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# Legal tools and prospects of state regulation of the quality management system in the sphere of tourism

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## Abstract

Using an analytical and documentary methodology based on the review of high-impact scientific literature, the objective of the article was to develop the legal-conceptual principles of the quality management system in the field of tourism. Everything indicates that, product quality assurance means a set of legal and planned measures of a systematic nature that create the necessary conditions for the implementation of each stage of the quality concept, so that, the product meets the quality requirements of the market segment. One of the main principles of creating a concept of quality management in the field of tourism is a correct definition of the concept of quality of tourism services in the broader framework of the legal regulation of the system of tourism management. The obtained results allow us to conclude that the tourism industry is one of the promising areas of the development of global economic relations, and in the context of the transformation of the economy of a country, increasing the efficiency of the functioning of this industry acquires special relevance for the achievement of social welfare.

**Keywords:** tourism management; quality management system in the field of tourism; state regulation; sustainable development; legal tools.

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# Herramientas legales y perspectivas de la regulación estatal del sistema de gestión de la calidad en el ámbito del turismo

## Resumen

Mediante una metodología analítica y documental basada en la revisión de literatura científica de alto impacto, el objetivo del artículo fue desarrollar los principios jurídicos-conceptuales del sistema de gestión de la calidad en el ámbito del turismo. Todo indica que, la garantía de calidad del producto significa un conjunto de medidas legales y planificadas de carácter sistemático que crean las condiciones necesarias para la aplicación de cada etapa del concepto de calidad, de modo que, el producto cumpla los requisitos de calidad del segmento de mercado. Uno de los principios primordiales de la creación de un concepto de gestión de la calidad en el ámbito del turismo es una definición correcta del concepto de calidad de los servicios turísticos, en el marco más amplio de la regulación jurídica del sistema de gestión del turismo. Los resultados obtenidos permiten concluir que la industria del turismo es una de las áreas prometedoras del desarrollo de las relaciones económicas mundiales, y en el contexto de la transformación de la economía de un país, el aumento de la eficiencia del funcionamiento de esta industria adquiere especial relevancia para el logro del bienestar social.

**Palabras clave:** gestión turística; sistema de gestión de calidad en el ámbito del turismo; regulación estatal; desarrollo sostenible; herramientas legales.

## Introduction

### Problem statement

Providing consumers with high-quality tourist services in domestic and international markets should contribute to the formation of the state's image as a country with unique tourism opportunities. The quality of tourist services should be considered as a set of properties of travel services, processes and conditions of service to satisfy stipulated or anticipated needs of the consumers of the services from all components of a complex tourist product.

### Recent research and publications analysis

Such scientists as O. Apilat, L. Baumgarten, M. Augustyn, A. Haghkhah, K. Koch, M. Samuel and others have made a significant contribution to

the study of the theoretical and practical foundations of the development and classification of the quality management system. Analysis of scientific research and scientific-methodological works by V. Baieva, I. Bakhova, I. Antonenko, T. Mirzodaeva, and others made it possible to identify the main components characterizing the development of medical tourism and its main components in the country of study. At the same time, a significant part of the issues related to the declared topic remain outside the attention of researchers and require further research and the development of a structured model of the quality management system in the tourism sector.

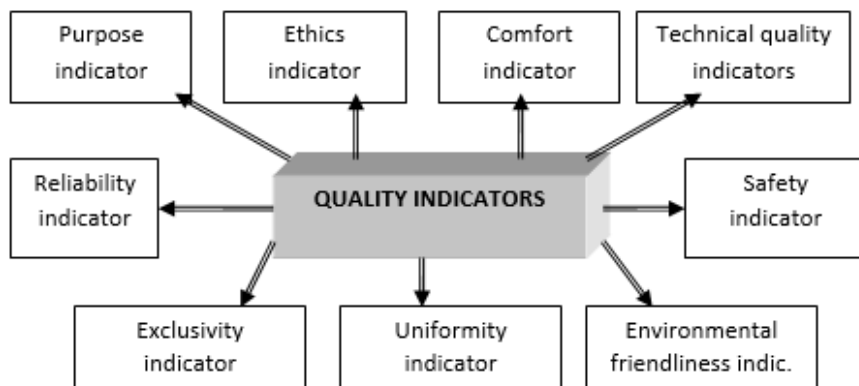
## **1. Methods**

The purpose of the article is to develop conceptual legal principles of the quality management system in the field of tourism. To do this, it is necessary to solve the following problems: to determine the indicators of the quality of a travel service, to develop a model of the quality management system in the field of tourism according to the ISO series 9000 standards, the principles of TQM, and to study the main criteria of the quality of an integrated travel service.

