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2.2 Units of Credit
2.3 Relationship of this course to other course offerings
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7. STUDENT RESOURCES

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8. CONTINUAL COURSE IMPROVEMENT

9. SESSION 1 2007, KEY DATES

10. COURSE SCHEDULE
1. COURSE STAFF

<table>
<thead>
<tr>
<th>Staff</th>
<th>Room</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Peters</td>
<td>JG G12</td>
<td>9385-3251</td>
<td><a href="mailto:m.peters@unsw.edu.au">m.peters@unsw.edu.au</a></td>
</tr>
</tbody>
</table>

1.1 Communication with Lecturer
Immediately after the lecture or by appointment (by email or in person)

2. INFORMATION ABOUT THE COURSE

2.1 Teaching times and Locations

<table>
<thead>
<tr>
<th>Day</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>10:00 - 1:00pm</td>
<td>Webster Theatre A (F Hall A)</td>
</tr>
</tbody>
</table>

2.2 Units of Credit
This course is 6 UOC.

2.3 Relationship of this course to other course offerings
Students may enrol in other business law units also offered by the School of Business Law and Taxation. Further study in the area of business law, taxation and business studies is available at the Masters level. Students may consult with the Student Centre, located ground floor John Goodsell Building or the lecturer.

2.4 Approach to learning and teaching
This course is conducted through a one TWO hour lecture followed by a ONE hour seminar per week over fourteen weeks.

Each lecture will be based on a theme linked to the topic found in this course outline and supported by the prescribed reading.

The lecturer will propose various situations and problems that will be based on the reading material. In this manner students’ will be able to experience the dynamic, contemporary and relevant nature of each topic and to appreciate the mechanics of the law and its impact on the tourism and hospitality industry.

3. COURSE AIMS AND OUTCOMES

3.1 Course Aims
The purpose of this course is to examine how the law governs virtually every aspect of tourism. This course provides the student with both a theoretical and practical working knowledge of the law and its application to the tourism and hospitality industry. This course will predominantly focus on the Australian law and legal system, with some references to international law. This course also introduces areas of substantive law relevant to tourism and hospitality with particular reference to the law of contracts, business entities, marketing law, finance, property, law regulating carriers, travel agents, operators and intermediaries,
torts law (with particular reference to negligence), aviation, shipping and the international law of tourism.

**Industry Relevance**

This course is of particular relevance to those seeking to enter the tourism and hospitality industry in Australia or overseas. The industry consists of travel agents, tour operators, intermediaries, carriers (airlines, bus, train, shipping operators), travel insurance, and infrastructure providers, hotels, theme parks, tourism marketing firms, licensed clubs, entertainment venues and catering service providers.

**3.2 Student Learning Outcomes**

The course objectives are as follows:

1. Provide a general introduction to the law and its development in Australia and globally;
2. Examine the legal environment of the tourism and hospitality industry in Australia and globally;
3. Examine the operations of the courts, parliament and the legal processes in Australia and globally;
4. Introduce the necessary skills to examine and manage legal problems;
5. Outline the various categories of law;
6. Examine the law of torts and contracts;
7. Evaluate the laws regulating hotel operators, catering, travel agents and operators;
8. Review the laws of consumer protection and competition policy and law;
9. Examine the essential elements of hotel-accommodation law;
10. Examine the regulation of carriers and travel organisations;
11. Evaluate the main aspects of international tourism law and to
12. Examine the law regulating global travel agreements, visa and passport laws.

This course also seeks to develop specific skills which will benefit students throughout their course and professional careers, these skills being:-

- proficiency in oral and written communication
- an analytical approach to problem-solving (i.e. ability to identify problems, research relevant material and propose an outcome)
- the ability to resolve an issue in a logical and structured manner
- an appreciation of the interaction of socio-economic factors in the development of law in Australia.

**4. STUDENT RESPONSIBILITIES AND CONDUCT**

**4.1 Workload**

It is expected that you will spend at least ten hours per week studying this course. This time should be made up of reading, research, working on exercises and problems, and attending classes. In periods where you need to complete assignments or prepare for examinations, the workload may be greater.

Over-commitment has been a cause of failure for many students. You should take the required workload into account when planning how to balance study with employment and other activities.
4.2 Attendance
Your regular and punctual attendance at lectures is expected in this course. University regulations indicate that if students attend less than eighty per cent of scheduled classes they may be refused final assessment.

