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## Prospects for the Development of Legislation on Rural Green Tourism

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### Abstract

The article is devoted to the study of prospects for the development of legislation on rural green tourism. The urgency of the work is conditioned upon the urgent need for special legislation that would reflect the specific features of rural green tourism and would effectively develop this area to reduce unemployment, overcome poverty, increase incomes of the rural population by intensifying non-agricultural activities. The purpose of the study is to identify possible areas of development of legislation on rural green tourism on the basis of scientific and theoretical analysis of current and future regulations in this area and developments in legal science. The methodological basis of the study was the dialectical method of scientific knowledge, general scientific (formal-logical, method of analysis) and special-legal methods (formal-legal, comparative-legal). As a result of this study, proposals were developed to improve the terminology of legislation in the field of rural tourism. Namely, the necessity of replacing the term "rural green tourism" with the term "rural hospitality" in normative legal acts is justified, the use of the category "rural tourism" exclusively in the sense of one of the types of tourism, the specific feature of which is implementation in rural areas. To increase the effectiveness of legal regulation of rural hospitality, a proposal was made to form special legislation – the Law of Ukraine "On Rural Hospitality in Ukraine". It has been proved that personal farms are the most potentially attractive subjects for the development of rural hospitality in Ukraine. For the practical implementation of this potential, changes are proposed to Part 1 of Art. 1 of the Law of Ukraine "On Personal Peasant Economy" on enabling private farms to use their property to provide rural hospitality services. It is proposed that to clearly distinguish between rural hospitality and rural tourism, the latter should be regulated by the Law of Ukraine "On Tourism" and other regulations in the field of tourism, adopted to implement the provisions of this law. The obtained conclusions can be used in formulating changes to the current legislation of Ukraine, will be useful when working on research on the specific features of the legal regulation of relations in the field of rural hospitality

**Keywords:** personal peasant economy, legal regulation, rural hospitality, agriculture, rural tourism, tourist services

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## Introduction

According to the latest published data of the State Statistics Service of Ukraine (as of January 1, 2020), out of 41.9 million people in our country, 12.7 million are rural [1]. More than a third of Ukrainians are rural residents. At the same time, the standard of living in rural areas is much lower than in cities. There is a differentiation of income depending on place of residence. Rural unemployment is characterised by higher unemployment compared to urban areas. The issue of ensuring sustainable development of rural areas remains open, considering the fact that rural areas have their own specific features of functioning, including opportunities, resources and needs of rural residents [2, p. 2339].

There are many reasons for this state of affairs, and last but not least is the levelling of agricultural production as the main source of income. There is a need to find alternative ways to improve the welfare of the rural population, not directly related to agriculture. According to the analysis of models of regional and economic development of the village, experts argue that the development of services is one of the priority measures to improve the situation [3, p. 636].

Our country has a very great potential for the development of rural green tourism, given the available natural and recreational resources, and the territorial location of Ukraine. For example, experts point to the intensification of cross-border Ukrainian-Polish tourism business [4, p. 119].

One of them is the use of available resources in such areas as rural green tourism. For Ukraine, it was legally established in 2003 with the adoption of the Law of Ukraine "On Personal Peasant Economy" of May 15, 2003 No. 742-IV [5]. This normative act expanded the purpose of personal farming. Along with the production of agricultural products, their processing and consumption to meet their own needs, members of private farms were also able to provide services in the field of rural green tourism. The main condition of this new activity for the peasants was the use of personal peasant property.

Despite the fact that this legal provision has existed for almost twenty years, the legal support in this area remains very low, limited to general rules. There is an urgent need to form special legislation that would reflect the specific features of rural green tourism and would effectively develop this area to reduce unemployment, overcome poverty, increase the income of the rural population by intensifying non-agricultural activities. This determines the relevance of this scientific article.