## **2. Results**

Most often, only elements of the quality management system are used at enterprises of the tourism industry, and there is no systematic approach. Creating a quality management system requires a strategic management decision. The development and implementation of quality management systems of entities of the tourism industry are influenced by strategic goals of the enterprises, the market situation, the needs of consumers for the provision of quality services as well as other specific factors (Opolchenova, 2006).

On the basis of the authors' previous scientific developments, the following main indicators of the quality of a travel service can be determined: purpose, ethics, comfort, technical quality, reliability, uniformity, exclusivity, environmental friendliness, safety, and the like. The entire set of indicators of the quality of a travel service can be grouped into main groups that are presented in Figure 1.



**Figure 1. Indicators of the quality of a travel service.**

Source: prepared by the authors.

The indicators of the purpose of a travel product characterize its functional properties, for the implementation of which it is intended, and determine the scope of its application. Purpose indicators describe the components of a travel service, its expected effect, and are one of the main areas of evaluating the activities of a travel organization. Purpose indicators should determine the degree of compliance of the proposed service with consumer expectations: indicators of consumer efficiency, composition of the proposed product, a set of quantitative indicators (journey duration, its route, schedule, etc.).

In this group of indicators, tourism companies cannot compete with each other. When a successful product appears (according to external characteristics), other organizations quickly adopt the offer. It can be concluded that the compliance of a travel product with the requirements of purpose indicators is not a subject of competition. It is a necessary condition for the start of competition, that is, the entry of travel enterprises into this competitive environment. The behavior of a travel company in this environment is determined by other indicators of product quality (Mohamed, 2007).

Indicators of ethical quality characterize public opinion, the opinion of tourists regarding the quality of tourist services and the possibility of achieving the goal of the trip (Kudla, 2012). The value of the proposed travel service includes the following aesthetic components: harmony, integrity of the coverage of the travel program, compliance with social expectations, level of skill of the service personnel.

Ethical indicators in general can be rate as social characteristics that express the value of the offered service (Shvets, 2005). The group of indicators that determine the ethical quality of a travel service is subjective in nature, but it is a significant addition to a balanced system of indicators of the quality of a tourist product.

As a rule, the group of ethical indicators of the quality of a travel service is divided into two subgroups: rationality and informativeness. The first subgroup includes indicators characterizing the functional compliance of an integrated tourist product and the integrity of the perception of the proposed program. The second subgroup of indicators includes the elements of an integrated tourist product: originality, relevance of primary information (Hudson *et al.*, 2004).

The group of indicators of ethical quality is of decisive importance in ensuring the competitiveness of a tourist product and the tour operator. Compliance of a tourist product with ethical quality indicators requires compliance with high executive, technological discipline and qualification of the personnel and the appropriate organizational culture of the travel enterprise (Komppula, 2006).

The group of comfort indicators includes anthropometric, physiological, psychological, hygienic and other indicators that are of great importance for consumers of an integrated tourist product. The requirements according to these indicators are included in the composition of a tourist product, its functional characteristics, elements of the construction of vehicles, equipment and interior of hotels and restaurants, etc.

Anthropometric indicators characterize the compliance of equipment, interior, rooms with the size and shape of human body and its individual parts. Physiological and psychological indicators of a tourist service are more closely related to the quality of excursions, their duration and the provision with material resources for recreation and other needs of tourists. Very often, specialists justify the competitiveness of their tour product by the presence of additional excursions, not taking into account an increase in the physical and psychological burden on the tourist (Shvets, 2005).

The group of technical quality includes patent law indicators (availability of a license, certification of services), compliance of service conditions with sanitary standards, compliance of accommodation categories with the level of comfort of the hotel (Kuzyk, 2011). With this group of indicators, groups of indicators characterizing reliability, environmental friendliness and safety are organically connected.

