

**Department of Tourism Organizations Administration**

**The College of Administration and Economics**

**Salahaddin University- Erbil**

**Subject: The Laws of Managing Tourism Organizations**

**Course Book:** **Third year**

**Lecturer's Name Farooq Hakim Najm, MSc.** **Business Administration.**

**Academic Year: 023 2 /2024**

**Course Book**

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| The Laws of Managing Tourism Organizations | | | 1. **Course Name** | |
| Farooq Hakim Najm | | | 1. **Lecturer in charge** | |
| Department of Tourism Organizations Administration | | | 1. **Department/ College** | |
| E-Mail: [faroo.najat@su.edu.krd](mailto:faroo.najat@su.edu.krd) | | | 1. **Contact** | |
| Theory: 1, Practical: 2 | | | 1. **Time (In hours) per week** | |
| 6 | | | 1. **Office Hours** | |
|  | | | 1. **Course Code** | |
| https://academics.su.edu.krd/farooq.najat/education | | | 1. **Teacher's academic profile** | |
| Hospitality law, significant hospitality contracts, Legally  selecting employees, Responsibility of the hospitality  Manager, Responsibilities to non-guests, Liability for guest’s property, Travel agents and tour operators, ‌ Respecting Intellectual Property Rights. | | | 1. **Keywords** | |
| **10- Course Overview:**  The hospitality industry is the most significant and fastest growing industry in the world. Moreover, recently, attention to the hospitality industry has been increased due to the availability of travel facility and tourism attractions in the Kurdistan Region. Law is an essential element of the society that organizes and implements justice. Hence, hospitality law, as an essential type of law tries to solve problems relates to the mentioned industry. As students from this department will become managers in the hospitality industry, they should be aware of every action they commit to being legal in order to avoid illegal issues and litigations that may raise from their wrongful acts. Therefore, this module aims to introduce hospitality law and shed lights on current practices which prepares students for their real world. | | | | |
| 11- **Course Objective:**  **The main objectives of this module are:**   1. Provides students with a necessary understanding of the basic foundations and principles of the laws affecting the hospitality industry. 2. Provide students with the knowledge about what they need to know in managing facility in legally, safely, and securely way. As well as how managing in today’s litigious environment. 3. Educate students to operate hospitality facilities in a way that combines preventative legal management with sound ethical behavior in the case of missing law at the time of the event. 4. Highlight students’ duties and obligations in their future career and introducing the most significant hospitality contracts they will deal with. | | | | |
| 12- **Student's obligation**   * Students will be engaged in discussions and analyzing cases and make a presentation. * Students may be called upon to write reports and do researches. * Students are required to attend the class throughout the year. | | | | |
| 13- **Forms of Teaching**  The power point presentation will be used to illustrate the main key areas, as well as the discussion of law cases in groups. | | | | |
| **14- Assessment scheme**  The assessment criteria are as set out in the Salahaddin University as follow:   * Students required to attend two exams during the year (one exam per semester) (40) score. * Final Exam (60) scores. * Students required to achieve (50) scores out of (100) to pass this module; otherwise, he/she needs to take a second round exam to achieve the required score. | | | | |
| 15- **Student Learning Outcome:**  The learning outcome of the law of managing tourism organization for the student can be indicated in their future career in the hospitality industry. As future hospitality managers, students will be learned how to become a successful manager and contribute to developing the hospitality industry in the Kurdistan Region. Furthermore, they will become familiar with requirements by law to run the business. Moreover, they will be prepared to identify their responsibilities and obligations toward their guests and employees. Also, they will be familiar with what are the contract and the component of the contract in a way that will not break the law. As well as knowing how to fulfilling the duties of care by exercise a standard of care appropriate to the given situation in order to prevent litigation in their future career. | | | | |
| 16- **Course Reading list and References:**   * Barth, S. (2009) Hospitality Law: Managing Legal Issues in the Hospitality Industry. John * Wiley & Sons * Barth, S., Hayes, D. and Ninemeier, J. (2007) Restaurant: Law Basics. Wiley * Boella, M. and Pannett, A. (1999) Principles of Hospitality Law. Cengage Learning EMEA * طه ‌الحوري‌، م (‌2004‌) العلاقات ‌القانونية ‌في صناعة ‌الضيافة. ‌الوراق ‌للنشر. ‌ * Iraqi civil Law No. 40 of 1951, Available from: <http://www.iraq-lg-law.org/> * Iraqi Labor Law No. 71 of 1987, Available from: <http://www.parliament.iq/> * Iraqi Tourism Facilities Law No. (14) of 1996, Available from: <http://www.tourism.gov.iq/>   ▪ **Useful references:**   * Hospitality law Converge, Available from: <http://www.hlconvergeblog.com/> | | | | |
| **Lecture's Name** | **17- The Topics** | | | |
| **Hussein Ahmad Mustafa**  **(2) Hrs. per week** | **Business contracts** | **Subject** | | **Scheme of**  **work Session** |
| Law in general: an  introduction | | **Week 1** |
| Prevention philosophy | | **Week 2** |
| Ethics in Hospitality Law | | **Week 3** |
| Contract basics | | **Week 4** |
| Contract Components | | **Week 5** |
| Acceptance | | **Week 6** |
| Breach of Contract | | **Week 7** |
| Statute of Limitations | | **Week 8** |
| **Significant Hospitality**  **Contracts** | Significant Hospitality  Contracts | | **Week 9** |
| Management Contracts | | **Week 10** |
| Respecting intellectual  property rights | | **Week 11** |
| **Legally selecting employees** | Legally selecting employees | | **Week 12** |
| Discrimination in the  Selection Process | | **Week 13** |
