

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

Code	35132
Name	Tourism planning resources and regulations
Cycle	Grade
ECTS Credits	4.5
Academic year	2021 - 2022

Study (s)

Degree	Center	Acad. year	Period
1317 - Degree in Tourism	Faculty of Economics	4	First term

Subject-matter

Degree	Subject-matter	Character
1317 - Degree in Tourism	25 - Tourism law II	Optional

Coordination

Name	Department
MARZAL RAGA, CONSUELO REYES	45 - Administrative and Procedural Law

SUMMARY

Administrative Law, as the Law of Public Administration and the relations between them and citizens, becomes one of the most important legal branches from the Social and Democratic State of Law.

The subject REGULATION AND RESOURCES OF TOURIST PLANNING necessarily involves becoming the guideline and guide of an administrative sector strongly intervened in their legal relations, both public and private.

In this subject, the basic institutions of this discipline are studied.

PREVIOUS KNOWLEDGE



Relationship to other subjects of the same degree

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

Other requirements

In general, the student must have a basic level of legal knowledge, as well as ability to read and write suitable at the level of degree that attends. A high level of verbal and written comprehension is required, as well as analytical capacity. However, this subject must be compulsory to complete the subject ITINERARY IN PLANNING OF TOURIST DESTINATIONS.

OUTCOMES

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

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 competent in tourism.
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.



10. Present and negotiate before the different organisms' projects and tourist development plans applied to specific areas or regions.

DESCRIPTION OF CONTENTS

1. Lesson 1. Tourism Law

1. Contents of Tourism Law.
2. Characteristics of Tourism Law.
3. Public and private Law in Tourism Law.
4. State and regional Tourism Law.

2. Lesson 2. Public administrations and Tourism Law

1. The statutory concept of public administrations.
2. Administrative bodies.
3. Brief historical evolution of public administrations.
4. Classification of the different public administrations.
5. The activity of public administrations.

3. Lesson 3. The Tourism Administration

1. Historical evolution of the Tourism Administration.
2. Regional Tourism Administration.
3. Tourism administration of an institutional nature.
4. Corporate tourism management.

4. Lesson 4. The public legal status. Sources of law (I)

1. The structure of the legal system.
2. The sources of Law.
3. Law. customary law and general principles of law.
4. The value of case law.

5. Lesson 5. The public legal status. Sources of law (II)

1. Sources of administrative law
2. The Law: classes of state law s in the constitution.
3. Regional Laws.
4. Government provisions with the value of law: legislative decrees; decrees-laws.



6. Lesson 6. The public legal status. Sources of law (III)

1. Administrative regulations: concept and nature.
2. Basis of the regulatory power.
3. Classification of regulations.
4. Administrative bodies with regulatory authority.
5. Challenging regulations.
6. General administrative decisions, notices and instructions.

7. Lesson 7. The Citizen

1. Subjective public rights and legitimate interests: concept and differences.
2. Classification of subjective public rights.
3. Passive legal situations.
4. The benefits of the citizen.
5. Collaboration of the citizen with the public administration.

8. Lesson 8. The Tourist

1. Constitutional mandate.
2. The public and private protection of the tourist as a consumer.
3. The statute of the tourist.
4. Rights and obligations.

9. Lesson 9. The legal acts of the administration

1. The administrative act: concept and elements.
2. Formal requirements of administrative acts. Grounds, notification and publication.
3. Administrative silence: its legal regime.
4. The effectiveness of administrative acts: beginning, suspension and retroactivity.
5. The enforceability of administrative acts. Basis and nature.
6. Enforcement by the administration of administrative acts.

10. Lesson 10. The invalidity of administrative acts

1. Full nullity and voidability.
2. The validation, conservation and conversion of administrative acts.
3. Material errors: concept and treatment.
4. Ex officio review of null administrative decisions.
5. The revocation.



11. Lesson 11. The administrative procedure I

1. The law of the legal regime of public administrations and the common administrative procedure.
2. General principles of the administrative procedure.
3. Abstention and recusal.
4. Those interested in the administrative procedure.
5. Citizens' rights; in particular, access to records and files.
6. Periods and deadlines

12. Lesson 12. The administrative procedure II

1. Commencement, carrying out and handling of the procedure: proof.
2. Participation of the interested parties.
3. Termination: resolution.
4. Conventional termination.
5. Other termination modes: withdrawal, waiver and expiration.

13. Lesson 13. The administrative procedure III

1. The sanction procedure.
2. The public liability procedure.

14. Lesson 14. The administrative activity of promotion and tourism

1. Public aid regime.
2. Business participation in the public administration.
3. Professional training and qualification.

15. Lesson 15. Administrative intervention and tourism

1. Hotel accommodations.
2. Qualification of hotel and non-hotel accommodation.
3. Authorization and registration in administrative registry.
4. Hotel accommodations.
5. Non-hotel accommodations.

**WORKLOAD**

ACTIVITY	Hours	% To be attended
Theory classes	30,00	100
Classroom practices	15,00	100
Development of individual work	20,00	0
Preparation of evaluation activities	17,00	0
Resolution of case studies	12,50	0
TOTAL	94,50	

TEACHING METHODOLOGY

In addition to the theoretical and practical classes - which are intended to be participatory - throughout the course will be proposed as many activities suitable for the correct assimilation of the content of the subject, such as specific readings, participation in seminars or exhibition of works, in accordance with the schedule set forth.