4.3 General Conduct and Behaviour
You are expected to conduct yourself with consideration and respect for the needs of your fellow students and teaching staff. Conduct which unduly disrupts or interferes with a class, such as ringing or talking on mobile phones, is not acceptable and students may be asked to leave the class. More information on student conduct is available at: www.my.unsw.edu.au

STUDENT RESPONSIBILITIES CHECKLIST

Make sure you have checked the following:

☑ Have you complied with the guidelines to submit your assignments / exam?
☑ Have you completed the assignment cover sheet ( at the rear of this course outline)
☑ Have you attached the cover sheet to your paper?
☑ Do you have a copy of your paper?
☑ Have you answered the question?
☑ Do you know when and where to submit your paper?

4.4 Keeping informed
You should take note of all announcements made in lectures or on the course web site. From time to time, the University will send important announcements to your university e-mail address without providing you with a paper copy. You will be deemed to have received this information.

5. Learning Assessment

5.1 Formal Requirements
‘In order to pass this course, you must:
☐ achieve a composite mark of at least 50; and
☐ make a satisfactory attempt at all assessment tasks (see below)’.
5.2 Assessment Details
The course assessment consists of THREE tasks: a mid session exam, an assignment, and a final exam. The purpose of the assignment is to focus on problem solving and research techniques. The assignment will lead you to the Week 3-6 material, business law cases, and statutes.

<table>
<thead>
<tr>
<th>Assessment Task</th>
<th>% of Assessment</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quiz</td>
<td>20</td>
<td>Week 6</td>
</tr>
<tr>
<td>Assignment</td>
<td>30</td>
<td>Week 10</td>
</tr>
<tr>
<td>Exam</td>
<td>50</td>
<td>To be announced</td>
</tr>
</tbody>
</table>

The assignment question will be distributed to students attending the Week 5 lecture.

5.3 Grades
The grades are based on the aggregate mark for all assessment components. Aggregate marks may be scaled to produce a distribution of grades which conforms to the expected norms specified in the University’s Assessment Regulations. Final grades for this course are awarded by UNSW in accordance with the University’s regulations found at: my.unsw.edu.au/student/academiclife/assessment/GuideToUNSWGrades.html

5.4 Assessment Rationale
The overall course assessment is focused on challenging the student’s pre-conception of business, the law, the institutions, and organisations that participate in commercial life. The assessment tasks are designed to test the student’s knowledge and their ability to apply their knowledge through “real life” problems, develop their skills to use the law to resolve problems, and manage the start up of a commercial enterprise.

5.5 The Assignment
The assignment is designed to provide students with an opportunity to research an area of business law, become familiar with research techniques, resources, and develop their skills of “critical analysis” and problem solving. The task will also enhance the students understanding of business law, guide the student to identify, discuss and resolve commercial legal issues, and provide the skills to plan and manage business law problems and comply with the law and code of ethics.

Exam
The exam is designed to provide students with the opportunity to apply knowledge, critical analysis, and problem solving skills. The exam will be open book (all material permitted into the exam room EXCEPT for Library Books).

Preparation of Written Work
Essay writing is an important part of commercial and public life. The assessment tasks are designed to help students become familiar with written submissions. Essays also help to guide students to read and understand the key research material and think critically about the issues that arise from the topic area.

To prepare a written submission requires the student to have a clear understanding of what is the issue posed by the task. It may be a problem question that requires the student to identify what is essentially the “problem” or issue in the question or it may ask to discuss a
proposition. It is important that you read the question carefully. You are expected to answer the question and address the issue and keep the essay relevant to the issue at all times.

When writing your essay ensure that your answer is planned in a logical structure, be clear, concise, avoid using words you do not understand and in particular focus on the structure of each sentence. Remember, you are communicating to the reader your ideas, expressing what you have discovered; in short you are telling a story that needs to be convincing, logical and clear.

It is also important to express the ideas of others in your own words and to acknowledge where you sourced the ideas from at all times.

The assignment should be approximately no more than the maximum number of words as set in the assessment task. This may require you to write up a first draft and edit the paper to ensure that there is no repetition, padding and the like and complies with the maximum word limit. Students’ are expected to keep a copy of their paper at all times. Assessment task deadlines must be strictly adhered to. Students should expect marks to be lost for late assignments.