| **Discussing session** | | | **Week 14** |
| **Legally managing**  **Employees** | Employment relationships | | **Week 15** |
| Compensation | | **Week 16** |
| Managing employee  Performance | | **Week 17** |
| **Responsibilities of hospitality operator** | Duties and obligations of a  hospitality operator | | **Week 18** |
| Theories of liability | | **Week 19** |
| Negligence & Gross  Negligence | | **Week 20** |
| Accommodating guests | | **Week 21** |
| Responsibilities to non-guests | | **Week 22** |
| Removal of guests | | **Week 23** |
| **Your responsibilities**  **For guests’ property** | Liability for guests’ property | | **Week 24** |
| Bailments | | **Week 25** |
| Property with unknown  ownership | | **Week 26** |
| **Food and beverages**  **Responsibilities** | Serving food and truth in  menu laws | | **Week 27** |
| **Legal responsibilities**  **in travel and tourism** | Travel agents and tour  operators | | **Week 28** |
| **Safety and security**  **Issues** | The importance of a  protected environment | | **Week 29** |
| **Open discussion** | | | **Week 30** |
| **Nil** | **18. Practical Topics (If there is any)** | | | |
| **19- Examinations:**  ***A. Compositional:***  Define the following terms: Plaintiff - Defendant - Hospitality Law - Law - Trade Dress -Arbitration - Damages - Breach of Contract - Statute of Limitations - Negligence - Mediation -Gross Negligence - Franchise Contracts – Tort - Copyright - Strict Liability – Management Agreement - Group Lodging Contract - Intellectual Property - Job Description - Reasonable Care- Mislaid property - Lost property - Abandoned property - Detained Property – Bonding – Travel Agency- Bailment.   * Count four characteristics of Law. * What is the definition of Hospitality Law? What does it cover? * What is the purpose of Hospitality law? * Future hospitality managers will encounter laws that do not currently exist. * How then can they be expected to operate their facilities in full compliance with the law throughout their career? * To prevent illegal actions, Hospitality managers should adopt a specific method, nam, and define this method? Where is the abbreviation coming from? * What is Ethic? How do you evaluate management actions on an ethical basis? * Define the contract? And what is the purpose of the contract? * Why the written contracts are preferred over orally or verbal contract? * What do we mean by Plaintiff & Defendant? * When the litigation arises between the plaintiff and the defendant? * What are the components of an enforceable contract? Count them and discuss one of them. * What do we mean by acceptance in contract? And what are the forms that might take in the hospitality industry? * What are the remedies and consequences of breaching an enforceable contract? * Explain suit for specific performance in the case of breach of contract. * Hospitality manager can follow specific steps before and after entering into a contractual agreement in order to prevent breach of contract. What are they? * What are the significant hospitality contracts? * What are the advantages of the franchise agreement to franchiser? * What are the advantages of the franchise agreement to franchisee? * What is the purpose of a franchise contract (Franchise Agreement)? * What is the purpose of management agreement? * The relationship between management companies and the ownership can take different Forms. What Are They? * What does intellectual property include? Determine them and explain one of them? * What is the purpose of intellectual property? * What is patent? And what are the requirements for patentability? * What is trademark? And what is the purpose of it? * What is the verification of employment status? Count them only. * Hospitality managers can encounter a variety of duties of care. What are they? * What are the types of torts? * When does the negligence will legally exist? * There are three types of Property with Unknown Ownership, what are they? Count them. * In order to create a bailment there must be tow process, what are they? * What are the types of bailments? Count them * There are some recommendations in regards of liability for guests’ property, what are they? * In which cases denying admitting Guests will consider as a violation to the law? Explain them. * While it is illegal to unlawfully discriminate against a potential guest, you do have the right to refuse to admit or serve guests in some situations, what are these situations? * What does privacy of guest records mean? * What is the component of the travel industry that should be provided by the travel agency? * What are the legal duties of the travel agency that should be provided to the clients? * Travel law is complicated for a variety of reasons, what are those complexities of legal issues that could be faced? Explain it. * Explain truth in Menu Laws. * What are the most common threats that aim direct threat to the hospitality managers in their own operation? * What are the best practice preventative measures that might reduce the number of Theft of Company Property? * The internal theft of assets by employees generally takes two forms, what are they? * Explain one of them in detail.   ***B. True or false type of exams:***   * The written contracts are preferred over orally or verbal * Plaintiff: The person or entity against which litigation is initiated * There are only two essential components that must be present to create a valid contract are.  1. Legality 2. Offer.  * One of the characteristics of the Law is that it should be able to be enforced * One of the Advantages of the Franchise Agreement to Franchiser is that it assistance with on-site training, advice on purchasing furnishings & fixtures, reduced operating costs, & free interior design assistance.   ***C. Fill-in the following gapes***   * The four essential components that must be present to create a valid contract are 1………….2…………3……….4…………. * The authorities of law are 1……...2……….3……….. * The abbreviation of the word STEM is came from 1……..2…….3……..4……… | | | | |
| **20- Extra notes: None** | | | | |
| **21-Peer Review** | | | | |