

**The contractual relations in tourist activity. Interaction of tour  
operators and the hotel enterprises  
(by the example of hotel "Swissotel Red Hills" Moscow)  
The report of final qualifying thesis  
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**The thesis is** «The contractual relations in tourist activity. Interaction of tour operators and the hotel enterprises (by the example of hotel "Swissotel Red Hills" Moscow) ».

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**The information about the company.** In July, 2005 in the city of Moscow the hotel "was open for Swissotel Red Hills" which combines the Russian tradition and the Swiss quality. The Kremlin and Red Square is less than in three kilometers from hotel. The Paveletskaya metro station is located in 5 minutes of walking. From the Paveletsky station high-speed electric trains to the international airport "Domodedovo" regularly depart. The Swissotel hotel number of rooms Red hills makes 235 numbers of various categories: numbers Panorama, business numbers, luxury, apartments. The list of services of Swissotel hotel includes Red Hills: the round-the-clock service in numbers, a parking, beauty shop, the limousine order, a laundry, the fitness center, a SPA complex, a sauna, the pool, the business center, 11 conference rooms, and also restaurants and bars.

**The research topicality.** Relevance of a subject of research is caused by that one of essential aspects of successful development of tourism as one of the most profitable branches of economy is effective interaction of tour operators and representatives of the tourist's industry both internal, and the international activity . This cooperation is carried out by means of forming of the mutually advantageous relations with suppliers of tourist services for the subsequent requirements satisfaction of travelers.

The tour operator is a link between the enterprises of the tourist's industry both direct customers and consumers of the created tourist's products. Process of development and formation of a tourist's product happens by means of the conclusion and performance of contracts of tour operator to the third parties, namely: the hotel enterprises, carriers, the enterprises of a food and other service providers in the tourism industry.

In turn hotel services are the most important and integral element of a tourist's product as the concept of tourism includes implementation not less than one spending the night in the country (place) of temporary stay. The contractual base with hotels is more various, the it is more than opportunities at tour operator for formation and modifications of tourist's products.

The legal regulation of contractual legal relationship which has to consider the rights and obligations of the parties, ways of responsibility for non-execution of obligations, and also possibility of protection of the violated rights is necessary for achievement of these purposes. The formality and not reasonableness of the contract attracts emergence of disputes and conflict situations in the order of its execution and impossibility of settlement of the conflict peacefully. Besides, the part of the contractual relations of hotels and tour operators have the external economic character as consist in the sphere of the international tourism. Studying and the analysis of the standard and legal base regulating contractual legal relationship of tour operators and the hotel enterprises will allow to carry out necessary scientific researches for the purpose of increase of efficiency of mutual cooperation, by means of specification of a legal framework.

The specified circumstances cause need of complex research of legal regulation of contractual legal relationship of the hotel enterprises and tour operators.

**The goal** of the thesis is studying of the contractual relations in tourist activity, and also interaction of tour operators and the hotel enterprises.

In accordance to the thesis goal, the following **objectives** were presented:

- to state intrinsic characteristics of interaction of tour operators and the hotel enterprises;
- to investigate schemes of cooperation of tour operators and the hotel enterprises;
- to investigate the mechanism of realization of contractual legal relationship;
- to reveal a standard and legal basis of contractual legal relationship of tour operators and the hotel enterprises;

- to consider legal aspect of interaction at the international level.

**The results of the research.** Results of research showed that and to the hotel enterprise it is rather difficult to tour operator to find balance of mutually advantageous conditions at interaction as in the code of the Russian Federation there is no contract established by the law which could be applied to the contractual relations. Legislative regulation lets only opportunity to each of the parties know the rights and duties. Establishment and observance of balance of precepts of law is a basis of mutually beneficial and effective cooperation. Today tour operator and the hotel enterprises use in the practice of the scheme of cooperation. Such schemes are favorable to one party and always go to damage to another. Both from the parties are compelled to resort to such schemes to break through or keep the position in the tourist market.

As for the international level, there have standardly legal acts which apply to the hotel contracts of the international character signed between owners of hotels and tour operators. This document is the International hotel convention and the International rules, which norms tour operators and hotels apply in the activity.

**Recommendations.** "Swissotel Red Hills" is not an exception. In the practice it will apply all schemes of cooperation with tour operators. Here it would be desirable to suggest to develop a free form of the contract according to standards of the legislation where both from the parties, a method of different inclusion of conditions and all specifics of contractual relationship, could lead to satisfaction of tour operators and the hotel enterprises.