Reliability indicators include guaranteed compliance with the terms of the contract between a tour operator and a consumer of the tourist product, the reliability of technical and other means used in the implementation of tourist services. Reliability indicators cannot be contrasted with other

quality characteristics; however, without their observance, all other service quality indicators lose their meaning. On the other hand, reliability becomes a true indicator of quality only if it is combined with other characteristics of tourist services (Butnary, 2009).

Safety indicators determine the degree of risk to life and health of a tourist route, a type of tourist services, and the quality of measures to neutralize them. Safety factors in tourism are classified by: injury safety; environmental impact; fire safety; biological influence; psychophysiological load; radiation and chemical exposure safety; industrial dustiness and gas pollution; specific risk factors. As a rule, tourism within the country provides higher security in comparison with trips to countries with significant cultural and religious differences (Balashova, 2009).

Groups of indicators characterizing the uniformity and exclusivity of an integrated tourist product determine the degree of use of standardized, unified, original initial services in a specific service.

Standardized services include services performed according to international, state and industry standards. Uniform services include services that are provided according to enterprise standards and are used in more than two tourist programs. The main indicators of uniformity are the coefficient of use and the value coefficient of use:

- the coefficient of use by component parts, which is determined according to the formula:

$$\text{Cof}^{\text{bc}} = \frac{N^{\text{bc}}}{N^{\text{bc}} - N^{\text{bc}^{\text{e}}}} \cdot 100 \% \quad (1)$$

where  $N^{\text{bc}}$  is the total number of initial composite services in the final tourist product;

$N^{\text{bc}^{\text{e}}}$  is the number of exclusive components of initial services.

- the value coefficient of use is determined according to the formula:

$$\text{Coc} = \frac{C_{\text{tot.}} - C_e}{C_{\text{tot.}}} \cdot 100 \% \quad (2)$$

where  $C_{\text{tot.}}$  is the total cost of a service;

$C_e$  is the cost of exclusive services included in the final product.

Uniformity indicators testify to a high quality of a tourist product, the smoothness of the production process of service implementation, and the efficiency of the company's production system (Baiev, 2013).

Exclusive services include services that are offered exclusively for this integrated tourist product. Exclusivity is characteristic of the segment of high-value tourist programs that do not fit into the framework of the standard offer. Exclusivity indicators reflect the uniqueness and individuality of a given tourist product (Komppula, 2006).

Environmental indicators characterize the state of the environment in the regions of tourist travel. Currently, considerable attention is paid to ecological tourism, and tourist flows to ecologically clean regions have positive dynamics (Pazek and Rozman, 2010).

Indicators of all established groups of the quality of a tourist service are ensured by the personnel of various entities of tourist activity, which combine their efforts in the final product, at the following stages of its life cycle: marketing research, design of a new tourist service, technological preparation of production, production (integration) of the service, control, promotion and sale in the market, and customer service (Baiev, 2012).

A high quality integrated tourism product can be provided by a travel enterprise with a sufficient level of general management and personnel management.

A quality system is understood as a set of organizational structure, responsibilities, methods, processes and resources necessary for the implementation of general quality management at a tourism organization.

The quality management system is intended for implementation at tourist enterprises in order to ensure the quality of work and continuous control of the compliance process of service provision. In most countries, tourism enterprises are not certified based on the QMS (Quality Management System). One of the reasons that is an obstacle to the implementation of the QMS is the lack of a developed organizational and economic mechanism for the implementation of quality management systems at travel enterprises.

