

Introduction to Tourism Law

Code: 104953
ECTS Credits: 6

Degree	Type	Year	Semester
2500894 Tourism	FB	1	2

Contact

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Use of Languages

Principal working language: spanish (spa)
Some groups entirely in English: Yes
Some groups entirely in Catalan: No
Some groups entirely in Spanish: Yes

Teachers

Jordi Moguel Fernández

Prerequisites

No

Objectives and Contextualisation

1. To obtain a basic knowledge of the Spanish legal system, specifically with relation to Private Law.
2. To understand how legal aspects affect business decisions in different areas.
3. To know the impact of International and European Union Law on business activities.
4. To become familiar with legal research and legal resources.
5. To find the applicable law to the given set of facts and construe it.
6. To be capable of reasoning and arguing in the face of legal problems.

Competences

- Behave ethically and adapt to different intercultural contexts.
- Behave responsibly towards the environment.
- Demonstrate knowledge and understanding of the basic principles of tourism in all its dimensions and areas.
- Develop a capacity for independent learning.
- Identify the legal framework governing tourism activities and the entities that conduct them.
- Use communication techniques at all levels.
- Work in a team.

Learning Outcomes

1. Apply the elements of civil, commercial and employment law that are relevant to the tourism sector.
2. Behave ethically and adapt to different intercultural contexts.

3. Behave responsibly towards the environment.
4. Comply with the legal norms applicable to the tourism sector in management practice.
5. Develop a capacity for independent learning.
6. Identify the basic legal principles of the tourism sector.
7. Identify the contractual obligations applicable to the tourism sector.
8. Identify the different employment regulations that can affect human resources management.
9. Use communication techniques at all levels.
10. Work in a team.

Content

1. Spanish legal system
 - 1.1 The concept of law and its branches. Civil and Commercial Law. The expression "Commercial Law"
 - 1.2 Sources of Law in the Civil Code. Peculiarities in the Commercial Code
 - 1.3 Spanish Constitution. State and autonomic legislation. International treaties
 - 1.4 Sources of European Union law: primary and secondary law. Regulations, directives and decisions
 - 1.5 Application of legal rules
 - 1.6 Overall effectiveness of legal rules
2. The contract
 - 2.1 Definition and elements
 - 2.2 Types of contracts
 - 2.3 Phases of a contract
 - 2.4 Effectiveness and ineffectiveness of the contract
 - 2.5 Modification and assignment of the contract
 - 2.6 Breach of contract and contestation procedures
 - 2.7 Termination of contract
 - 2.8 Adhesion contracts. General terms and conditions. Unfair contractual clauses
 - 2.9 Contracts in the tourism sector
 - 2.10 Electronic contracts
3. Labour Law
 - 3.1. Purpose and functions of labour law
 - 3.2. Sources of Labour Law
 - 3.3. Principles of application of labour law
 - 3.4. International and European Union Law
 - 3.5. Transnational aspects of labour law
 - 3.6. Concept, characteristics and functions of the employment contract
 - 3.7. Types of employment contracts

Methodology

The subject works on the basis of three teaching-learning methodologies:

a) Methodology of the theoretical part of the subject:

Classical-magisterial face-to-face explanations of the different themes of the programme. The classes will often have audio-visual support (watching some video supporting the theory, powerpoint presentations, etc.).

b) Methodology of the practical part of the course:

Execution and presentation in class of exercises and practical cases (individual and team) related to theoretical explanations. Also the students will prepare, individually and/or in team, works related to certain sections of the subject to be exposed later in class, in such a way that the student is forced to be active subject in the investigation of teaching information, actively involving it, with the purpose of achieving a self-learning subject to tutorship at the moment of the exhibition of the works to class. All papers and exercises must be submitted in paper or digital format for evaluation.

c) Methodology of the non-attendance part of the course (Virtual Campus):

The Virtual Campus platform will be used as a complement to information and as an alternative means of communication to the classroom between students and teacher. In the Virtual Campus there will be the subject sheet, the complementary material to the theory in digital format, the exercises and cases, links in web pages, etc.

Entrepreneurship and innovation

During the classes, elements of coaching will be introduced in order to promote transversal competences related to active listening, assertiveness, emotional intelligence and the discovery of the resources that each one possesses in order to be able to face up to the breakdowns that prevent us from reaching the proposed objective.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Practical exercise resolution	44	1.76	4, 1, 5, 8, 7, 9, 10
Theoretical classes	50	2	4, 1, 6, 8, 7
Type: Supervised			
Supervised activities	16	0.64	3, 2, 5, 9, 10
Type: Autonomous			
Coursework	30	1.2	4, 1, 5, 6, 8, 7, 9

Assessment

The evaluation of this subject consists of the following system:

a) Continuous evaluation

This type of evaluation will consist of two main parts. The first part will be linked to one or several exams that together will have a weight of 50% of the final grade of the subject. On the other hand, the second part will consist of a course work that will have a total value equivalent to the remaining 50% of the final grade, bearing in mind that this practical exercise will consist of at least two different activities - although linked to the same theme of the single work - such as the preparation of an essay, the oral presentation of the work, the resolution of cases in the classroom, among others.

In order to pass the continuous evaluation, and avoid the final evaluation, it is necessary, in addition to obtaining an average of five between the two parts, to obtain a minimum of 4 in each of the examinations carried out by the students. In any case, if several examinations were carried out, the subject of those that were approved would not be evaluated to the only examination of the final evaluation.

On the other hand, those who pass the continuous evaluation will not be able to take part in the final evaluation in order to improve their score.

b) Final evaluation

This evaluation will entail the taking of an exam at the end of the semester equivalent to 50% of the final grade of the subject. This test will include all the subject matter exposed in the master classes during the semester, with the exception of those points of the subject that have been evaluated in one or some of the approved partial exams of the continuous evaluation.

The remaining 50% of the grade will come from the course work mentioned in the previous section on continuous assessment, a practical exercise that cannot be recovered if it is suspended. However, in the event that two or more partial exams are scheduled during the continuous evaluation, the student will have to carry out a make-up activity if the course work is suspended. This new work would have to be submitted on the same day as the date set for the final exam of the semester.

c) Reevaluation

The revaluation implies the completion of a single examination equivalent to 50% of the final grade of the subject, bearing in mind that this test will include the entire curriculum and will not apply the benefit of the reduction of the subject by having passed any of the partial examinations of the continuous evaluation.

On the other hand, the other 50% of the final grade will come from the course work mentioned in the section on continuous assessment, work that cannot be recovered in any case.

Final note: for those people who have to repeat the course, they will not be able to use the work delivered in this course in subsequent periods.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Continuous assessments	50%	7	0.28	4, 1, 2, 5, 6, 8, 7
Coursework	30%	0	0	4, 1, 3, 2, 5, 6, 8, 7, 9, 10
Oral presentation of the coursework	20%	3	0.12	4, 1, 2, 5, 6, 8, 7, 9, 10

Bibliography

- BARBA DE VEGA, J. y CALZADA CONDE, M.^a A., *Introducción al Derecho Privado del Turismo*, Cizur Menor, Aranzadi, 2015
- FRANCH FLUXÁ, J. (Dir.), *Manual de contratación turística*, Barcelona, Atelier, 2015
- GARCÍA ORTEGA, J. & RAMÍREZ MARTÍNEZ, J. M., *Curso básico de Derecho del Trabajo (Para titulaciones no jurídicas)*, Valencia, Tirant lo Blanch, 2017.