Problems of legal support and legal regulation of rural green tourism in general and rural hospitality in particular have long been of interest to researchers. For example, in the works of O.V. Hafurova — a representative of the science of agrarian law, the problem of forming special legislation on rural hospitality in the context of inclusive rural development, highlights the positive features of bills in this area [6, p. 20-26]. Another scientist — O.M. Tuieva, focuses on the categorical apparatus

in the field of rural green tourism. It formulates the author's definition of "rural green tourism" and characterizes its forms such as "agritourism", "ecotourism" and "agroecotourism" [7, p. 99-102]. The importance of rural tourism in the structural restructuring of the Ukrainian market of tourist services is highlighted in the work of O. Moskvichova, I. Hryhoruk, Y. Marchenko and Y. Veretilnyk. The authors, studying the global development of international tourism and its impact on the economy of Ukraine, come to the conclusion about the intensification of cross-border tourism business, regionalisation, especially the Polish-Ukrainian cross-border corridors. The importance of these processes for promoting the development of rural tourism in Ukraine is noted [4, p. 108-120]. The work of foreign authors also plays an important role in the comprehensive analysis of the legal regulation of rural tourism in our country. For example, this is the work of T. Pilving, T. Kull, M. Sushkevics and A.-H. Viira, dedicated to the interaction of large urban tourism enterprises with small rural entrepreneurs in Estonia [8, p. 1-26]. In the context of considering the positive international experience of regional development through the development of such an alternative type of tourism as rural tourism, the article by P. Liberato, I. Cerqueira, D. Liberato is interesting, which characterises rural tourism in the historic villages of Portugal [9, p. 1-22]. At the same time, the Ukrainian legal doctrine has not yet developed a unified approach to the development of legislation on rural green tourism.

This necessitates the continuation of scientific and theoretical analysis of current and future regulations in the field of rural tourism, developments in Ukrainian and world law to determine possible directions for the development of legislation on rural green tourism, which is *the purpose of this article*.

## Materials and Methods

The methodological basis of the scientific article was the dialectical method of scientific knowledge, general scientific (formal-logical, method of analysis) and special-legal methods (formal-legal, comparative-legal). Using a dialectical method of studying the state of legal regulation of rural hospitality in Ukraine, the trends of its development in relation to social, economic, sectoral and legal factors of society were identified, including such part of it as the inhabitants of rural areas. The application of the formal-logical method allowed clarifying the essence and distinguish the concept of "rural hospitality" from related categories: "rural green tourism", "rural tourism", "ecotourism", "agritourism", "agroecotourism", "rural tourism". The study of scientific positions on the areas of legal regulation of rural tourism is based on the method of analysis. The same method allowed identifying conflicting points in current and future regulations on rural tourism. Using the comparative legal method, the norms of the Ukrainian legislation on rural tourism and rural hospitality were compared with

the corresponding foreign analogues. In particular, when comparing the criteria for classifying rural green tourism as a business activity in such countries as Poland, Belarus and Ukraine. The formal-legal method helped to clarify the content of legal norms in the research area and to develop proposals for its improvement of the legal field.

The normative basis of the study were regulations of different sectoral affiliation, conditioned upon the complexity and diversity of tourism as a generalising category and the specific features of its species diversity, including rural tourism. First of all, acts of agrarian legislation were worked out, in particular the Laws of Ukraine “On Personal Peasant Economy” [5], “On Farming” [10] and basic tourism legislation — the Law of Ukraine “On Tourism” [11]. Problematic aspects of the legal regulation of food services (as mandatory within rural hospitality) were identified using the provisions of the Law of Ukraine “On Basic Principles and Requirements for Food Safety and Quality” [12]. The study of the specific features of rural hospitality taxation and economic incentives for its development was based on the analysis of tax legislation — the Tax Code of Ukraine [13]. Part of the promising legislation in the article is presented by the draft Laws of Ukraine “On Rural and Rural Green Tourism” [14], “On Amendments to the Law of Ukraine “On Tourism” and some other legislation on the basic principles of tourism development” [15], “On amendments to the Law of Ukraine “On Personal Peasant Economy” on the development of rural green tourism” [16], “On amendments to the Law of Ukraine “On Tourism” and some other legislation on the creation of economic incentives for tourism” [17], “On amendments to the Tax Code of Ukraine on taxation of income received in the field of rural green tourism” [18], “On stimulating the development of rural hospitality in Ukraine” [19].