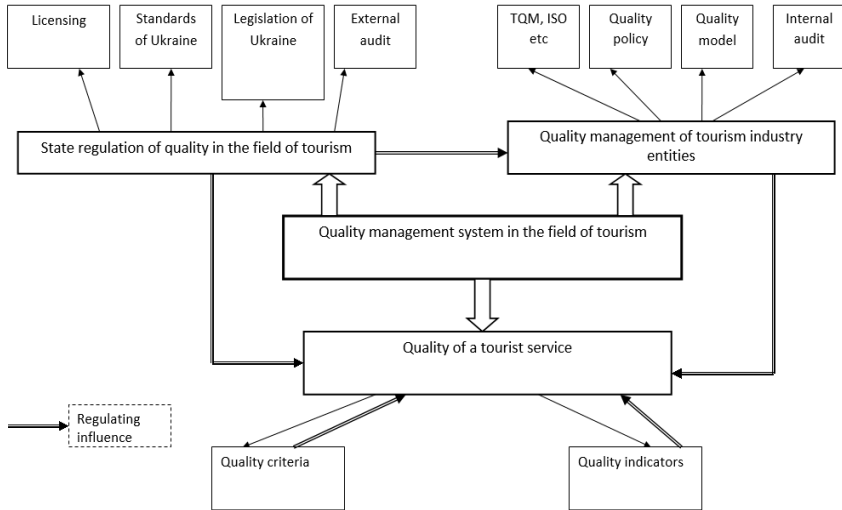
In accordance with international standards, any system aimed at ensuring the quality of services must meet a set of interacting and complementary requirements.

Most often, tourism industry enterprises use only elements of a quality management system in the absence of a systematic approach. Creating a quality management system requires a strategic management decision. The development and implementation of a quality management system of a tourism industry entity (TIE) is influenced by strategic goals of the enterprise, the market situation, the needs of consumers for the provision of quality services and other specific factors.

Summarizing their own scientific research and that of scientists on quality management and quality management directly at enterprises of the tourism industry, the authors developed a model of a quality management



system in the field of tourism (Figure 2). The main structural elements of a QMS (Quality Management System) in the field of tourism are quality management of tourism industry entities and the quality of tourist services.



**Figure 2. Model of a quality management system in the field of tourism.**

Source: prepared by the authors.

Let us consider the main elements of the model of a quality management system in the field of tourism, which include state regulation of quality in the field of tourism, quality management of tourism industry entities and quality of a tourist service.

The leading role in state regulation of quality in the field of tourism is played by the country’s legislation, which is the main factor in regulating relations in the field of product/service quality assurance.

External audit in quality management includes management actions aimed at ensuring compliance of tourism industry entities with licensing requirements of Ukraine and international standards.

Licensing means issuing, reissuing and canceling licenses, issuing duplicate licenses, monitoring licensees’ compliance with license conditions, etc. In the licensing process, certain licensing conditions and requirements for licensees are provided, which provides for control over the quality of services.

Quality management of TIEs should be understood as a combined component of several principles and quality systems, such as principles of TQM (Total Quality Management), ISO 9000 series standards, quality policy and implementation of a quality model at an enterprise as well as independent expert quality assessment - internal audit.

The ideology of the Total Quality Management system -- TQM, which includes total quality management, quality assurance, quality policy, quality planning and quality improvement, most effectively meets the demands of the consumer market. In order to implement TQM at an enterprise, it is necessary to carry out many different transformations that will affect not only management processes, but also the mentality, attitude to everything that happens on the part of all employees without exception. The technology of a TQM system is represented by the ISO 9000 series international standards.

ISO 9000 series is a series of international standards describing the requirements for quality management systems of organizations and enterprises. The ISO 9000 series standards emphasize continuous monitoring by the organization of the requests and expectations of the consumers for their full satisfaction. However, the ISO 9000 series international standards establish neither a list of quality criteria and indicators, nor procedures and methods for their evaluation, nor normative values of service quality indicators.

In addition to external audit by state authorities and international organizations, quality management of TIEs involves the implementation of an internal audit system. A quality audit is a systematic and independent assessment of a company's quality, which can be subdivided into audits of: quality system; process; service; product (Opolchenova, 2006).

The above-mentioned elements of quality management at enterprises of the tourism industry indirectly affect the quality of tourist services.

The quality of tourist services is the most important factor in successful operation of any travel company, which ensures a protected position in the competitive environment and a high share in the market of tourist services (Mangion *et al.*, 2005).

The model of a quality management system in the field of tourism includes the third structural element: the quality of a tourist service (Figure 2). The quality of a tourist service is characterized by the totality of the components of the quality of all services provided and the culture of providing the tourist service. The quality is expressed through a system of indicators reflecting various types of tourist service activities.

