

DECISION OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA

10 October 2024 No 1613-N

ON ESTABLISHING THE CRITERIA FOR THE INFORMATION POSTED, BY THE PERSON PROVIDING HOTEL SERVICES, ON ONLINE OR OTHER PLATFORMS, IN ADVERTISEMENTS FOR HOTEL SERVICES OR IN ANNOUNCEMENTS MADE THEREBY ON THE PROVISION OF HOTEL SERVICES, AS WELL AS THOSE TO THE INFORMATION POSTED IN HOTEL FACILITIES, AND THE PROCEDURE FOR POSTING INFORMATION

Being guided by part 2 of Article 21 of the Law “On tourism”, the Government of the Republic of Armenia hereby ***decides to:***

1. Define the criteria for the information posted, by the person providing hotel services, on online or other platforms, in advertisements for hotel services or in announcements made thereby on the provision of hotel services, as well as those to the information posted in hotel facilities, and the procedure for posting the information, pursuant to the Annex.
2. This Decision shall enter into force on the tenth day following its official promulgation.

**Prime Minister
of the Republic of Armenia**

Yerevan

N. Pashinyan

11 October 2024
CERTIFIED BY ELECTRONIC
SIGNATURE

Annex
to the Decision of the Government
of the Republic of Armenia
No 1613-N of 10 October 2024

**CRITERIA FOR THE INFORMATION POSTED, BY THE PERSON PROVIDING
HOTEL SERVICES, ON ONLINE OR OTHER PLATFORMS, IN ADVERTISEMENTS
FOR HOTEL SERVICES OR IN ANNOUNCEMENTS MADE THEREBY
ON THE PROVISION OF HOTEL SERVICES, AS WELL AS THOSE
TO THE INFORMATION POSTED IN HOTEL FACILITIES, AND
THE PROCEDURE FOR POSTING INFORMATION**

1. GENERAL PROVISIONS

1. The following main concepts used in this Annex shall be as follows:
 - (1) person providing hotel services — persons provided for by point 35 of part 1 of Article 3 of the Law “On tourism”, as well as in case of apart hotel, tourist house or guest house — also natural person;
 - (2) online platform — domain, digital environment, platform or other undertaking operating in electronic manner or through mobile applications, which operates through Internet connection as an electronic commerce market (two (or multi)-sided market) ensuring direct or indirect commercial relations or communication between two and more parties, in order to ensure the possibility to generate value in favour of at least one of communicating parties;
 - (3) other platform — social page, Internet website or virtual space for ensuring accessibility to information through the Internet, physical space or mass media run by the person providing hotel services or under its guidance, or

developed, created on the basis of an order placed, or those run by the service provider in its favour;

- (4) physical space — inner or outer surface area of the commercial facility, building, any permanent or temporary construction or a part thereof, outer surface area of movable property, vehicle or its trailer, outdoor billboard, printed domain or domain accessible through an electronic dashboard, poster, paper or surface area for making the information otherwise accessible for the audiovisual viewing and comprehension of the consumer;
 - (5) informed decision — decision of the consumer on availing or not availing of the hotel facility after acquiring information on the type, quality of hotel services, on the hotel facility, as well as information on the hotel facility accessible through online or other platforms;
 - (6) terms and conditions — integrity of information made available to consumers by the person providing hotel services under the legislation of the Republic of Armenia on tourism, advertisement, protection of personal data, disability, protection of consumer interests, which is necessary for the consumer to make informed decisions;
 - (7) essential conditions — the information on hotel facility provided for by points 11-12 of this Annex, being published through online or other platforms, as well as additional conditions added by the person providing hotel services or as preferred thereby, which form an integral part of the contract on the provision of paid services (hotel service) which relates to availing of hotel services, by virtue of concluding a contract between the consumer and the person providing hotel services.
2. The information on hotel facility, type of hotel service, its quality, as well as other information subject to publication online or through other platforms based on

this decision, must be accurate, complete and must not contain bad faith information or any information that may mislead the consumer.

3. The responsibility for the completeness or accurateness of the content of information on hotel facility existing in the advertisement or announcement shall be borne by the person providing hotel services, where the advertisement or announcement is disseminated by the person providing hotel services or upon assignment or order of a third person — in favour of the person providing hotel services.
4. The advertisement or announcement made online or through other platforms must include the information provided for by points 11-12 of this Annex.
5. Where the advertisement or announcement made online or through other platforms does not include the information provided for by points 11-12 of this Annex, the advertisement or announcement must contain a reference or note about the availability of special conditions, by directing the consumer to get familiar with hotel facility conditions through the platform wherein special conditions are published, if due to the technical capacities of the online platform it is not possible to publish the whole information provided for by points 11-12 of this Annex on the online platform or to place the reference to special conditions.
6. Due to the technical capacities of the online platform, in case of impossibility to post the special conditions or to make a reference thereto, the special conditions shall be made accessible to the consumer as prescribed by points 20-21 of this Annex.
7. In the case prescribed by point 5 of this Annex, the Internet website may be indicated as a platform without referring to the address of the Internet website, where the address of the Internet website is identical to the trademark being used for the facility providing hotel services specified in the advertisement or announcement.

