

**COURSE DATA****Data Subject**

<b>Code</b>	35097
<b>Name</b>	Introduction to law
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	6.0
<b>Academic year</b>	2023 - 2024

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. year</b>	<b>Period</b>
1317 - Degree in Tourism	Faculty of Economics	1	First term
1926 - D.D. in Tourism-Business Management Administration	Faculty of Economics	1	First term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1317 - Degree in Tourism	2 - Law	Basic Training
1926 - D.D. in Tourism-Business Management Administration	1 - Asignaturas de formación básica de primer curso	Basic Training

**Coordination**

<b>Name</b>	<b>Department</b>
MONTES RODRIGUEZ, MARIA PILAR	50 - Civil Law

**SUMMARY**

. The subject *Introduction to Law* is among the subjects of basic training that are taught in the first year of a Degree in Tourism.

- It is a first approach of the student to Law. The objective is to understand the legal framework that regulates tourism activities within the Spanish legal system. It is a subject linked to other compulsory subjects under Tourism Law, within the Degree of Tourism, such as the sectoral regulation of tourism and especially, recruitment in the tourism sector.



*Undoubtedly, it is an essential subject for those who want to operate professionally in the field of tourism, since it allows them to understand the players involved, their abilities and the legal relationships that are established among them. In short, the legal dimension of tourism.*

## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

### Other requirements

For foreign students from non-Spanish speaking background it is required to complete the subject the accreditation of a Diploma of Spanish as a Foreign Language in at least level B2 or "Certificat de Coneiximents de Valencià" level B2 ("Intermedi").

## OUTCOMES

### 1317 - Degree in Tourism

- Understand the principles of tourism: its spatial, social, cultural, political, labour and economic dimensions.
- Understand the legal framework regulating tourism activities.

## LEARNING OUTCOMES

1. Knowledge of the principles and legal foundations that affect tourism.
2. Knowledge of the existence and content of the main regulations governing activities.
3. Understanding of a legal text.
4. Consultation of the appropriate sources and communications in which the resolutions and rules issued by Tourism Administrations are published.

## DESCRIPTION OF CONTENTS

### 1. THE LAW, THE SPANISH LEGAL ORDER AND ITS SOURCES.

- 1.-Law: concept and purpose.
- 2.-The legal framework. The areas of the legal framework. The juridical norm and his field of application.
- 3.-The sources of law: Constitution of 1978. The Law and his different types. The custom. The genral principles of the Law. The value of the case-law in our justice system. Special reference to the value of the court decisions of the Constitutional Court.



## **2. CONTEXTUALIZATION TOURIST NORMS**

- 1.- The Tourist Law: concept, sources and dual content: Public Law and Private Law.
- 2.- Regulatory framework of the tourism. Rules of the field of the Private Law that affecting the tourist activity.
- 3.- The tourist discipline: inspection and sanction.

## **3. THE SUBJECT OF LAW. SPECIAL REFERENCE TO THE SUBJECTS THAT INTERVENE IN THE TOURIST TRAFFIC**

- 1.- Physical person: Birth. Capacity and mediated of support. Age. Civil state. Nationality. Vecindad Civil. The extinction of the personality.
- 2.- Legal person. Concept and classes.
- 3.- The subjects that take part in the tourist traffic. The juridical Statute of the Tourist like user of tourist services.

## **4. THE TOURIST COMPANY**

- 1.- The juridical statute of the employer. The individual employer.
- 2.- The collective employer. Societies.
- 3.- Juridical regulation of the travel agencies.
- 4.- The hotel establishment. Tourist accommodation companies other than hotels.

## **5. OTHER TOURIST SERVICES**

- 1.- Introduction.
- 2.- The occupation of tourist guide.
- 3.- Activities of active tourism. The complementary tourist offering.

## **6. TENURE STATUS AND ENJOYMENT OF GOODS**

- 1.- Patrimony: concept, characters, content.
- 2.- Rights on the patrimonial goods: the real rights. The acquisition of the real rights.
- 3.- Property. Concept and differences with the possession.
- 4.- Classes of real rights.

## **7. THE DUTY/OBLIGATION.**

- 1.- The obligation. Concept and structure. Subjects, object and nexus.
- 2.- The sources of the obligations.
- 3.- Classes of obligations.
- 4.- The payment or fulfillment. Guarantees. Extinction.
- 5.- The breach (non-compliance) of the obligation. Concept. Classes.
- 6.- The civil responsibility. The unlawful facts as a source of obligations. Distinction between civil



contractual and extracontractual responsibility.

## 8. THE CONTRACT

- 1.- The private autonomy.
- 2.- The contract in general. Concept and social function.
- 3.- Requirements of the contract. Consent. Object. Cause. Form.
- 4.- Classification.
- 5.- Contract formation. The pre-contract. Offer and acceptance. Distance contracting. Electronic contracting: his impact in the tourist sector.
- 6.- Interpretation of the contract.
- 7.- Contractual effectiveness and ineffectiveness.

