

TOURISM AND CONSUMER LAW

Degree in Touristic Activities Management

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Code: 16900

Main Scientific Area: Business Law

Lecturer: Andreia Alexandra Ferreira Cristo

Language of Instruction: Portuguese

Regime: S2

Contact Hours: 60h Total Workload: 108h

ECTS: 6,0

Objectives

The discipline of Tourism and Consumer Law aims to give students the essential legal knowledge, concerning practical application of the regulation of touristic activities. It also provides students with the necessary instruments in order to solve particular situations that require the intervention of Consumer Law, when directly related to touristic activities.

Learning Outcomes

1. Recognition and identification the legal nature of the Tourism and Consumer Law.
2. Recognition and identification the elements of the Tourism and Consumer Law and the connection between each other.
3. Understanding the legislation which regulate the main principles of Tourism activities and the specific legislation, concerning particular economical activities related to Tourism (touristic enterprises, restaurants and drinking establishments, travel agencies)
4. Interpretation and application of the legislation concerning some practical aspects of Consumer Law situations.
5. Solving common situations based on the application of the Tourism and Consumer Law.

Course Contents

- I. Introduction of Tourism and Consumer Law
 1. Understanding tourism law and consumer law
 2. Understanding tourism and Tourism Satellite Account
 3. The legal relationship of providing tourist services
 4. National Tourism Policy

5. Institutional Organization of tourism

6. Sources of Community law in tourism.

II. Tourist users and Consumer law

1. Consumer concept

2. The main sources of consumer law

3. The Consumer Protection Law and Legislation spare

4. Consumer contract and general contractual clauses

5. Information and Communication

6. Unfair Commercial Practices

7. Contracts made 'at a distance' and off-premises contracts.

III. The tourism service providers and their legal regimes

1. Tourist developments and local accommodation

2. Catering and drinking establishments

3. The travel and tourism agencies

4. Shipping Companies (air, road, rail, maritime)

5. Car rental companies driverless passenger 6. Tourism companies and maritime tourist operators

7. Events, congresses and conferences companies

8. Trade betting and games

9. Service providers in the area of social tourism

IV. Other legal regimes in Tourism law

1. Legal regime of tourist utility

2. Legal regime of Periodic housing rights: real right timeshare and tourist housing rights

V. Protection Consumer Rights

1. Complaints procedure and the legal framework for administrative offences

2. Means of conflict resolution

Recommended Bibliography

- Carvalho, Jorge Morais, Manual de Direito do consumo, Almedina, 2020 (7.ºed.)
- Patrício, Manuela, Direito do Turismo e Alojamento Turístico, Almedina, 2019 (2.ªed.)
- Falcão, David e outros Direito do Consumo – colectânea de legislação fundamental, Almedina, 2019 (5.ªed.)
- Quintas, Paula, Legislação Turística anotada, Almedina, 2019 (8.ªed.)

Learning and Teaching Methods

The program, taught through a theoretical and practical methodology, allows the demonstration of the essential aspects of Tourism and Consumer Law, in order to provide students the knowledge and legal language, as well as the required skills to solve practical situations, which requires the application and interpretation of Tourism and Consumer Law.

Assessment Methods

Periodic evaluation based on two written tests, which will be assigned a weighting of 50% each. The average of two written tests shall not be less than 9.5 values (minimum score in each test 7).