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BARCELONA

# COURSE CONTENT

## Bachelor's Degree in Tourism

Code-Course	061102 – Tourism and Hospitality Law				
Year	1st	Credits	6 cr ECTS		
Thematic Area	Law and Tourism Policies	Course Type	Basic Subject	Training	
In-class hours	48 hours	Teacher-led learning hours	48 hours	Individual work hours	54 hours

### BRIEF COURSE DESCRIPTION

In this subject the fundamental elements for the normative knowledge, the legal relations and the different levels of intervention of the States and the public powers in the tourist activities of the individuals are introduced. All these concepts are defined and specified through the analysis and understanding of the implications of the tasks of tourism professionals in their work, professional and/or business activity. All those essential instruments are provided so that all relevant elements can be identified as regards the incidence of law in tourist environments.

This subject will contribute to the student's understanding of the global scenario in general and legal in particular of the tourism phenomenon: change management, understanding of diversity, communication skills or regulatory compliance in a digital and collaborative environment represent challenges that arise. They will address combining traditional methodologies with active learning.

Keywords: Tourism regulations, Public Administration, contracting, new scenarios, international relations.

### BASIC SKILLS

BS02 – Students must be able to apply their knowledge to their work in a professional way and possess the skills used to develop and defend arguments and solve problems within their study field.

BS03 – Students must be able to collect and interpret important information (in their study field) in order to formulate judgments with reflections on important social, scientific and ethical issues.

BS04 – Students must be able to transmit information, ideas, problems and solutions to both specialized and non-specialized audiences.



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### GENERAL SKILLS

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GS04- Have a commitment to ethics.

GS07- Make decisions and solve problems, critically interpreting and evaluating the results obtained.

### SPECIFIC SKILLS

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SS05- Understand and apply the political, legal, and institutional framework that regulates tourism companies and activities.

### LEARNING OBJECTIVES

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1. Understand the legal principles and foundations that affect tourism, emphasizing the ethics of said principles.
2. Be aware of the existence and content of the main regulations which govern tourism activities.
3. Understand legal texts and then be able to apply them.
4. Understand the hiring processes for different tourism services.
5. Use codes of conduct validated by tourism industry professional associations.

### ACADEMIC CONTENTS

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#### Unit 1 – Introduction

1. Tourism and Law: Tourism Law
  - 1.1. Introduction: Terminological approach and basic concepts.
  - 1.2. Tourism law: concept and characteristics.

#### Unit 2 –Public Tourism Law

2. Public Tourism Law
  - 2.1. The origins of tourism administration
  - 2.2. Territorial tourism administrations: European, State, regional and local tourism administrations. Special reference to the impact of the Services Directive on tourism
  - 2.3. Institutional tourism administrations
  - 2.4. Laws of tourism ordinance: origins, concept, and characteristic
  - 2.5. Decree 75/20: regulation of tourist room rental



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### **Unit 3 – The organization and planning of tourism supply and demand**

3. The organization and planning of tourism supply and demand
  - 3.1. The legal-administrative system in tourism companies and activities
  - 3.2. Tourism and urban ordinances
  - 3.3. Promoting and encouraging tourism
  - 3.4. Tourism quality and safety: legal issues

### **Unit 4 – Taxing tourism activities**

4. Taxing tourism activities
  - 4.1. Taxation of tourism activities: introductory concepts
  - 4.2. Tourism taxes: special reference to the tax on stays in tourist establishments

### **Unit 5 - Labor relations in the tourism sector**

5. Labor relations in the tourism sector
  - 5.1. Collective labor law in tourism companies
  - 5.2. New contracting methods for tourism services
  - 5.3. Tourism and labour market

### **Unit 6 – Companies and professionals, structures and institutions of tourism law**

6. Companies and professionals, structures and institutions of tourism law
  - 6.1. The legal status of tourism business: Civil liability of tourism business
  - 6.2. The tourism business and competition law
  - 6.3. Industrial property. Distinctive feature
  - 6.4. New trends: collaborative economy
  - 6.5. Labor intrusion: legal issues
  - 6.6. The compliance department, guarantee of legal security in the company

### **Unit 7 - Legal relationships in tourism law**

7. Legal relationships in tourism law
  - 7.1. General notions on tourism contracting
  - 7.2. Concept and characteristics of tourism contracts
  - 7.3. Classification of tourism contracts



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7.3.1. Inter-business tourism relationships: Contracts between professionals and tourism companies. Special reference to combined travel and air transport.

