

# Bachelor Degree in Tourism and Hospitality Management

Academic Year: 2016-2017

## 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

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## 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 analyzed.

## 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.

### 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: SECTION 1: INTRODUCTION TO LAW: ADMINISTRATIVE AND COMMERCIAL LAW. GENERAL IDEAS. The Law and its branches.

Session 2: 2.The Legal System; priority on the applicable rules.

Session 3: 3. Persons: physical person and legal person.

Session 4: 4.Obligations and Contracts (1) 4.Obligations and Contracts (2).

Session 5: 5. Concept of Public Administration and classes.

Session 6: 6.The Administrative act . Classes. 7. Administrative Procedure.

Session 7: Half term exam 1.

Session 8: SECTION 2: ADMINISTRATIVE TOURISM LAW. 1. The European, constitutional and statutory tourism framework.

Session 9: 2.The Tourism Administration (1) .

Session 10: 2.The Tourism Administration (2) .

Session 11: 3.The forms of administrative activity in tourism matters: development, arbitration,planning,authoritative,tourism legal protection, inspection and authority to impose penalties..

Session 12: 3.The forms of administrative activity in tourism matters: development, arbitration,planning,authoritative,tourism legal protection, inspection and authority to impose penalties. .

Session 13: 4. The tourism resources:concept,ordinance, promotion tools and development. .

Session 14: 4. Study case.

Session 15: 5. Concept of tourism company. Classes. The legal administrative ordinance of the tourism companies and activities. The authoritative activity after Directive 2006/123/CE on services in the internal market. .

Session 16: 5. Concept of tourism company. Classes. The legal administrative ordinance of the tourism companies and activities. The authoritative activity after Directive 2006/123/CE on services in the internal market. .

Session 17: 6. The tourist statute: rights,duties and obligations (1).

Session 18: 6. The tourist statute: rights,duties and obligations (2).

Session 19: 6. The tourist statute: rights,duties and obligations (3).

Session 20: 6. The tourist statute: rights,duties and obligations (4).

Session 21: Half term exam (2).

Session 22: SECTION 3: TOURISM PRIVATE LAW. 1. The tourism contract: concept, subjects, obligations of the parts, development, amendments , inefficacy and termination .

Session 23: 2. Classes of tourism contract: a) package holidays .

Session 24: b) transport contract .

Session 25: c) accommodation and use on a timeshare basis contract.

Session 26: d) insurance contract.

Session 27: e) tourist arbitration contract.

Session 28: Final Exam.

#### 4. Teaching methodology

**Practical Exercises.**

**Plenary Lectures.**

**Finding information and preparation and organization of material.**

**Case Studies.**

**Readings.**

**Working individually or in groups.**

#### 5. Assessment activities

##### **Regular examination call**

###### **• Partial (1) (Feb, 28/2017)**

Partial exam (Individual - 20%)

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

###### **• Case analysis (Apr, 18/2017)**

Case analysis (Individual - 20%)

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

###### **• Partial (2) (Apr, 27/2017)**

Partial exam (Individual - 20%)

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

• **Final Exam (May, 16/2017)**

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

**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

**Mandatory readings**

Bermejo Vera J 2009 Derecho Administrativo Parte especial Ed Thompson Civitas See chapters/pages 1053 -1057

Noguera de la Muela, B. (2014) "Cuestiones suscitadas por la transposicion de la directiva de los servicios en el sector turístico. Reflexión general

Corchero, M. (2009) Planificación, promoción y fomento de los recursos turísticos

**Recommended readings**

Recommended readings Add Introduccion al Derecho Privado del Turismo Barba de la Vega J y Calzada Conde Ma Thomson -Aranzadi See chapters/pages pag. 15-36

Derecho administrativo para estudios no jurídicos Ed. Tecnos Gamero Casado E y Fernandez Ramos S See chapters/pages pg 199-213

Manual de Derecho Administrativo del Sector Turístico Ed. Tecnos Fernandez Ramos S y Perez Guerra R See chapters/pages pg. 19-32

## 7. Lecturer/s

**Ms. Silvia Pages Cassellis** (Head lecturer) - [silvia.pages@htsi.url.edu](mailto:silvia.pages@htsi.url.edu)

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Professor at Law School Universitat de Barcelona (UB)

## 8. Observations