

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

Code	35110
Name	Sectorial control of tourism
Cycle	Grade
ECTS Credits	6.0
Academic year	2021 - 2022

Study (s)

Degree	Center	Acad. year	Period
1317 - Degree in Tourism	Faculty of Economics	3	First term
1926 - Double Degree Program Tourism and BMA	Faculty of Economics	4	First term

Subject-matter

Degree	Subject-matter	Character
1317 - Degree in Tourism	13 - Tourism law I	Obligatory
1926 - Double Degree Program Tourism and BMA	5 - Asignaturas de cuarto curso	Obligatory

Coordination

Name	Department
GOMEZ ASENSIO, CARLOS	70 - Mercantile Law 'Manuel Broseta Pont'

SUMMARY

The study of the course on **SECTORIAL REGULATION OF TOURISM** lies within the module of **TOURISM LAW I** as part of the programme structure of the University of Valencia's Degree in Tourism.

This module is integrated by the course **SECTORIAL REGULATION OF TOURISM**, which is taught during the first semester of the third year with a workload of 6 ECTS credits and by the course on **RECRUITMENT IN THE TOURISM SECTOR**, which will be taught in the second semester of the fourth year.

The Departments of Commercial Law and Procedural and Administrative Law (Area of Administrative Law) share the course on **SECTORIAL REGULATION OF TOURISM**.



The teaching of the course contents assigned to the Department of Commercial Law will take place during the first five weeks of the semester. The area of Administrative Law of the Department of Procedural and Administrative Law will be in charge of teaching weeks six to fifteen of the course, according to the official calendar of the centre.

Both areas have developed a teaching programme that gathers the essential contents in order to gain knowledge of a sector of the economic activity that is tightly regulated in both its public and private legal relationships. In the course, the basic institutions of this area are studied.

The objective is for the student to acquire the necessary knowledge of Administrative and Commercial Law to be able to understand how the different sectors influencing Tourism Law work. The student must know and handle the legal regime of this area of activity.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

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

Other requirements

The student must have a basic legal level, as well as the ability to read and write accordingly to the degree level in which they are. A high level of verbal and written comprehension is required, as well as analytical ability.

COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

1317 - Degree in Tourism

- Understand the principles of tourism: its spatial, social, cultural, political, labour and economic dimensions.
- Know the main political and administrative structures of tourism
- Recognise the main tourist agents.
- Understand the legal framework regulating tourism activities.

LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)

The student, at the end of the subject must be able to:

1. Know the legal principles and foundations that affect tourism.



2. Know the existence and content of the main regulatory rules of the activities.
3. Understand a legal text.
4. Participate in the contracting processes of the different tourist services.
5. Use the codes of conduct approved by the professional associations of the tourism sector.
6. Know the public administrations.
- 7.- Know other political-administrative structures that develop their activity in tourism.
- 8.- Identify which is the instance of the Tourist Administration that can solve the issues arising in the exercise of the activity.
- 9.- Consult the sources and appropriate means in which the resolutions and rules issued by the tourism administrations are published.

DESCRIPTION OF CONTENTS

1. THE TOURISM LAW

- 1.- Content of the Tourism Law.
- 2.- Characteristics of the Tourism Law.
- 3.- Public and private law in Tourism Law.

2. THE PLAYERS INVOLVED IN THE TOURIST ACTIVITY

- 1.The tourism entrepreneur.
- 2.Travel agencies.

3. COMPETITION AND ADVERTISING LAW AND THE TOURISM SECTOR

- 1.- Competition law (meaning, sources, legal regime).
- 2.- Protection of competition.
- 3.- Unfair competition.
- 4.- Advertising law.

4. DISTINGUISHING SIGNS AND THE TOURIST SECTOR

- 1.- Distinguishing signs.
- 2.- Brand, trade name (concept, composition, classes), entitlement, transfer, nullity and expiration.
- 3.- Actions and procedural rules in defence of distinguishing signs.
- 4.- Denominations of origin.



5. THE TOURISM ADMINISTRATION

- 1.- Historical evolution of the Tourism Administration.
- 2.- The regional and local Tourism Administration.
- 3.- The institutional Tourism Administration.
- 4.- The Valencian Tourism Agency

6. TOURISM AND ITS RELATIONSHIP WITH THE URBAN ENVIRONMENT

- 1.- The impact of administrative planning in tourism.
- 2.- Tourism and urban planning.

7. TOURISM AND THE ENVIRONMENT

- 1.- Tourism and the natural environment.
- 2.- Impact of the environmental intervention in tourism.

8. TOURISM AND THE CULTURAL ENVIRONMENT

- 1.- Cultural interest assets.
- 2.- The protection of cultural heritage.

9. TOURISM AND LEISURE

- 1.- Administrative intervention in leisure.
- 2.- The regime of leisure establishments. Classification.

10. THE ADMINISTRATIVE ACTIVITY OF PROMOTION AND TOURISM

- 1.- The instruments of the administrative activity of promotion. Aid and subsidies in tourism.

11. ADMINISTRATIVE INTERVENTION IN TOURIST ACCOMMODATION

- 1.- The classification of hotel and non-hotel accommodation.
- 2.- Hotel accommodations.
- 3.- Non-hotel accommodations.

12. THE TOURIST DISCIPLINE

- 1.- The tourism discipline. General principles.
- 2.- Inspection.
- 3.- Sanction.