**Layout**
The paper should be either typed (by word processor) or hand written in a clear readable form. If you do not use the front cover as attached to this outline you MUST include the following ON THE FRONT PAGE of your paper:
1. Your name and student number.
2. Subject, assignment number and topic.

**Referencing**
Any statement, opinion, view, theories, proposition, conclusion or other intellectual content which is sourced from the work of others must be acknowledged, regardless of whether you are directly quoting, reproducing, summarising or paraphrasing other people’s works.

In this course you will be required to use the “footnote” system of referencing.

You are required to insert a number next to the material you have sourced from others, and at the bottom of the page insert a footnote indicating the details of the sourced material.

If you are using Microsoft Word you can automatically insert footnotes. To do so, place the cursor where you would like the number to appear, go to the menu bar, click on “Insert”, then go to “Referencing” then click on “footnote”. Once you click on “footnote” the number will be inserted in the text automatically and a foot note will appear at the bottom of the page, where you can type in the details of the publication you have sourced the material from.

At the bottom of the page the footnote should consist of the following information:

Authors name, title of publication (if a journal article the title of the article), the name of the publisher, the place of publication, the year it was published and the page number.

If the same reference is being used consecutively (that is you use the same publication, page number more than once in a row: “one after the other”) you may simple insert the foot note
number and type in the word “Ibid” which loosely means in Latin see previous footnote details.

If you are using the same reference material but at different parts of the paper you may insert the footnote and type in the Authors name, followed by the words op.cit, and the page number.

Further information is available at:
http://www.lc.unsw.edu.au/onlib/ref.html

Bibliography
All students are required to incorporate a bibliography at the end of the paper. The bibliography lists in an alphabetical order (using the Authors last name) all the references used to research, prepare the paper submitted.

Assignment Submission Procedure
All written assessment tasks are to be submitted in the box marked outside Room G20 John Goodsell Building on the due date or at the end of the lecture on the due date.

Extensions and Late Submission
If you are having difficulty in completing work on time due to illness or unusual circumstances, you may request an extension through your lecturer with supporting documentation eg. medical certificate. Applications for extensions on or after the due date of the assessment items will not be considered. NO extensions will be given without documentary evidence of inability to meet deadlines. A deduction of 10% of the marks awarded per working day late applies if a piece of work is submitted late without approved extension.

Special Consideration and Supplementary examinations
UNSW policy and process for Special Consideration applies (see https://my.unsw.edu.au/student/atoz/SpecialConsideration.html). Specifically:
• Applications for special consideration (including supplementary examinations) must go through UNSW Central administration (within 3 working days of the assessment to which it refers) – applications will not be accepted by teaching staff;
• Applying for special consideration does not automatically mean that you will be granted additional assessment or that you will be awarded an amended result;
• If you are making an application for special consideration (through UNSW Central Administration) please notify the Lecturer in Charge;
• Please note: a register of applications for Special Consideration is maintained. History of previous applications for Special Consideration is taken into account when considering each case.

Assignment Format
The assignment may be neatly written or typed Information about assignment format - this information can be contained in a separate section in the course outline, as in this example, or located with information about each piece of assessment.
6. ACADEMIC HONESTY AND PLAGIARISM

The University regards plagiarism as a form of academic misconduct, and has very strict rules regarding plagiarism. For full information regarding policies, penalties and information to help you avoid plagiarism see: [http://www.lc.unsw.edu.au/plagiarism/index.html](http://www.lc.unsw.edu.au/plagiarism/index.html)

Plagiarism is the presentation of the thoughts or work of another as one’s own. Examples include:
- direct duplication of the thoughts or work of another, including by copying work, or knowingly permitting it to be copied. This includes copying material, ideas or concepts from a book, article, report or other written document (whether published or unpublished), composition, artwork, design, drawing, circuitry, computer program or software, web site, Internet, other electronic resource, or another person’s assignment without appropriate acknowledgement;
- paraphrasing another person’s work with very minor changes keeping the meaning, form and/or progression of ideas of the original;
- piecing together sections of the work of others into a new whole;
- presenting an assessment item as independent work when it has been produced in whole or part in collusion with other people, for example, another student or a tutor; and,
- claiming credit for a proportion a work contributed to a group assessment item that is greater than that actually contributed.†

Submitting an assessment item that has already been submitted for academic credit elsewhere may also be considered plagiarism.