8. In case the address of Internet website of the hotel facility is different from the trademark, the address of Internet website shall be indicated in the advertisement or announcement.

2. ADVERTISEMENT AND ANNOUNCEMENT ON THE ONLINE PLATFORM

9. Information on the hotel facility posted through the online platform shall be published in accordance with the format and requirements of the given online platform.
10. The person providing hotel services or its representative shall be obliged to fill in, on the online platform, all essential conditions required under the mandatory fields of the online platform, where at the time of filling them in, the person providing hotel services is informed of them, whereas in case of a change in the circumstances, he or she shall be obliged to update the published information within reasonable time limit following their appearance, but not later than on the third working day.
11. Information published through the online platform shall at least include:
 - (1) time limit of services;
 - (2) price of services;
 - (3) hours for check-in and check-out;
 - (4) possibility for self check-in;
 - (5) conditions and furnishing of the sleeping area (room, hotel room) (may be shown by publishing photos);
 - (6) availability of staircase or elevator;
 - (7) possibility for service support to persons with disability;
 - (8) address of hotel facility;

- (9) food services;
 - (10) ongoing construction or repair works in the territory of the hotel facility;
 - (11) images (pictures) of hotel facility or room, with an indication on the images (pictures) being generated through artificial intelligence, where means of artificial intelligence have been applied for generating the image (picture).
12. The advertisement or announcement on the online platform relating to the price of booking the room of hotel facility (hotel room) or the sleeping area must include:
- (1) all taxes and other mandatory payments (non-optional taxes), other payments and charges, which are relevant to all consumers or their separate group;
 - (2) where additional fee is to be charged for breakfast, it must be clearly mentioned that they are not included in the services;
 - (3) where additional fee is to be charged for wireless Internet accessibility (WI-FI) or wireless Internet accessibility of higher quality or higher speed, it must be clearly mentioned that they are not included in the services;
 - (4) whether other payments are applicable after booking;
 - (5) the recommended price as compared to the former price, in case of an indication on discounts (saving claims);
 - (6) possibility of parking a vehicle, and in case it is ensured on paid basis — the amount of payment charged for it per day or hour;
 - (7) information on the methods for accepting payments.
13. It shall be prohibited:
- (1) not to post on the online platform the essential condition to be completed in compliance with the requirements of the online platform, which the person

providing hotel services possesses, however, refrains from posting them, in order to prevent the consumer from making an informed decision on not availing of the hotel facility;

- (2) to post comments or other information on online platforms, relating to the person providing hotel services or the competitor, by using artificial intelligence or other means, with the guidance of the person providing hotel services, in order to mislead the consumer, by creating an impression of high demand of the services provided thereby or of low demand of the services provided by the competitor.

3. CONTENT OF SPECIAL CONDITIONS

14. Special conditions shall include the following information:

- (1) information provided for by points 11-12 of this Annex;
- (2) type of hotel facility, prescribed by Article 12 of the Law “On tourism”;
- (3) where the hotel facility possesses relevant qualification category in a manner prescribed — the type of qualification and an indication on the person having awarded the qualification, with a reference, if available, to the Internet website of the qualifying person;
- (4) where the hotel facility possesses international qualification in a manner prescribed — the name of the organisation having granted the international qualification and a reference to its website;
- (5) conditions for cancelling the registration and returning the charged amount;
- (6) information aimed at fulfilling the right to gather personal data on the consumer, to destruct, to delete or to have forgotten user account, by specifying the terms and procedure for their performance;

- (7) types, quantity of hotel rooms;
- (8) possibility to store consumer luggage (including until occupying the hotel room or after the room check-out);
- (9) in the course of occupying the room (hotel room) or bedroom, the possibility for storing monetary funds and valuables of guests and liability for loss;
- (10) accessibility to modern means of telecommunication, Internet, and its absence;
- (11) permission of access of domestic animals to hotel facility;
- (12) procedure for submitting applications, with an indication on the following:
 - a. complaints on the provided hotel services are to be primarily submitted to the person providing hotel services,
 - b. in case the complaint is rejected or partially granted by the person providing hotel services, they are to be addressed to the state authorised body of the field of tourism, by indicating, in the response to the complaint, the website address of the state body authorised in the field of tourism;
- (13) reference to the internal regulation prescribed by part 1 of Article 14 of the Law “On tourism” and a part thereof (in case of annexes and separate sections), which prescribes conditions for the consumer and is not intended for regulating the relations between the person providing hotel services and its employees and the persons providing services thereto;
- (14) an indication on the hotel facility being a historical and cultural immovable monument, by providing details on the year of its construction, its architect and other information subject to publication at the discretion of the person

providing hotel services and relating to the status of the immovable monument provided for by the legislation of the Republic of Armenia;