Generalisation on the standard of living of people living in rural areas, the level of unemployment in rural areas, the differentiation of income of rural and urban residents is based on official data from the State Statistics Service of Ukraine [1].

## **Results and Discussion**

At present, the main normative act regulating relations in the field of tourism is the Law of Ukraine of the same name “On Tourism” of September 15, 1995 No. 324/95-vr [11]. It is present in Part 3 of Art. 4 distinguishes rural tourism as one of the types of tourism, and in Part 5 of the same legal norm enshrines the thesis of establishing the characteristics of certain types of tourism by law. At the same time, the Law of Ukraine “On Tourism” [11] does not define the concept of “rural tourism” and mentions this type of tourism in only one rule — Part 5 of Art. 6, which makes the development of rural tourism one of the priority directions of the state policy of Ukraine. There are also no norms on its legal

regulation in the Law of Ukraine “On Personal Peasant Economy” [5]. In fact, there is no special legal provision for rural green tourism in Ukraine, and the application of the norms of general legislation on tourism to this activity is complicated by the following.

In essence, rural green tourism can not be equated with tourism as a highly profitable business with its special subject composition (tour operators and travel agents, tour operators, etc.), the need for licensing, a certain form of contract for tourism services and other mandatory components, defined by the Law of Ukraine “On Tourism” [11] and other regulations in this area. The main argument in favor of this is the fact that under current legislation, activities related to personal farming are not related to entrepreneurial activities. Hence, personal farms are not registered as business entities. This state of affairs does not remove a number of issues related to the organisation of services in the field of rural green tourism. Moreover, it complicates the conduct of the activity in question.

Both in scientific doctrine and in the field of legislation, the issue of legal support for the features of rural green tourism has remained relevant for many years. The first reason for this we see the lack of legal definition of “rural green tourism”, the ambiguity of its interpretation in scientific circles, the use of the terms “rural tourism”, “ecotourism”, “agritourism”.

Experts based on the generalisation of doctrinal definitions of the term “rural green tourism” argue that it is a multifunctional, complex and systemic phenomenon that is actively spreading in the economic life of agricultural areas and contributes to their economic and social development in Ukraine [20, p. 42]. That is, as rightly noted by O.M. Tuieva, the essence of rural green tourism is not only recreation but also the preservation (restoration) of the natural environment and ethnocultural identity of the Ukrainian peasant [7, p. 99].

Regarding the ratio of rural green tourism and rural, agro-, ecotourism, O.M. Tuieva identifies rural tourism and rural green tourism, and agritourism, ecotourism and agroecotourism refers to forms of rural green tourism. The author believes that rural tourism covers all activities related to the rural way of life (culture, religion, traditions, etc.). Agrotourism is always associated with the functioning of agriculture, contains an element of knowledge. Ecotourism has an eco-educational and recreational nature, is carried out, as a rule, in the form of travel and takes place within protected areas or outside them in a pristine, wild nature. Agri-ecotourism involves the rest of tourists from farmers who grow organic agricultural products using only environmental methods [7, p. 99].

Another vision of the relationship of these concepts is found in the draft regulations. For example, the authors of the draft Law of Ukraine “On Rural and Rural Green Tourism” of March 4, 2021 No. 5206 [14] under rural tourism understand “recreational tourism,

which provides a temporary stay of tourists in rural areas (villages)". Rural green tourism and ecotourism are considered types of rural tourism. Rural green tourism is defined as "recreation from rural tourism, associated with the stay of tourists in the owner's own house, a separate (guest) house or on the territory of a personal peasant (farmer) farm." Ecotourism — as a "type of rural tourism, which involves tourists visiting areas of natural, cultural, ethnographic value" [14]. Based on the territorial feature of rural tourism, the authors identify rural tourism with tourism in rural areas, which is erroneous. This has been proven by scientists. For example, O.M. Borodina and O.V. Myhailenko concludes that the implementation of the policy of promoting "rural tourism" instead of "rural tourism on an inclusive basis" (ie, one that involves rural households) does not promote rural entrepreneurship, instead strengthening the existing dichotomy between agro-rural and non-rural populations. employed in rural areas [21, p. 77]. A similar standpoint, which we also share, is taken by O.V. Hafurova [6, p. 23].

