



EIIET UNIVERSITY

European Institute of Innovation, Entrepreneurship and Technology

ASSIGNMENT 9

Tourism Law and Legislation

Accommodation Contracts and Hotel Booking Parties

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Question 1: What is an accommodation contract ? What are the essential legal elements required for its validity ?

Answer: An accommodation contract is a legally enforceable agreement between a guest and an accommodation provider, such as a hotel, resort, hostel or other lodging business. Under this contract, the accommodation provider agrees to provide a room or other accommodation to the guest for a specified period, while the guest agrees to pay the agreed price and follow the applicable terms and conditions. An accommodation contract may be made in writing, verbally or electronically through a hotel website or online booking platform.

For a valid contract, the parties must demonstrate an intention to create a legally binding agreements. The essential legal elements are:

1. Offer

The accommodation provider must make an offer containing sufficiently clear terms.

These may include the type of room, dates of stay, price and relevant condition.

2. Acceptance

The guest must accept the offer. Acceptance may take place by confirming the reservation, making the required payment or otherwise agreeing to the booking terms.

3. Consideration

Consideration means something of value exchanged between the parties. In an accommodation contract, the guest's payment is the consideration for the hotel's promise to provide accommodation and related services.

4. Intention to create legal relations Both parties must intend their agreement to have legal consequences. A normal hotel reservation made for payment generally demonstrates This intention.

5. Capacity of the parties

The parties must have the legal capacity to enter into a contract. Generally, the guest should meet the required legal age and have the mental capacity to understand the agreement.

6. Legality and certainly of terms

The purpose of the contract must be lawful, and its important terms should be sufficiently clear. These may include the price, dates of stay, cancellation policy, room type and check-in /check-out conditions.

Conclusion

An accommodation contract is essentially a contract for lodging services.

Once it is validly formed, both the guest and accommodation provider are expected to perform their agreed obligations.

Question 2: identify and explain the main parties involved in a direct hotel booking.

Answer: in a direct hotel booking, the two main parties are :

1. The Guest / Customer
2. The Hotel /Accommodation Provider
1. Guest / Customer

The guest is the person who makes the reservation and receives the accommodation services.

The main responsibilities of the guest include:

- Providing accurate booking information.
- Paying the agreed price.
- Following the hotel's terms and conditions.
- Following applicable hotel rules.
- Checking in and checking out according to the agreed conditions.

2. Hotel / Accommodation provider

The hotel is responsible for providing the accommodation booked by the guest. Its responsibilities normally include:

- Providing the agreed room.
- Making the room available for the sufficient period.
- Maintaining the accommodation to the required standard.
- Providing services included in the booking.
- Honouring a valid reservation according to the agreed terms.

Conclusion

In a direct hotel booking, the main contractual relationship is between the guest and the hotel. If a dispute occurs regarding payment, cancellation, room availability or the quality of accommodation, the rights and responsibilities of both parties are generally determined by their contract and applicable law.

Question 3: identify and explain the main parties involved in an online accommodation booking.

Answer: An online accommodation booking can involve several parties. The main parties are:

1. Guest/ Customer
2. Hotel / Accommodation provider
3. Online Travel Agency (OTA) or Booking Platform

1. Guest / Customer

The guest searches for accommodation through the online platform, selectors a property, provided the required information and accepts the booking conditions.