- (15) an indication on the person providing hotel services as to having received a law-abiding taxpayer's certificate provided for by Decision of the Government of the Republic of Armenia "On approving the criteria for considering a law-abiding taxpayer and the procedure for issuing a law-abiding taxpayer's certificate" No 1324-N of 12 August 2021.
- 15. Where the special conditions published by the person providing hotel services are partially identical to the information provided for by the internal regulation prescribed by part 1 of Article 14 of the Law "On tourism", special conditions may, in respect of the information identical to the provisions of internal control regulation on the part of special conditions, contain a reference to the internal control regulation.
- 16. In addition to special conditions, the person providing hotel services shall, at earliest request of the consumer, be obliged to provide the following information to the consumer availing of or having availed of its services:
 - (1) information on the corporate name, taxpayer registration address, taxpayer identification number, hotel facility address of the legal person operating, managing the hotel facility or providing hotel services in the hotel facility, and in case of physical persons — the hotel facility address, electronic mail address, as well as in case the consumer informs the aparthotel, tourist house or guest house of its intention to file an action against the physical person owning the aparthotel, guest house, tourist house or the separate units thereof, the data provided for by point 3 of part 2 of Article 121 of the Civil Procedure Code of the Republic of Armenia on the physical person owning the aparthotel, tourist house, guest house or the separate units thereof;

- (2) based on the contract concluded with the person providing hotel services, in case of a third person providing services within the territory of the hotel facility — information on the corporate name, taxpayer registration address of the latter, and in case of an individual entrepreneur — state registration number and taxpayer identification number of the latter;
- (3) the payment, commission fee, monetary funds or other equivalent means charged or withheld from the consumer for providing a service in addition to minimum hotel services, related with the service provided to the consumer in the hotel facility, where this service is delivered by the person providing hotel services or where the person providing hotel services has outsourced the provision of this service to a third person.

4. CRITERIA FOR THE INFORMATION POSTED IN HOTEL FACILITY AND THE PROCEDURE FOR THE PROVISION OF INFORMATION

- 17. Upon the demand or request of the consumer availing of its services in the territory of hotel facility, the person providing hotel services shall be obliged to provide orally at least the following information:
 - (1) the place of special conditions on Internet website;
 - (2) the place of the medical institution next to the hotel facility;
 - (3) In accordance with the provisions of the Law “On the reduction and prevention of harm to health due to the use of tobacco products and their substitutes”, the prohibition on the use of tobacco products, substitutes for tobacco products within the territory of hotel facility and the availability of places intended for smoking in the nearby open territory adjacent or next to the hotel facility;

- (4) other information regarding the services provided to the consumer, where they are not considered as commercial secret, personal data on the third person or are not otherwise considered as confidential under the legislation of the Republic of Armenia.
18. The person providing hotel services within the territory of the hotel facility shall, at the request of the consumer and before concluding the contract, be obliged to provide to the consumer the information and to attract his or her attention thereto, based on which monetary claim may be filed against the consumer in the future.
19. Upon the demand or request of the consumer, the information on the payment charged for other services delivered to the latter must be provided before delivering this service.
20. The special conditions shall be made available to the consumer or indefinite group of consumers upon the choice of the person providing hotel services in hard copy or in electronic form, so that the requested information is completely and jointly available by one of the selected options, except for the case prescribed by point 21 of the this Annex.
21. The person providing hotel services may publish the special conditions on the Internet website in a language preferred thereby, including through uploading to the Internet website the legal act or the translation thereof which meets the requirements of point 24 of this Annex, in case the person providing hotel services possesses an Internet website.
22. In case the content of the legal act meeting the requirements of point 24 of this Annex is published on Internet website instead of the legal act itself, this information must be identical to the legal act in force at the moment of its publication.

23. The Internet website address (if available), telephone number, electronic mail address, information on the address of hotel facility must be posted on pages of social networks managed for the hotel facility.
24. In case hard copy of information is made available to the consumer, it must meet the requirements prescribed by the Law “On regulatory legal acts” for internal (local) legal act.

**Deputy Head
of Staff to Prime Minister
of the Republic of Armenia**

A. Khachatryan

11 October 2024
CERTIFIED BY ELECTRONIC
SIGNATURE

Date of official promulgation — 11 October 2024.