The draft Law "On Amendments to the Law of Ukraine "On Tourism" and Certain Other Legislative Acts on Basic Principles of Tourism Development" of September 29, 2020 No. 4162 agro-tourism and rural tourism are considered not as types of tourism but as types of travel by tourist package. Agrarian tourism is defined as "acquaintance with the peculiarities of agriculture (personal peasant or farm)." Rural — as "rest in the countryside to get acquainted with the peculiarities of customs, traditions and life of the rural population and associated with temporary residence in a rural estate" [15]. That is, here in general the features of rural green tourism as a phenomenon are leveled.

Currently, another area of promising legislation is being formed — on rural hospitality. A draft Law of Ukraine "On Stimulating the Development of Rural Hospitality in Ukraine" [19] has been developed, in which the authors propose to define rural hospitality as "one of the diversified activities of rural households engaged in agricultural production". This bill lays the foundations for rural hospitality as a type of economic activity. It outlines the approximate range of services that can be provided to guests (visitors to the countryside): reception, catering, etc. As you can see, the list of rural hospitality services is left open by the legislator, which is positive in terms of choosing the best option for a particular owner, a particular countryside. True, in terms of further development of legislation in this area, is the formulation of the purpose of visitors. The latter covers both recreation and health, and the acquisition of new knowledge, skills, acquaintance with local natural attractions, raising awareness of the history, traditions of the peasants, the peculiarities of their lives, agricultural work [19, p. 222].

As we can see, rural hospitality in this sense actually covers all aspects of rural green tourism as an

activity aimed primarily at improving the welfare of the rural population, diversifying income opportunities in parallel with agriculture, rural development, preservation of local customs, traditions, popularisation of agricultural work and lifestyle. We see it possible and even necessary to replace the concept of "rural green tourism" with the category of "rural hospitality" in the text of the Law of Ukraine "On Personal Farming" [5], setting out Part 1 of Art. 1 as follows: "personal peasant economy is an economic activity carried out without the creation of a legal entity by an individual or persons who are in a family or family relationship and live together, to meet personal needs through production, processing and consumption of agricultural products, realisation of its surpluses and rendering of services with use of property of personal peasant economy, including in the field of rural hospitality". This will distinguish rural tourism with all its varieties (tourism in rural areas), which will be regulated by the Law of Ukraine "On Tourism" [11] from rural hospitality, the legal regulation of which will be carried out by other regulations.

It should be noted at once that the author of this study does not in any way underestimate the importance of tourism development in rural areas, which should also be developed. As the experience of other countries shows, this area can be highly profitable and attractive for both domestic and foreign tourists. An example is the experience of Portugal, in the historic villages of which through the intensification of rural tourism has significantly improved the regional development of areas with low population density [9]. Rural tourism, scientists argue, is an important activity in Europe in terms of both turnover and employment [22, p. 51], it forms mutually beneficial relations between the city and the village [8, p. 1].

As an argument in favour of the proposal, we will focus on the problems in the legal regulation of rural green tourism under current legislation and assess the promising regulations in this area to address existing problems.

As we have already noted, the main controversial issue in the research area is the attribution of rural green tourism to entrepreneurship.