## 9. THE CONTRACT IN THE TOURIST SECTOR

- 1.-The parties: the tourist company (reference). The tourist as a consumer or user (reference).
- 2.- The commercial advertising and the offer as integral elements of the agreement. The obligation to inform the tourist.
- 3.- The general conditions of the contracting. Control of the abusive clauses.
- 4.- General obligations of the tourist companies.
- 5.- Tourist rights.

## 10. THE TOURIST ARBITRATION

- 1.- The consumer arbitration system and the tourist arbitration.
- 2.- Concept and subjects of the tourist arbitration.
- 3.- Consumer arbitration and tourist arbitration procedures.

## WORKLOAD

ACTIVITY	Hours	% To be attended
Theory classes	45,00	100
Classroom practices	15,00	100
Attendance at events and external activities	0,00	0
Development of group work	15,00	0
Development of individual work	15,00	0
Study and independent work	20,00	0
Readings supplementary material	7,00	0
Preparation of evaluation activities	16,00	0
Preparing lectures	7,00	0
Preparation of practical classes and problem	5,00	0



Resolution of case studies	5,00	0
Resolution of online questionnaires	0,00	0
<b>TOTAL</b>	<b>150,00</b>	

## TEACHING METHODOLOGY

Exhibition of theoretical contents: The professor of the asignatura will expose and will explain the fundamental theoretical contents to guide to the student in the study and understanding of the matter. The student, by his part, has to engage actively in the learning by means of the previous reading of the lesson and the complementary materials that have established in the planning of the course.

Activities applied: it Consists in the comment of sentences, dictámenes and proposals of practical cases, deploying the distinguished competitions, complementing in this way the exhibition of theoretical contents. In each case, will signal the professor which go to be object of evaluation.

Complementary activities: it will program some consistent complementary activity in a workshop, seminar or another activity related with the matter, that will schedule, in function of the availability of human and temporary resources, trying that they have character interdisciplinary, already was with groups of the same or of other asignaturas. The activities will be able to develop in different centres to the Universitat of València.

## EVALUATION

Composition of the final qualification.- The final qualification composes of a:

- 30 % OF CONTINUOUS EVALUATION.
- 70 % OF EVALUATION OF THEORETICAL And PRACTICAL KNOWLEDGES.

Activities computables in the continuous evaluation.- In the CONTINUOUS EVALUATION will value the follow-up continued and the preparation of the distinct contents of the programs and will have LIKE MINIMUM TWO acts evaluables consistent mainly in the resolution of cases, test-objective proof, individual work or in group, etc.

In any case, each professor reserves the faculty to realise activities of additional continuous evaluation, that will be recorded in the corresponding Annex to the Educational Guide.

The continuous evaluation presupposes assistance and participation continued. Those students that by diverse reasons can not fulfil with the presencialidad, do not have right to a different continuous evaluation.

Punctuation of the continuous evaluation.- In the continuous evaluation will not obtain any punctuation if it does not surpass AT LEAST THE 40 PERCENT of the same. In consequence, those that do not arrive to the 40 percent will have zero points of continuous evaluation. It pretends with this improve the work continued of the student.





The continuous evaluation will compute so much in first as in second announcement.

The activities of continuous evaluation have the character of “no recoverable” in the second announcement.

Modality of the final proof.- The modality of the FINAL PROOF of knowledges (test, short questions or of development, theoretical or theoretical-practical, oral examination, etc.) will determine by each professor and will communicate to the students with the owed antelación.

In case of coincidence of examinations, will be able to vary the type of examination concerning the planned with general character (p.And., test, oral, writing).

Need to approve the Final Proof.- To surpass the asignatura will be **INDISPENSABLE** to **APPROVE THE FINAL PROOF**.

Those students that have participated in some activity of continuous evaluation, but do not realise the final proof of the corresponding announcements, will state as **NO PRESENTED** in the records of the corresponding announcements of the asignatura.

Qualification in case of have not marked the continuous evaluation.- Those students that have not participated regularly in the activities that allow the continuous evaluation will be evaluated by the result of the final proof, to which anyway will be able to present the students enrolled. In such supposition, the maximum final qualification that they can obtain these students will be of 7 points on 10.

Qualification in case of concurrir automatic cause of suspense.- If concurre automatic cause of suspense, according to the criteria of this Educational Guide or of the Annex of each professor, the maximum note that will obtain the student is a 4.

## REFERENCES

### Basic

- RODRÍGUEZ ALMENAR, J. M., Introducción al Derecho. Grado de Turismo, Reproexpres, Valencia 2021.
- RUIZ-RICO RUIZ, J.M. Y QUESADA SANCHEZ, A.J.(COORD.) Lecciones de Derecho turístico. Ed. Tecnos, 2022.