Learning objectives

I module) From a public law standpoint, the course is focused on the in depth analysis of the topics listed below.

The public profile is focused on the Italian Regions' legislation on tourism after the constitutional reform of 2001.

II module) The course intends to analyze private law aspects of tourism law and the relationships between consumers/tourists and the touristic operators.

Contents


II module) Through the analysis of the most significant National and European decisions, the aim of the module shall be the study of the sources of tourism law; of the entities and operators involved in the touristic activities; of the touristic contracts; entities which offer accommodation services; mooring and pleasure yachting contracts; air carriage; contractual liability and dispute resolution methods.

Detailed program
I module)

1. General notion of «tourism».


3. The two phases of 1983 and 2001 in the framework of the legislative function.

4. The meaning of the constitutional 2001 reform on the subject-matter «tourism».

5. The Code of tourism: legislative decree no. 79/2011 and the decision of the Constitutional Court no. 80/2012.

6. The «hotel industry» in the framework of the accommodation facilities, of the travel agencies and of the touristic professions. The incidence of the EU law in the subject-matter.

7. The latest generation of the regional legislation.

II module)

1. The sources - European law of tourism – International conventions on tourism
2. The players of the touristic activity – The traveller; the Tour Operator; Travel Agencies; Touristic Organizations
3. Touristic Contracts – Contracts of carriage; Cruise contracts; Voyage Contract; Booking; Accommodation; Bailment and deposit in Hotel; Overbooking
4. Pleasure yachting contracts
5. Civil Liability and touristic activity – Contractual liability;
6. Tort liability;
7. Ruined vacation damage
8. Disputes – Ordinary jurisdiction; Arbitration; Alternative dispute resolution methods.

Prerequisites

I module) Knowledge of the basic multilevel Public Law.

II module) Knowledge of the concepts of contract and liability.

Teaching methods
Assessment methods

I module) For attending students the method is a written assessment (three questions) particularly based on the lectures.

For not attending students the method is an oral assessment (three questions) based on the textbooks and reading materials.

II module) Students attending the course: oral exam based on the issues taught in classroom. Students not attending: oral exam based on the materials indicated below.

The final grade of the teaching is the result derived from the weighted average of the votes taken in the two modules.

Textbooks and Reading Materials

I module)


and

L. Righi, Le strutture ricettive, pp. 145-171

L. Righi, Agenzie di viaggio e turismo, pp. 173-201

L. Righi, Le professioni turistiche, pp. 203-227

all three of these works are always in V. Franceschelli – F. Morandi, eds, Manuale di diritto del turismo, Giappichelli, Torino, 2017.

II module)

1) V. Franceschelli – F. Morandi, Manuale di diritto del turismo, Giappichelli, Torino, 2017, capitoli n. IV; XII, XIII; XIV; XVI; XIX

2) A. Corrado, Il contratto di trasporto aereo di persone, in Trasporti e Turismo, a cura di C. Vignali, Giuffrè, 2016

Semester

First semester.

Teaching language

I module) Italian.

II module) English.