**WORKLOAD**

ACTIVITY	Hours	% To be attended
Theory classes	45,00	100
Classroom practices	15,00	100
Development of individual work	20,00	0
Study and independent work	10,00	0
Readings supplementary material	20,00	0
Preparation of evaluation activities	30,00	0
Preparation of practical classes and problem	10,00	0
TOTAL	150,00	

TEACHING METHODOLOGY**English version is not available****EVALUATION**

The final grade will be obtained from the sum of two blocks: the continuous assessment of learning and participation in the proposed activities, on the one hand (30% of the grade); and the completion of a final theoretical-practical test equivalent to 70% of the final grade. The continuous assessment activities (directed or complementary) will not be recoverable in second call.

The final test may be oral or written at the professor's discretion (indicated in the annex to your teaching guide).

Regardless of the general evaluation system (written or oral), the professor can determine in the annex the possibility of changing the examination system when he or she is forced to perform the test on a different date to the official one, in application of the rules provided for the case of a clash in the dates and times of examinations in the Regulation of evaluation and qualification of the University of Valencia.

1. Evaluable activities. Each professor will determine in their annex to the Teaching Guide the composition of the activities, directed or complementary. The continuous assessment will be evaluated through the development of applied activities, exercises or projects, that could be presented in class, and attendance to other activities. The weight of this part will be 30% of the final grade.

The activities that form part of the process of continuous assessment (whether they are complimentary activities or course work) may not be retaken in the second sitting of the exam when, due to their characteristics, it would be impossible to design a test that would evaluate the acquisition of the abilities taught. This circumstance shall be determined in the annex to the study guide, which shall also specify the complimentary activities and course work to be completed.



2. The final test will consist of an oral or written examination, which will be determined by each professor in the annex to the Teaching Guide.

Final written theoretical-practical exam. In the case of a written exam, it will have a maximum duration of two hours, in which there will be a 70:30 ratio of theoretical and practical questions. The professor will determine whether legal texts can be used for the practical part of the exercise. The total weight of the final test will be 70% of the overall score (continuous assessment plus final test).

In the first call the final grade will be the result of the grade obtained in the final test and in the continuous assessment according to the percentages previously indicated. In second call the grade obtained in the continuous assessment will be maintained. In any case it will be necessary to pass the final test to pass the course.

Even if the continuous assessment has been followed, totally or partially, if the student does not show up for the final evaluation test, the grade that will be included in the record will be NOT SHOWN UP. Exceptionally, if the student requests it, and in view of the circumstances of the specific case, it may be qualified with a FAIL, with the percentage mark resulting from the continuous assessment

REFERENCES

Basic

- DE DERECHO MERCANTIL:
 - AURIOLES MARTÍN, Introducción al Derecho Turístico. Derecho Privado del Turismo, Madrid. Boquera Oliver, J.M. Derecho Administrativo, Civitas, Madrid.
 - AA.VV., Lecciones de Derecho del Turismo (dir. GARCIA MACHO/RECALDE CASTELLS), Valencia. Tirant lo Blanch.
 - BLANQUER CRIADO, Derecho del Turismo, Valencia.
 - BROSETA PONST, M., Manual de Derecho mercantil, Editorial Tecnos
 - VICENT CHULIA, F., Introducción al Derecho mercantil, Editorial Tirant Lo Blanch.

DE DERECHO ADMINISTRATIVO

- COSCULLUELA MONTANER, L., Manual de Derecho Administrativo, Civitas, Madrid.
- ENTRENA CUESTA, R. Curso de Derecho Administrativo, Vol. I y II, Tecnos, Madrid.



- ESCUIN PALOP, C., Curso de Derecho Administrativo, Tirant lo Blanch, Valencia.
- GARCIA DE ENTERRIA, E. y FERNANDEZ RODRIGUEZ, T.R., Curso de Derecho Administrativo. Civitas. Madrid.
- GARRIDO FALLA, F., Tratado de Derecho Administrativo, Vol. II, Madrid.
- PARADA VAZQUEZ, R. Derecho Administrativo, Vol. I, II y III, Marcial Pons, Madrid.

Additional

- Auriolés Martín, A., Introducción al Derecho Turístico. Derecho Privado del Turismo, Tecnos, Madrid.
- Blanquer Criado D., Derecho Del Turismo, Tirant lo Blanch, Valencia.
- Corchero M., Derecho Del Turismo. Conceptos fundamentales, Iustel.
- García Macho, R. y Otros, Lecciones de Derecho de Turismo, Tirant lo Blanch, Valencia.
- Pérez Hernández, J.M., y Otros, Derecho Público del Turismo, Thomson, Aranzadi.

ADDENDUM COVID-19

This addendum will only be activated if the health situation requires so and with the prior agreement of the Governing Council

HYBRID TEACHING

If the academic authority determines it, this subject will be adapted to the hybrid teaching model established by the Faculty, through which the student will be taught theoretical-practical classes in discontinuous weeks. To this end, the Secretary of the Faculty will divide the group into as many subgroups as necessary, teaching in the classroom, at the time established for the subject, to one of the subgroups each week in accordance with the calendar established by the Faculty, providing for the others, as a priority, follow-up of the class through synchronous VIDEOCONFERENCE.

The contents, volume of work and evaluation are maintained in the terms initially foreseen in the academic guide.

NON-PRESENTIAL TEACHING

If the academic authority establishes the change in non-classroom teaching, this subject will be taught to all students under the same conditions as those indicated for the non-classroom teaching part of the hybrid system. The contents, volume of work and evaluation are maintained in the terms initially foreseen in the academic guide.