Let's start with the fact that different countries approach this differently. For example, Polish law establishes a criterion for exemption from taxation of income from the rental of guest rooms in residential buildings located in rural areas, on the farm, including income from their food — the number of rooms for rent. There can be no more than 5 [23]. A similar approach is used in the Republic of Belarus. Decree of the President of the Republic of Belarus "On the Development of Agro-Ecotourism" of October 9, 2017 No. 365 in paragraph 1 states that "the activities of individuals who, in particular, run a personal subsidiary farm land plots allocated for this purpose for the provision of services in the field of agriculture ecotourism, is not entrepreneurial", and

in paragraph 12 sets the maximum number of rooms in the farmstead — 10 [24].

According to Part 3 of Art. 1 of the Law of Ukraine “On Personal Peasant Economy” [5] this activity is not entrepreneurial. Income from such activities is taxed as income of individuals under Section IV of the Tax Code of Ukraine of December 2, 2010 No. 2755-VI [13]. However, in practice, income from rural green tourism is not limited to rental income, and this often leads to misunderstandings between farmers providing services in the field of rural green tourism and public authorities, local governments.

The draft regulations make various proposals regarding this aspect.

Back in 2015, the draft Law of Ukraine “On Amendments to the Law of Ukraine “On Personal Peasant Economy” for the Development of Rural Green Tourism” (registration number 0852) [16] proposed to introduce restrictions on the number of places for temporary accommodation (residence). The activity could be considered rural green tourism if there were no more than ten such places. However, the text of the same bill, adopted in the first reading (July 25, 2017) already contained completely different proposals: rural green tourism was proposed to be replaced by “rural and ecological (green) tourism”, which, as rightly noted by O.V. Hafurova, completely changes its original meaning. In addition, the author emphasises, it excluded the criteria that allowed to recognise the activities in the field of rural green tourism, carried out with the use of property of personal peasant economy, non-entrepreneurial [6, p. 22]. This bill was never adopted — on September 10, 2019 it was withdrawn from consideration.

Appropriate innovations were presented in the draft Law “On Amendments to the Tax Code of Ukraine on Taxation of Income Received in the Field of Rural Green Tourism” (registration No. 7400) [18]. Namely: it was proposed to tax the income received from the provision of accommodation and food services in the field of rural green tourism, in accordance with the rules of paragraph 165.1 of Art. 165 of the Tax Code of Ukraine on taxation of income from the sale of own livestock products. Also, the features of accommodation services in the field of rural green tourism were determined: their provision exclusively based on the property of personal peasant farms; accommodation of vacationers exclusively in residential buildings where the owners live; limiting the number of beds for vacationers (maximum 10). In justifying the need to adopt the act, the authors rightly emphasised the social aspect of rural green tourism and its importance for socio-economic development of rural areas and as a means of income for the rural population, and as a component of integrated rural development, and as a factor in overcoming poverty in rural areas [25]. Despite the objective need to support rural green tourism by the state through the elimination of gaps in the legal regulation of these activities, the definition of transparent

and unambiguous “rules of the game”, the bill was withdrawn on August 29, 2019.

Diametrically opposed proposal — to limit the subjects of tourism (including in the field of rural green tourism) exclusively legal entities and natural persons-entrepreneurs, contains the draft Law of Ukraine “On Amendments to the Law of Ukraine “On Tourism” and some other legislation on the basic principles of tourism development” (registration number 4162) [15]. Alternative draft law — “On Amendments to the Law of Ukraine “On Tourism” and some other legislative acts on the creation of economic incentives for the development of the tourism industry” (registration number 4162-1) [17] refers to tourism entities other than legal entities and individuals-entrepreneurs and individuals engaged in and/or providing tourism activities. Both documents propose to introduce additional conditions for the legalisation of tourism entities — their inclusion in the Tourist Register/Unified Tourist Register.

At the same time, none of the above bills contains norms on the specific features of the organisation and implementation of rural green tourism activities.