Management of the quality of tourist services is a process that includes identifying the nature and scope of customer needs, assessing the actual level

of quality of the tourist services, developing, selecting and implementing measures to ensure and control the planned level of quality.

In order to meet the needs of consumers, an integrated tourist service should provide for high-quality provision of its main components (Figure 3). The main problem of high quality travel service is the choice of service providers that make up the tour product by the tour operator.

Almost no travel enterprise is able to independently organize a tour, provide its customers with all the necessary means of transport, provide accommodation, organize catering, etc. For this, appropriate agreements are usually concluded with specialized enterprises that provide the above missing links in comprehensive service (Srivastava *et al.*, 2012). Such entities of the tourism industry include organizations that provide accommodation, food, provision of specific and exclusive services, carry out tourist transportation, provide tourist support and information support services, etc.

Thus, a tourist enterprise in the market does not act in isolation, but it is rather surrounded by and under the influence of various factors and subjects that make up its external environment. The relationships between environmental subjects and a tourist enterprise are diverse and mutually dependent; by the nature of their actions, they can have a direct impact on the quality of its integrated tourist product and the competitiveness of the tourist enterprise on the tourist market.

It is advisable to use the proposed quality criteria of an integrated tourist service in managing a tourist company when evaluating the quality of a tourist product. The universal SERVQUAL technique or its improved version SERVPERF is used to determine quantitative evaluation parameters. They provide an opportunity to assess the quality of an integrated service from the point of view of a consumer of the tourist product. In addition to the mentioned method, the proposed quality criteria of an integrated tourist service can be used in calculation according to the method of the Customer Satisfaction Index (CSI), developed by specialists of the Stockholm School of Economics. This index is calculated based on the method of personal interviews (Kovalenko, 2010). The indicators shown in Figure 3 make it possible to use this quantitative method in managing a travel company.

In recent years, separate scientific works have appeared in the international literature, which analyze the influence of the state of the infrastructure and resources of tourism on the possibility of providing a high-quality integrated tourist product. In the analysis of the competitiveness of tourism and travel, conducted annually by the World Economic Forum, the following quality indicators are considered: the quality of air, rail and land transport networks, the quality of port infrastructure, the quality of roads, the quality of the natural environment, etc.

However, in the literature available to us, no publication was found devoted to the analysis of the infrastructure and resources of the tourism sector of many countries, especially those of South America, the African continent and most of the Asian countries, from the perspective of the industry's ability to provide high quality tourism services.

### **Conclusions**

Theoretical and methodological analysis of the modern paradigm of quality management allows us to conclude that quality improvement acts as a leading condition for the intensification of economic development, an increase in the efficiency of production processes and an increase in labor productivity, as well as for ensuring competitiveness in the global and domestic market. The problem of quality in most countries with a developed economy is considered as a problem that has a national nature. This approach is universal, has no alternative and allows the application of basic theoretical-methodological and applied principles developed by scientists in the formation of a quality management system in the tourism sector.

The research of this paper made it possible to propose a model of a quality management system in the field of tourism, which has three main structural elements: state regulation of quality in the field of tourism; quality management of tourism industry entities and the quality of tourist services. Quality management of tourism industry entities is implemented through the following tools: enterprise quality policy; quality model, voluntary certification according to ISO standards, implementation of TQM principles and internal quality audit. The quality of a tourist service is implemented through quality criteria and indicators.

This publication singles out and characterizes the concept of the system of criteria and indicators of the quality of tourist services. It is substantiated that the system of quality indicators of a tourist product includes purpose indicators; ethical and environmental indicators; indicators of comfort, technical quality, reliability, exclusivity, uniformity and safety. The above-mentioned indicators are interconnected, mutually conditioned and ensured by the personnel of various subjects of the tourism industry, whose actions are distinguished administratively, geographically and in time. Promptly received and processed information based on the above indicators is an effective tool for managing the quality of a complex tourist product.

The system of quality criteria for an integrated tourist service, which consists of a set of quality systems for hotel services, food services, transport services, tourist and excursion services, information support, and the assortment of specific services, has been concretized. It is expedient

to use the proposed quality criteria of an integrated tourist service in the development of an economic and organizational mechanism for quality management in the field of tourism, the implementation of an external audit of the activities of tourism industry entities and the management of tourism firms.

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