

Bachelor Degree in Tourism and Hospitality Management

Academic Year: 2020-2021

Teaching guide

Area: Law

Subject: Tourism Law

Period: Semester 4

Lecturers:

Ms. Silvia Pages Cassellis

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MODULE: SOCIAL SCIENCES FOUNDATIONS

AREA: LAW

SUBJECT: TOURISM LAW

CODE: BA4DER

LANGUAGE: ENGLISH

YEAR: 2

PERIOD: SEMESTER 4

CREDITS: 6 ECTS

1. Subject objectives

The subject of Tourism Law aims to approach the student to the public and private legal framework of the tourism industry that under the guardianship of the public administration will develop its business activity. Therefore, in addition to the study of administrative intervention in tourism, the main tourism contracts are analysed.

2. Competencies developed

Basic

B01 - Be able to acquire, understand and structure knowledge.

B02 - Be able to apply knowledge.

B03 - Be able to search for and manage information in order to solve problems, transmit reflective judgements and/or make decisions.

B04 - Be able to communicate information and/or knowledge in one's mother tongue, as well as in at least two foreign languages.

B05 - Be able to learn autonomously and continuously

General

G01 - A commitment to ethics: be able to act in consequence and with basic ethical and social principles and values

G03 - Initiative and entrepreneurial spirit: always be ready to take advantage or look for new opportunities and act in consequence. Implies a predisposition for proactivity and perseverance.

G05 - Self-confidence: be able to adapt to different professional situations or people, maintaining balance which allows for efficiency. Implies being able to understand and value other positions, adopting a point of view according to the situation, being sure of your self-worth and abilities.
Flexibility/adaptability: be flexible in changing situations and overcome obstacles.

- G07 - Team work and collaboration: Cooperates actively and jointly in achieving common objectives.
- G08 - Conflict management: be able to negotiate and resolve disagreements.
- G12 - Development of Organizational Culture: understands the relationships and lines of action within the organization.

Specific

- E01 - Understand and analyze the economic dimension of tourism
- E02 - Understanding the legal framework regulating tourism activities
- E03 - Recognize the main tourist operators and the main political administrative structures.
- E04 - Understanding the dynamic and evolving character of tourism and its markets.

3. Content

Session 1: PRESENTATION TOURISM LAW INTRODUCTION TO LAW.

Session 2: INTRODUCTION TO LAW: GENERAL IDEAS. 1, Concept 2.The Law and its branches.3,The hierarchy of the norms. 4. The spanish legal system. 5. E.U. law 6. The legal norm.

Session 3: PERSONS 1. Physical person and legal person.2. Legal Capacity and capacity to act 3. Legal age and minors 4. Emancipation and incapacity. 6. Legal person .

Session 4: OBLIGATIONS AND CONTRACTS (1) and (2) 1. Obligations-concept- elements- sources - liability - types- fulfillment and fulfilment .

Session 5: OBLIGATIONS AND CONTRACTS (2) Contracts - concept-elements-form and types.

Session 6: PUBLIC ADMINISTRATION 1. Concept - classes 2. The Administrative act . Classes. .

Session 7: THE ADMINISTRATIVE PROCEDURE. 1. Concept -principles -procedure. .

Session 8: ADMINISTRATIVE TOURISM LAW. 1. The European, constitutional and statutory tourism framework. 2.The Tourism Administration (1) History of legal tourism- national and local administrative tourism 3.The forms of administrative activity in tourism matters: development, arbitration,planning,authoritative,tourism legal protection, inspection and authority to impose penalties. (1).

Session 9: THE ADMINISTRATIVE ACTIVITY IN THE TOURISM SECTOR (1) 1. Promotion, development, arbitration,planning,authorizations,tourism legal protection, inspection and authority to impose penalties..

Session 10: THE ADMINISTRATIVE ACTIVITY IN THE TOURISM SECTOR (2) 2. Promotion, development, arbitration,planning,authorizations,tourism legal protection, inspection and authority to impose penalties..

Session 11: HALF TERM EXAM BLOCK I.

Session 12: THE TOURISM RESOURCES. 1. concept -ordinance -promotion- tools and development..

Session 13: TEXT ANALYSES.

Session 14: THE TOURISM COMPANIES .(1) The authoritative activity after Directive 2006/123/CE on services in the internal market. .

Session 15: TOURISM COMPANIES (2) Concept of tourism company. Classes Hotel establishments. Tourist apartments. Rural Tourism. Campings and Housing for tourist use..

Session 16: CASE STUDY. ACADEMIC WORK (1).

Session 17: CASE STUDY. ACADEMIC WORK (2).