The inclusion of the thoughts or work of another with attribution appropriate to the academic discipline does not amount to plagiarism.

Students are reminded of their Rights and Responsibilities in respect of plagiarism, as set out in the University Undergraduate and Postgraduate Handbooks, and are encouraged to seek advice from academic staff whenever necessary to ensure they avoid plagiarism in all its forms.

The Learning Centre website is the central University online resource for staff and student information on plagiarism and academic honesty. It can be located at:

[www.lc.unsw.edu.au/plagiarism](http://www.lc.unsw.edu.au/plagiarism)

The Learning Centre also provides substantial educational written materials, workshops, and tutorials to aid students, for example, in:
- correct referencing practices;
- paraphrasing, summarising, essay writing, and time management;
- appropriate use of, and attribution for, a range of materials including text, images, formulae and concepts.

Individual assistance is available on request from The Learning Centre.

Students are also reminded that careful time management is an important part of study and one of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting, and the proper referencing of sources in preparing all assessment items.

* Based on that proposed to the University of Newcastle by the St James Ethics Centre. Used with kind permission from the University of Newcastle.
† Adapted with kind permission from the University of Melbourne.
7. STUDENT RESOURCES

7.1 Course Resources
There is no one prescribed text for this course. Material will be used from a number of sources, all available in the Law library, Close Reserve Level 8. Notes and reading material will be placed on the online service. Other books that would be useful are as follows:

For those of you who find a particular area interesting, or need further clarification of a point, you may find the following books useful:

- Cardato AJ Australian Travel & Tourism Law Butterworths 2006
- Terry, A. & Giugni, D. Business, society and the law. 3rd edn. 2002
- Turner, Australian Commercial Law (Law Book Co.)
- Vermeesch & Lindgren, Business Law of Australia (Butterworths) 2005

You will need to have access to various Acts of Parliament during your study. All relevant legislation is freely available on the http://www.austlii.edu.au website.

Internet References
Australasian Legal Information Institute
http://www.austlii.edu.au

Federal (Commonwealth) government entry point (search engine and portfolios)
http://www.fed.gov.au

Federal (Commonwealth) Parliament (bills, legislation, committees etc
http://www.aph.gov.au

Federal (Commonwealth) Parliament legal search engine (Bills, Legislation etc)
http://www.lawsearch.gov.au

Commonwealth Attorney General’s Department (ScalePlus legal search engine)

IP Australia (Trademarks, Copyright, Patents, Designs, Circuit Layouts)
http://www.ipaustralia.gov.au

NSW Attorney General Dept website (links)
http://www.lawlink.nsw.gov.au

NSW Government entry point
http://www.nsw.gov.au

UNWTO
http://www.world-tourism.org
Other Resources, Support and Information

The University and the Faculty provide a wide range of support services for students, including:

- **Learning and study support**
  - FCE Education Development Unit (http://education.fee.unsw.edu.au)
  - UNSW Learning Centre (http://www.lc.unsw.edu.au)
  - EdTec – WebCT information (http://www.edtec.unsw.edu.au)

- **Counselling support** - http://www.counselling.unsw.edu.au

- **Library training and support services** - http://info.library.unsw.edu.au

- **Disability Support Services** – Those students who have a disability that requires some adjustment in their teaching or learning environment are encouraged to discuss their study needs with the Course Coordinator or the Equity Officer (http://www.equity.unsw.edu.au/disabil.html). Early notification is essential to enable any necessary adjustments to be made.

In addition, it is important that all students are familiar with University policies and procedures in relation to such issues as:

- **Examination procedures** and advice concerning illness or misadventure https://my.unsw.edu.au/student/academiclife/assessment/examinations/examinationrules.html


8. CONTINUAL COURSE IMPROVEMENT AND FEEDBACK

Your suggestions, comments and observations as to the content, delivery, assessment tasks or readings are welcome. Each session feedback is sought from students and other stakeholders about the courses offered in the School and continual improvements are made based on this feedback. UNSW's Course and Teaching Evaluation and Improvement (CATEI) Process (http://www.ltu.unsw.edu.au/ref4-5-1_catei_process.cfm) is one of the ways in which student evaluative feedback is gathered. Significant changes to courses and programs within the School are communicated to subsequent cohorts of students’. Feel free to communicate your views to the lecturer: m.peters@unsw.edu.au

**STUDENT ACTIVITY REGISTER**

Past and current student may keep in touch with each other and receive updates on business and the law by registering online. You may access the “Register” through a link found at: http://www.blt.unsw.edu.au/people/mpeters.htm or contact the lecturer at m.peters@unsw.edu.au Please keep in touch, it is always interesting to discover how students have used the knowledge and skills they have gained from this course.
9. Session 1 2007, Key Dates
It is your responsibility to ensure that:

1. You are recorded by the University as being correctly enrolled in all your courses. The last day for students to discontinue without financial penalty is Friday March 30 and the last day to discontinue without academic penalty is Friday 27 April.

