entity, branch or representative office, or a copy of the passport of an individual entrepreneur.

- copy of the power of attorney authorizing applicant's representative to apply and participate in collective accommodation classification.

- a copy of the document confirming the payment of appropriate fee for classification of collective accommodation.

16. The Secretariat takes measures to ensure integrity of the documents submitted by the applicant, as well as non-disclosure of confidential information that has become known to this organization in connection with the classification of collective accommodation facility.

17. Within three (3) working days from the date of receiving an application and documents attached thereto as prescribed by paragraph 15 of these Regulations, the Secretariat sends an application for execution to the Classification Expert who is selected by Collective Accommodation Classification System from the database of Classification experts placed on www.GetStar.kg platform, and sets the terms of Expert Evaluation, notifies the applicant and Classification Expert, or gives a reasoned refusal to conduct classification.

18. The Secretariat refuses to classify accommodation on the following grounds:

- failure to provide information and documents required under paragraph 15 of these Regulations.

- inclusion of unreliable information in the documents submitted by the Applicant.

19. Classification Expert conducts an on-site expert evaluation of classification results obtained by the applicant following questionnaire review, checks for credibility and compliance with the requirements set forth in these Regulations.

20. The Expert Evaluation is conducted in the presence of an authorized representative of the applicant.

22. The Expert Evaluation is conducted within the time frame set by the Secretariat. The period of expert review shall not exceed ten (10) working days from the date of application receipt by the Classification Expert.

23. Hotel rooms that are in the process of repair or renovation, as well as those decommissioned, are not subject to expert evaluation. Expert evaluation of such rooms and assigning them to a category is carried out separately, after commissioning.

24. Expert evaluation of collective accommodation facilities is conducted using scoring system stipulated by the Basic requirements for classification of collective accommodation facilities.

25. If collective accommodation facility does not meet the category established according to the results of expert evaluation, one of the following decisions is to be made:

- if total scoring is lower than the values established for the category of collective accommodation facility, such collective accommodation facility is referred to a lower category.

- if total scoring is higher than the values established for the category of collective accommodation facility, such facility is referred to the declared category or, as agreed with the applicant, to the category corresponding to that resulting from Expert Evaluation.

26. Based on the results of Expert Evaluation, the Classification Expert drafts Evaluation Act with conclusions about the compliance or non-compliance of collective accommodation facility with the requirements established by these Regulations for the relevant category of the collective accommodation facility, and posts it on www.GetStar.kg.

27. Based on the analysis of information and documents submitted by the applicant and results of Expert Evaluation recorded in the Evaluation Act, within 2 (two) working days from the end of the expert evaluation the Secretariat shall submit a proposal to assign a collective accommodation facility the declared or other category provided for in these Regulations to an Authorized State Body using online platform www.GetStar.kg, or to refuse assigning collective accommodation facility to a category, indicating the reasons for such refusal.

28. Within 2 (two) working days from the date of receiving proposal of the Secretariat, an Authorized State Body shall make a decision on assignment of declared or other category stipulated by these Regulations and place such decision on an online platform www.GetStar.kg which automatically generates e-copy of the Certificate, and then sends it to the applicant entering information of qualified collective accommodation facility in the Register of classified collective accommodation facilities.

29. At the request of the applicant, the Secretariat prepares and sends certificate to the Applicant in paper within five (5) working days from the date of decision to assign a certain category to a collective accommodation facility. The forms of Certificate are subject to strict accounting and shall be kept in the Secretariat's premises.

30. If compliance of collective accommodation facility with the requirements established under these Regulations is not confirmed by the Evaluation Act, an authorized state body, as proposed by the Secretariat, shall refuse to assign the appropriate category to the collective accommodation facility, indicating the reasons for such decision.

31. A copy of the decision on assignment of the declared or other category to the collective accommodation facility or on refusal to assign the category to the collective accommodation facility shall be sent to the Applicant within 2 (two) working days from the date of such decision making.

32. The certificate is valid for three (3) years from the date of decision to assign a certain category to a collective accommodation facility.

33. When the certificate expires, the classification of collective accommodation facility is conducted in accordance with the procedure established by these Regulations.

34. The Evaluation Act, copy of the certificate, application and other documents received from the applicant in relation to the classification of collective accommodation facility, and a copy of the contract for classification of collective accommodation facility are kept by the Secretariat and by the applicant during five (5) years from the date of decision to assign a category to the collective accommodation facility.