The complementary activities of the subject will be approved by the Coordination Commission of the course or competent body; and will be announced in advance. Participation in them is compulsory.

EVALUATION

The evaluation of the theoretical part of the subject will be done through a written exam, which will represent 70% of the final grade. It will have a maximum duration of 2 hours. The students in the predetermined time, will develop the questions posed that will refer to the subjects that have been explained in the theoretical classes. It will be optional to take the oral exam.

The evaluation of the practical part of the subject will be done through a written exam, which will have a maximum duration of 1 hour. Students in the predetermined time, will develop the questions raised that will refer to a practical assumption similar to those discussed in class. It will be 30% of the final grade, provided that the theoretical part is approved.

The student has the possibility to commit his / her participation in class in a continuous way, to carry out activities and directed and autonomous works that will allow him / her to be exempt from the practical exam. This possibility should be consulted with the teacher.

Changes to the examination date will be in accordance with the regulations of the Centre. The student knows or, at least must know if there is a coincidence in the dates of exams, communicating it to the teacher with the required advance and adjusting to the norms of priority, duly approved.



REFERENCES

Basic

- BIBLIOGRAFIA BÁSICA

- Bouazza Ariño, O., Planificación turística autonómica, Madrid, Editorial Reus, 2007
- Boquera Oliver, J.M. Derecho Administrativo, Civitas, Madrid, 1996..
- 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.
- García Enterria, E. y Fernández Rodríguez, T.R., Curso de Derecho Administrativo. Civitas. Madrid.
- Garrido Falla, F., Tratado de Derecho Administrativo, Vol. II, Madrid.
- Parada Vázquez, R. Derecho Administrativo, Vol. I, II y III, Marcial Pons, Madrid.

Toda la bibliografía se referirá a la última edición de las correspondientes monografías.

CÓDIGOS DE LEGISLACIÓN

Para preparar la asignatura se recomienda el manejo de los Códigos legislativos, que deben estar actualizados.

A título informativo, son recomendables las colecciones de Justicia Administrativa (Civitas o Tecnos); Leyes administrativas (Aranzadi) o Legislación administrativa (Tirant lo Blanch).

Muy especialmente se recomienda el Código de las leyes administrativas, de E. GARCÍA DE ENTERRÍA, S. MUÑOZ MACHADO y J. F. MESTRE DELGADO (última edición).

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

Toda la bibliografía se referirá a la última edición de las correspondientes monografías.

ADDENDUM COVID-19



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

1. Contenidos.

No hay cambios. Se mantendrán los de la guía docente.

2. Volumen de trabajo y planificación temporal de la docencia

1. Se mantendrá el peso de las distintas actividades que suman las horas de dedicación en créditos ECTS marcadas en la guía docente original, de acuerdo con la concreción hecha en el anexo a la guía por el profesor/a responsable del grupo.

2. Prácticas:

Se mantendrá el calendario de prácticas, según la planificación prevista. Los profesores responsables de la asignatura indicarán a los estudiantes la actividad a realizar y la forma de entrega de las prácticas.

3. Los materiales de la asignatura serán puestos a disposición de los estudiantes en el Aula Virtual.

4. En cuanto a la distribución de la calificación entre el examen y la evaluación continua, ésta podrá ser superior al 30% de la nota final.

5. Las actividades de evaluación continua no serán recuperables.

3. Metodología docente

1. Las clases teóricas y prácticas se realizarán de forma virtual, en el horario de clase, mediante videconferencia síncrona a través de BBC u otra plataforma institucional de la Universitat de València equivalente.

2. En el Aula Virtual se incluirán los materiales y prácticas necesarios para el desarrollo de la docencia.

3. Las tutorías tendrán lugar mediante el correo institucional de la Universitat de València y, a petición del alumnado, a través de videconferencia.

4. Evaluación

1. La evaluación constará de dos bloques: un examen final escrito teórico-práctico cuya celebración y entrega se organizará a través del Aula Virtual, y la nota correspondiente a la evaluación continua podrá ser superior al 30% de la nota final, sin exceder del 80 % de la nota final.

2. La evaluación continua se desarrollará de conformidad con los Anexos de la Guía Docente de cada profesor hasta el final de curso. Las actividades de evaluación continua no serán recuperables en todo caso.

3. El examen final escrito se realizará a través del Aula Virtual en la fecha prevista en el calendario



académico. El examen mantendrá la estructura propuesta por el profesor y los contenidos evaluables tanto en primera como en segunda convocatoria. Los estudiantes podrán utilizar materiales de apoyo para responder a las preguntas.

5. Bibliografía

1. La bibliografía se encuentra a disposición de los alumnos en la Guía Docente, así como en el Anexo de la Guía Docente de cada grupo. En caso de cierre de las instalaciones de la Biblioteca, se recomienda a los estudiantes el uso de los servidores online de la propia biblioteca.

2. Los materiales docentes de cada profesor se pondrán a disposición del alumnado a través del Aula Virtual.