2. You have successfully completed all prerequisite courses. Any work done in courses for which prerequisites have not been fulfilled will be disregarded (unless an exemption has been granted), and no credit given or grade awarded.

3. You organise your affairs to take account of examination and other assessment dates where these are known. Be aware that your final examination may fall at any time during the session’s examination period. The scheduling of examinations is controlled by the University administration. No early examinations are possible. The examination period for Session 1, 2007 falls between 15 June and 3 July.

4. When the provisional examination timetable is released (May 8), ensure that you have no clashes or unreasonable difficulty in attending the scheduled examinations. The final examination timetable is released on Tuesday 29 May.

5. You keep the University informed of all changes to your contact details.

6. You make a copy of all work submitted for assessment, and keep returned marked assignments and essays. A full list of UNSW Key Dates is located at: my.unsw.edu.au/student/resources/KeyDates.html
<table>
<thead>
<tr>
<th>Week</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 1</td>
<td>February 26 Domestic &amp; International Legal Framework of Tourism</td>
</tr>
<tr>
<td>Week 2</td>
<td>March 5 Business Entities and Agency law</td>
</tr>
<tr>
<td>Week 3</td>
<td>March 12 Contracts, Tour Brochures &amp; Online Transactions</td>
</tr>
<tr>
<td>Week 4</td>
<td>March 19 Booking Condition, Performance and Remedies</td>
</tr>
<tr>
<td>Week 5</td>
<td>March 26 Innkeepers, Bailment &amp; Torts</td>
</tr>
<tr>
<td>Week 6</td>
<td>April 2 QUIZ – 45 Minutes Carriers and the Law</td>
</tr>
<tr>
<td>Week 7</td>
<td>April 16 Carriers and the Law</td>
</tr>
<tr>
<td>Week 8</td>
<td>April 23 Package Tour Operators and the Law</td>
</tr>
<tr>
<td>Week 9</td>
<td>April 30 Liquor and Catering Law</td>
</tr>
<tr>
<td>Week 10</td>
<td>May 7 Law regulating Travel Agents and Consolidators</td>
</tr>
<tr>
<td>Week 11</td>
<td>May 14 Insurance &amp; Payment Law</td>
</tr>
<tr>
<td>Week 12</td>
<td>May 21 Finance Law, Financial Control &amp; Competition</td>
</tr>
<tr>
<td>Week 13</td>
<td>May 28 Employment Law &amp; OHS</td>
</tr>
<tr>
<td>Week 14</td>
<td>June 4 Visa and Passport Law, EU Standards Ethics &amp; UNWTO Codes</td>
</tr>
</tbody>
</table>

Readings will be posted online, a week in advance.
ASSIGNMENT COVER SHEET

LEGT 3001 LEGAL ASPECTS OF TOURISM

Make sure you have checked the following:

☑ Have you complied with the guidelines to submit your assignment?
☑ Do you have a copy of your paper?
☑ Have you answered the question AND signed the bottom of this cover sheet?

Please staple this coversheet to the front of the assignment.

Mr/Ms/Mrs. First Name: __________________________ Last Name: __________________________
Student ID: __________________________ Email: __________________________
Postal Address: __________________________ Post Code __________

DUE DATE: Week 10, May 7 2007 by 5.00 PM

To be submitted in the box outside Room G20 Goodsell Building

Lecturer’s/Tutor’s Use Only

Date Received ________ Grade ____________ Date of Return to

I have read and understand my obligations as contained in the course outline and the UNSW rules as to student conduct, and I declare that this is solely my own work.

Signature: __________________________________________

Mr/Ms/Mrs. First Name: ________________________ Last Name:   _______________________
Student ID: __________________      Email: __________________________________
Postal Address: ___________________________________ Post Code ___________