4. Consideration of Appeals

35. The applicant has the right to appeal the results of classification of collective accommodation to the Appeals Committee within 30 days from the date of receiving a copy of decision of an Authorized State Body.

36. The Appeals Committee will review an appeal submitted in writing within thirty (30) days of receipt.

37. If necessary, the Appeals Committee may request for additional deliverables from classification participants within the requirements established by these Regulations, and to appoint an additional expert evaluation of collective accommodation. In this case, the term of appeal may be extended by the Appeals Committee for the period necessary to obtain the requested documents and study them, conduct additional expert evaluation, but this shall not exceed thirty (30) days.

38. The re-evaluation is conducted with the involvement of classification experts who are members of the Secretariat's database of classification experts and who did not participate in the expert evaluation of the applicant's collective accommodation facility.

39. The applicant has the right to participate in the meetings of the Appeals Committee when his/her complaint is considered.

40. In case of confirmation of collective accommodation facility's compliance with the requirements established by these Regulations, the Appeals Committee decides to satisfy the appeal and makes a proposal to an authorized state body to cancel the decision on refusal and to assign the collective accommodation facility to the declared or other category stipulated by these Regulations.

41. If it is confirmed that the collective accommodation does not meet the requirements established by these Regulations, the Appeals Committee decides to reject an appeal.

42. The Appeals Committee notifies the applicant and the Secretariat of the outcome of the appeal via online platform www.GetStar.kg, and submits notification in writing - if requested by the Applicant.

43. In cases stipulated under paragraph 39 of these Regulations, within 2 (two) working days from the date of receiving proposal of the Appeals Committee, an Authorized State Body shall make a decision on assignment of declared or other category stipulated by these Regulations and place such decision on an online platform www.GetStar.kg which automatically generates e-copy of the Certificate, and then sends it to the applicant entering information of qualified collective accommodation facility in the Register of classified collective accommodation facilities.

44. Costs associated with the consideration of an appeal by the Appeals Committee shall be conducted by the applicant.

5. Information Confidentiality

44. The Classifier ensures confidentiality of information obtained during expert evaluation, including trade secrets.

6. Classifier Language

45. Certificates and other documents used in the classification process are drawn up in the state and official languages.

7. Use of category marking of collective accommodation facility

46. Collective accommodation facilities which have been assigned to a category according to these Regulations are entitled to use an information marking about the category assigned to the facility (hereinafter referred to as the “category marking”).

47. The right to apply category marking by the collective accommodation facility is established for the duration of the certificate.

48. The category marking shall be placed in a conspicuous place on flat sections of the facade with no architectural elements, directly at the entrance (right or left) to the building, structure, or premises, or on the entrance doors to the premises where the collective accommodation facility is located (operates). E-category marking can be placed on the official website (if any) of collective accommodation facility.

Exhibit 1 to

(The Regulations concerning the System for Classification of Collective Accommodation in the
Kyrgyz Republic)

MAIN REQUIREMENTS to collective accommodations

Exhibit 2

to the Regulations concerning the State System for Collective Accommodation Classification

**FORM OF CERTIFICATE
on assignment of a certain category to a collective accommodation facility**

THE STATE SYSTEM FOR CLASSIFICATION OF COLLECTIVE ACCOMMODATION FACILITIES

CERTIFICATE of assigning collective accommodation facility category

No. _____
(Registration number)¹

dated _ _____ 20__.
(date of issuance)

This certificate confirms that collective accommodation facility

(Name and address of collective accommodation facility)

is granted with the Category

under the following grounds:

(Details of the decision of an Authorized State Body issuing the Certificate)

(Name of a legal entity, branch or representative office of a legal entity, individual entrepreneur who owns a collective accommodation facility under the right of ownership, lease or other legal basis (hereinafter referred to as the applicant))

(Individual Taxpayer Number and Applicant’s Business Classification Code)

(Applicant’s contact details, email and phone number)

Certificate is valid from «__» «_____» 20__ through «__» «_____» 20__.

Head of an Authorized State Body _____

(signature)

(Name and Surname)

Stamp here

¹ Structure of CN-Y Certificate Registration number,
Where CN stands for certificate number in the list maintained by the accredited organization.

Y - year of certificate's issuance.