7.3.2. Professionals and consumers

7.4 Cancellations in the COVID 19 scenario

### Unit 8 – The statute of the tourist / consumer

8. The statute of the tourist / consumer

8.1. Legal protection of the consumer in the general regulations in defense of consumers-users.

8.2. General contracting conditions

8.3. Alternative dispute resolution formulas: mediation and arbitration

### Unit 9 - Tourism and technology.

9. Tourism and new technologies: e-procurement. Legal issues

9.1. Information VS. Protection

9.2. Basic e-commerce legislation

9.3. Regulatory breaches: legal analysis.

9.4. RGPD

### Unit 10 – Tourism and International Law

10. The international scene: tourism and Human Rights

10.1. General considerations: tourism law as an instrument of inclusion

10.2. Tourism international contracting system

## LEARNING METHODOLOGY

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The learning methodologies planned for the subject combine a number of processes being the most remarkable the cognitive methods related to the comprehension of the principles of tourism and the global tourism system as well as the inclusion of a set of skills, mainly technical.

The activities and methodologies -both group and individual- designed for this subject are the following:



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- Lectures
- Case studies
- Guided discussions
- Practical exercises
- Problem-based learning

### ASSESSMENT SYSTEM

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The assessment system measures the student's achievement of learning outcomes regarding the subject's competences and contents.

Students may choose continuous assessment or single assessment:

**Continuous Assessment:** the teaching-learning process is assessed by a continuous monitoring of the work done by the students throughout the course and a final individual examination. Students must attend classes in order to be assessed by continuous assessment.

**Single Assessment:** for those students who cannot come to class regularly, they can choose to be assessed by single assessment. The teaching-learning process is assessed by means of the assessment of all activities and in-person individual examination at the end of the course.

To qualify for this form of assessment, students must apply within the first 15 days of the start of the course through the assessment section of Virtual Campus.

The assessment activities planning will be public for the students from the start.

Activities	Type	Continuous	Single	Week deadline
Activity 1 (identify competence that have an impact on tourism + kahoot)	Individual	5 %		Week 2
Activity 2 (Spanish Coastal Law. Presentation on pros and cons in terms of tourism)	Group	5 %		Week 4
Activity 3 (write a Catalan law)	Group	10 %		Week 6



Activity 4 (Presentation on labour contracts)	Group	8%		Week 9
Activity 5 (unit 7: resolution of a case study during the class)	Group	10%		Week 12
Activity 6 (unit 8: multiple choice test)	Individual	5%		Week 14
Activity 7 (case study Unit 6)	Group	7%		Week 12
Activity 8 (exam test unit 9)	Individual	5%		Week 14
Activity 9 (class participation in unit 10)	Individual	5%		Week 15
Case study on administrative law	Individual		20%	
Case study on consumers law	Individual		20%	
Individual Final Exam	Individual	40%	60%	PAF Date
	TOTAL	100%	100%	

To pass the course, it is mandatory to have obtained a minimum final grade of "5", as long as the student has completed the individual exam/s or work/s established in the course. This exam/s or final work/s must be graded with a minimum of "4" in order to be able to calculate the average of all the assessment activities carried out during the course.

### **Revision and Reassessment of the Course**

The student has the right to revise all the evidences that have been designed for the assessment of learning.

If a student fails to achieve the learning objectives of the course, in order to opt for the subject reassessment, it will be necessary to have obtained a final grade of the subject between "4-4.9", and to have attended the individual final exam/s or final work/s of the course.

The reassessment process will only involve the modification of the final grade in the case that the new assessment activity is passed and, in any case, the maximum grade will be "5". This grade will be averaged with the other grades of the assessment activities carried out by



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the student during the corresponding academic period, considering the percentages established in each subject, setting the final grade for the course.

### REFERENCES

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Velasco, M. (2011). "Consumer rights in travel and tourism industry in Spain". <http://www.velascolawyers.com/en/civil-law/130-consumer-rights-in-the-travel-and-tourism-industry-in-spain.html> (03-08-2016)

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Zunarelli, S. (1994). "Package travel contracts: remarks on the european community legislation". *Fordham International Law Journal*. Volume 17, Issue2. Pp 489-510.

### For further reading:

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