Session 18: THE TOURIST STATUTE . Rights ,duties and obligations . Claim form..

Session 19: HALF TERM EXAM. BLOCK II.

Session 20: TOURISM PRIVATE LAW. (1) 1. The tourism contract: concept, subjects, obligations of the parts, development, amendments , inefficacy and termination.

Session 21: TOURISM PRIVATE LAW (2) Types of tourist contracts..

Session 22: Transport contracts: Air Maritime Land.

Session 23: Hospitality contracts Travel Insurance contract.

Session 24: Package travel contract and linked travel arrangements..

Session 25: Timeshare contract for tourist use.

Session 26: Summary.

4. Teaching methodology

Plenary Lectures.

Case Studies.

Readings.

Working individually or in groups.

5. Assessment activities

Regular examination call

- **Case analysis**

Case analysis (Individual - 20%)

Evaluated competences: G1, G3, G5, G7, G8, G12, B4

- **Mid term (1)**

Partial exam (Individual - 20%)

Evaluated competences: E2, E3, E4, B1, B2, B3, B5

- **Mid term(2)**

Partial exam (Individual - 20%)

Evaluated competences: E2, E3, E4, B1, B2, B3, B5

- **Final Exam**

Final exam (Individual - 40%)

Evaluated competences: E1, E2, E3, E4, B1, B2, B3, B5

1. The mark will be based on the total percentage obtained in the activities according to the above table
2. Non submitted activities will be marked as 0
3. To pass the subject it is necessary to obtain at least a 5/10 in the final exam and in the study case.
4. The student must have a minimum attendance of 70% to be able to take the final exam.

Resit examination call

- **Final exam (Individual - 80%)**

Evaluated competences: E1, E2, E3, E4, B1, B2, B3, B5

- **Case analysis (Individual - 20%)**

Evaluated competences: G1, G3, G5, G7, G8, G12, B4

To pass the course it is necessary to obtain at least a 5/10 in the final exam and in the study case.

Repeating students without attendance: regular examination call

- **Case analysis (Individual - 20%)**

Evaluated competences: G1, G3, G5, G7, G8, G12, B4

- **Final exam (Individual - 80%)**

Evaluated competences: E1, E2, E3, E4, B1, B2, B3, B5

To pass the course it is necessary to obtain at least a 5/10 in the final exam and in the study case.

Repeating students without attendance: resit examination call

- **Final exam (Individual - 80%)**

Evaluated competences: E1, E2, E3, E4, B1, B2, B3, B5

• **Case analysis (Individual - 20%)**

Evaluated competences: G1, G3, G5, G7, G8, G12, B4

To pass the course it is necessary to obtain at least a 5/10 in the final exam and in the study case.

Follow-up meetings

Week 3

Week 7

Week 13

6. Bibliography

Recommended readings

Introduction to Spanish Private Law. Facing the social and economic challenges. Author: Teresa Rodriguez de las Heras Ballell. Ed. Routledge-Cavendish Ed. 1 (6 October 2011) ISBN-10 0415698635. ISBN-13 978 - 0415695633

[http://www.europarl.europa.eu/RegData/etudes/IDAN/2015/568343/EPRS_IDA\(2015\)568343_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2015/568343/EPRS_IDA(2015)568343_EN.pdf)

National and Integral Tourism Plan (PNIT) Tourespaña Government of Spain

<http://europa.eu/>

7. Lecturer/s

Ms. Silvia Pages Cassellis (Head lecturer) - silvia.pages@htsi.url.edu

Contact hour: Friday 14:00 to 15:00

Professor at School of Tourism and Hospitality Management Sant Ignasi (HTSI)

Professor at Law School Universitat de Barcelona (UB)

8. Observations

* Information on the academic calendar, exam timetables, and room assignment will be posted on the virtual campus and on the faculty's web site once it is available.

* Academic norms and regulations is an obligation for all the members of the academic community in the faculty.

* In the event of a health emergency, the faculty will resume the academic activity as follows:

[-] The academic board will notify students and lecturers about the change to remote mode, its

timeframe and the appropriate recommendations.

[-] The face-to-face activity will be transferred to the remote environment through the virtual classroom and the HTSI videoconferencing tools accessible with the students' credentials.

[-] The academic activity will be maintained in the established schedules and calendars, being able to adapt in other timetables to facilitate the development of the meetings and tutoring activities.

[-] The contents and activities will be maintained as planned. In the case of visits or sessions with professionals in the classroom, these could be re-planned or adapted by other similar ones depending on the circumstances.

[-] The weight of the evaluation activities is maintained. The delivery dates can be modified if the confinement conditions influence the development of the activity (for example, data collection, interviews ...) so as not to harm the student.