Another, rather controversial, in our opinion, approach is in the draft Law of Ukraine “On Rural and Rural Green Tourism” (registration number 5206) [14]. They in Art. 5 to the number of subjects of tourist activity in the field of rural tourism include: “tour operators, travel agents, business entities that provide services for temporary accommodation, food, excursions, entertainment and other tourist services; natural persons carrying out activities related to tourist support “[14], including natural persons (farmers and members of their families) who are not business entities and provide services for temporary accommodation of tourists in in the owner’s own house, in a separate (guest) house or on the territory of a personal peasant (farmer) farm; tourist catering services, tourist escort services, and other services related to the stay of tourists in the farm (rural green tourism) and in the area (rural tourism). In other words, in addition to personal farming, farms also have the opportunity to use their property for rural green tourism, and for them this activity is also recognised as non-entrepreneurial.

Similar opinions were voiced in special sources. For example, experts of the National Institute for Strategic Studies propose to expand the capacity of farms to provide tourism services, to amend the Law of Ukraine “On Farming” [10]: to supplement the list of these entities by providing services using farm property in rural areas and rural green tourism, and provide the opportunity to build on their land hotels and similar accommodation and catering establishments [26].

Without denying the need to diversify the activities of farms, we can not fully agree with the above. First of all, because the activity of a farm is entrepreneurial and it is wrong to single out rural green tourism (referring it to non-entrepreneurial activity). Secondly, the

question arises: how should the production, processing and sale of marketable agricultural products with the tourism activities of the farm? After all, the situation when the latter will dominate can become quite real. And then the very essence of the farm as a subject of agrarian law is levelled.

Analysing other provisions of the draft Law of Ukraine “On Rural and Rural Green Tourism” (registration number 5206) [14] we conclude that its authors made a not very successful attempt to take as a basis the Law of Ukraine “On Tourism” [11] and supplement its provisions norms that should reflect the specific features of rural green tourism.

For example, in Art. 12 individuals (farmers and members of their families) who are not business entities and provide services for rural and rural green tourism are entitled on the basis of agreements with insurers to provide compulsory medical and accident insurance for tourists and others types of insurance specified in the Law of Ukraine “On Tourism” [11]. In Art. 13 the possibility of engaging in tour operators or travel agency activities by farmers and members of their families — subjects of tourist activity in the field of rural and rural green tourism is considered. And at the same time the authors of the bill for some reason argue about the need for licensing of travel agency activities (which does not comply with current legislation). It is not taken into account that according to the Law of Ukraine “On Tourism” [11] only legal entities are tour operators. Other provisions of the draft law on concluding a contract for tourist services (Article 16) and a contract for excursion services (Article 17) also raise objections. Unclear, given the legal regime of land and property of personal peasant economy (Article 5 and Article 6 of the Law of Ukraine “On Personal Peasant Economy” [5]), is the provisions of Art. 24 bills, which violate the legislation in the field of rural and rural green tourism include “the use by farmers to provide tourism services in the field of rural green tourism of private farms that do not belong to them on private property (or not provided to them for management or use under current legislation of Ukraine)” [14].

Summarising the above, we conclude that the studied draft regulations not only do not eliminate the current shortcomings and gaps in the legal regulation of rural green tourism, but rather — add new open contentious issues.

In contrast, the bill “On Stimulating the Development of Rural Hospitality in Ukraine” [19] proposes a logically balanced model for regulating these relations. First of all, the signs of activity in the field of rural hospitality are highlighted: non-entrepreneurial nature; restriction of accommodation of guests exclusively by the apartment house in which owners live; limiting the number of beds (not more than 10); prohibition of the use of hired labour in the provision of services. Together, they distinguish this activity from tourism. The positive,

in our opinion, is the consolidation of a simple procedure for registration of persons providing rural hospitality services (Article 4) — through written notification of village, town, city councils at the location of the land.

Another important aspect that will address the issue of providing catering services in rural hospitality is the proposal of the authors of the bill “On stimulating the development of rural hospitality in Ukraine” [19] to include in Art. 3 of the Law of Ukraine “On Basic Principles and Requirements for Food Safety and Quality” of December 23, 1997 No. 771/97-VR [12] clarification on non-extension of this Law to natural persons-farmers who provide food services in accordance with with the Law of Ukraine “On Stimulating the Development of Rural Hospitality in Ukraine” [19]. This will eliminate the problem of state registration of food production and/or circulation facilities, which is currently faced by private farms that provide catering services to tourists. This contradiction was pointed out by scientists, for example, O.V. Hafurova in the study of legal aspects of the development of gastronomic tourism in Ukraine [27].

