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Programme: Bachelor in Tourism and Tourism Business Management

Module: Tourism Law and Legislation

CHAPTER ONE: What is tourism and travel law?

Tourism and travel law can be seen as a generic body of law, rules and regulations that affect day to day operations of tourism and travel. It establishes the rights and duties of the tourist and of the many companies that supply him/her with his/her travel service (travel agencies, tour operators, hotels, airlines and other enterprises). The essence of this area of the law is to make tourism safe, just and sustainable. If any conflict should arise it gives the people a mechanism to which they can appeal, and it can be used to check inappropriate proprietary use of the users' interests and ensure their fair treatment. Tourism and travel law is quite wide ranging and deals with the matter of hotels / accommodation, transport facilities, consumer protection and environmental protection, amongst others, and also covers the licensing which is necessary before any tourism and travel business can legally operate.

To illustrate, let's say the travel agency takes money from a tourist to stay at their hotel and they never come to get them. Should this happen, then the tourist can seek assistance from the consumer protection regime to seek compensation and the agency's accountability. Similarly, aviation law not only mandates a standard of safety that airlines must also follow, it also thwarts any airline from infringing on the rights of passengers who rely on air travel to transport them from one place to another. Besides such consumer-oriented measures, tourism and travel law plays an important part in the protection of the historical monuments, but also of natural resources and cultural heritage sites, which often serve as a primary draw for travelers and tourists. The legislation aims to encourage responsible tourism growth in a legal and ethical way, ensuring that tourism has negative impacts on places and communities that enable tourism. There are various important purposes of the law of tourism and travel. These aspects help ensure safety for the industry, protect the rights of consumers who avail of travel services, prevent unfair or

deceptive practices by these businesses, and lastly help ensure the sustainability of the tourism industry, which serves consumer, industry and tourist host communities for years to come.

CHAPTER TWO: Why is legal regulation important for the tourism industry?

In the tourism sector, legal regulation is also very important in influencing the working of the industry as it enables all activities conducted under this sector to be conducted safely, fairly and responsibly. Today, tourism is composed of many services, such as transportation, hotels, restaurants, travel agencies, and all kinds of tourist sites, all of which are interdependent, and if no laws govern these different aspects, it could become very chaotic or which could become exploitative. I can't think of anything to make me like the regulation better than that it's there to protect the consumer, or the tourist, from being ripped off, overcharged, misled by the advertising and getting less than they're promised. Safety and security go hand-in-hand; the legislators set standards for the tourist industry hotels and aircraft do, and they limit the risk of accidents and save travellers' lives. The legal component also puts the consumer in the driving seat and offers a basis for the tourists to express reservations and request compensation when businesses go beyond their obligations, which boosts fairness and establishes the fundamental rules of justice in consumer-traveler interactions.

The regulation also helps by offering some structure to the way the tourism companies operate; the minimum quality standards for licensing and registering a travel agency, a hotel and a tour operator means that at the very least they need to possess a certain level of quality before they are allowed to offer their services to tourists. Another area where legal control is a must is in environmental protection: tourism, if not regulated, can deplete the natural resources, wildlife and historic sites that it utilizes and what may stop pollution, protect fragile ecosystems and preserve the natural endowments that draw tourists to them in the first place are environmental laws. In addition, regulation is an important, albeit understated, part of curbing unfair practice like fraud and discrimination and fostering a culture of transparency and accountability in tourism. Where well-regulated tourism has a broader impact, it does generate real trust between tourists and investors, and leads to a greater amount of tourism revenue, jobs, and local businesses and communities benefited. All of this shows that legal regulation is not just a formal

procedure but becomes a compulsory premise to ensure the protection of travellers, the quality of the services, travellers' safe, and the natural and cultural environment. Consequently, by considering the targeted control measures, tourism sector can lead to a more sustainable, and reliable sector in the past and in the future, and will support both tourists and the local communities.

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CHAPTER THREE: Identify three areas of tourism activity that require legal regulation and explain why.

When it comes to carefully-reasoned legality of tourism activities, three should be considered: transport, accommodation and adventure tourism. Transportations involve air transport, rail transport, road transport (bus, taxi etc.) and all other modes of transport facilities used by tourists to travel from A to B; regulation is required to protect the rights of travellers, to have uniform level of transportation and to ensure the safety of travellers. Aviation law sets forth clearly defined and explicit procedures for maintaining safety standards for airlines and laws governing transportation regulate based qualification and permit-granting procedures for drivers. These rules also assist in the resolution of common problems such as the cancelation, delay, incident and compensation after an incident. The second major segment includes hotels, resorts, guest houses and other places where tourists stay while travelling, and is termed as the "Accommodation" segment. The role of Legal regulation here is the responsibility aspect that it has in ensuring a hygienic, safe and uniform industry. The laws that protect consumers complement the fire protection requirements, building codes, food safety laws, and other licensing requirements normally expected to be followed by hotels. Of course, there are time when the probability of fire is unavoidable, such as in the case of a hotel, but if the hotel has taken the necessary steps and precautions to make sure that fire is not a concern for the guests, you're much more likely to keep guests safe – and this sure makes a tourist's stay safer.

The third area is adventure tourism, which includes activities such as trekking, rafting, mountaineering, paragliding and scuba diving, all with a genuine level of risk and thus in need of careful consideration of legal regulation. The regulations in general outline the safety standards, outlined equipment, qualifications for guides, insurance and the procedures to be followed in case of emergency. These rules also increase awareness by operators on the risks associated with a particular operation and make sure that the permission is active before providing the operation to the public. In addition to requiring appropriate safety gear, a river rafting operator can also help minimize the potential of an accident on the river when they have well-trained guides on

board. These three areas demonstrate overall, the value of not going on a "Legal" tour. Whether it's en route to a destination in the tourism sector, when residents are housing in or settling in to their holiday home, or when visitors want to get out and explore the area, a set of good rules and standards allows for the tourism sector to shift into a safe mode without hindering tourists' freedom of movement or their sense of ease.