### Conclusions

The analysis of current and future regulations in the field of rural green tourism, including the generalisation of the achievements of legal science allowed formulating the following conclusions.

For the integrated development of rural areas, increasing the income of the rural population, diversifying the activities of personal farms, the development of non-agricultural activities in rural areas, it is advisable to abandon the use of the term “rural green tourism” in regulations, with its subsequent replacement by the category of “rural hospitality”.

Specific features of rural hospitality should be defined in a special Law “On Rural Hospitality in Ukraine”.

For the effective development of rural hospitality, it is necessary to provide opportunities for private farms to provide appropriate services using the property of personal farms, enshrining it at the level of the Law of Ukraine “On Personal Peasant Economy”.

The category of “rural tourism” should be used exclusively in the sense of one of the types of tourism, the feature of which is the implementation in rural areas. Legal regulation of rural tourism should be carried out in accordance with the Law of Ukraine “On Tourism” and other regulations governing tourism.

Further research should be focused on formulating standards for the provision of rural hospitality services, determining ways to legalise them, ensuring quality assurance of relevant services, state support for farmers, the responsibility of the parties in the field of rural hospitality.

The obtained results can be the basis for the development of the content of regulations in the field of rural hospitality, and used in theoretical works.

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## Перспективи розвитку законодавства про сільський зелений туризм

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### Анотація

Стаття присвячена дослідженню перспектив розвитку законодавства про сільський зелений туризм. Актуальність роботи зумовлена нагальною потребою у формуванні спеціального законодавства, яке б відобразило специфіку сільського зеленого туризму та дозволило б ефективно розвивати цю сферу з метою зменшення безробіття, подолання бідності, зростання рівня доходів сільського населення зарахунок активізації неаграрних видів діяльності. Мета дослідження полягає у визначенні можливих напрямів розвитку законодавства про сільський зелений туризм на основі науково-теоретичного аналізу чинних та перспективних нормативних актів у цій сфері та напрацювань юридичної науки. Методологічну основу дослідження склали діалектичний метод наукового пізнання, загальнонаукові (формально-логічний, метод аналізу) та спеціально-юридичні методи (формально-юридичний, порівняльно-правовий). В результаті проведеного дослідження було розроблено пропозиції щодо удосконалення термінології законодавства у сфері сільського туризму. А саме обґрунтовано необхідність заміни в нормативно-правових актах терміну «сільський зелений туризм» на термін «сільська гостинність», застосування категорії «сільський туризм» виключно в розумінні одного з видів туризму, особливістю якого є здійснення в сільській місцевості. Для підвищення ефективності правового регулювання сільської гостинності висунуто пропозицію формування спеціального законодавства — Закону України «Про сільську гостинність в Україні». Доведено, що особисті селянські господарства є найбільш потенційно привабливими суб'єктами для розвитку в Україні сільської гостинності. Для практичної реалізації даного потенціалу запропоновані зміни до ч. 1 ст. 1 Закону України «Про особисте селянське господарство» щодо надання можливості особистим селянським господарствам використовувати належне їм майно для надання послуг сільської гостинності. Запропоновано, з метою чіткого розмежування сільської гостинності та сільського туризму правове регулювання останнього здійснювати за нормами Закону України «Про туризм» та інших нормативних актів у сфері туристичної діяльності, прийнятими на виконання положень цього закону. Отримані висновки можуть бути використані при формулюванні змін до чинного законодавства України, стануть в нагоді при роботі над науковими дослідженнями, присвячених особливостям правового регулювання відносин у сфері сільської гостинності.

**Ключові слова:** особисте селянське господарство, правове регулювання, сільська гостинність, сільське господарство, сільський туризм, туристичні послуги

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