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Tourism Law and Legislation

Assignment 9

1. What is a deal for a place to sleep? What legal steps need to be taken for it to work?

An accommodation contract is a deal between a guest and a place to stay, like a hotel, guesthouse, or resort. In order to use and pay for the services that come with the room, the guest must follow the rules of this contract. The contract spells out what each party can and can't do. It tells them, for example, how long they can remain, how much they have to pay, and what services they will get.

To be lawful, an accommodation contract must have a few important legal parts:

Offer and Acceptance: The individual who is providing the housing must make a clear offer, such as declaring they will rent a place for a certain length of time and money.

The guest must then agree to those terms before they can take the offer.

Both sides have to provide each other something helpful as part of the deal. Most of the time, the guest pays to stay in the room or somewhere else.

Intention to Create Legal Relations: Both sides must agree that their contract will be legally binding. A lot of people think that hotels and other businesses want to do this.

Capacity: The contract must be able to be signed by both the guest and the property owner. In other words, kids need to be healthy and old enough. For instance, a minor normally needs an adult to sign a contract for them.

Legality: The thing that the contract is about has to be legal. It would not be right to commit to do something illegal, like using the property for illegal operations.

For the contract to be legal in court, all of these things must be true. If any part of the contract is missing, it might not be valid or enforceable.

Sources:

Clarke, M., Hooley, R., and McQueen, S. (2017). Commercial Law: Books, Cases, and Other Things. Oxford University Press.

Laws of Contract Act, Cap 23 (this law is particularly significant in many Commonwealth countries).

Seaton, A.V., and Bennett, M.M. (1996). The Marketing of Tourism Products: Ideas, Problems, and Examples. The International Thomson Business Press.

2. Write down the names of the primary people involved and a short description of each one.

a. Calling the hotel directly to make a reservation

When you book a hotel room directly, the hotel and the guest agree on how the stay will go. The main people are:

The Guest: This is the person or group who wants to stay somewhere. The guest must book the room, agree to the terms, and pay the agreed-upon fee for the stay. The guest has rights, including the right to a room and the services that were promised, and duties, like paying on time and respecting the hotel's policies.

The Accommodation Provider (Hotel) is usually the individual who owns or runs the hotel. The provider is in charge of making sure that the guest gets the services provided in the contract, that the facility stays clean and safe, and that the lodging that was agreed upon is given. They also have the right to receive paid and to make sure that the home regulations are followed.

There is a clear link because there is no one in the middle. There is no doubt about what the contract states, and these two people can talk about any problems that come up.

a. Making an online reservation

Three key organisations are involved when someone books a hotel room online, like through Booking.com or Expedia.

The Guest: The guest is the individual who wishes to stay somewhere, just like when they book directly. They search for, choose, and book a room online.

Online platforms are like agents or go-betweens. They help you book a hotel, educate you about several places to stay, and sometimes even handle the payment. They usually charge the guest or the owner of the place where they stay. The major purpose of the site is to make it easy to book things and give you correct information.

The Accommodation Provider (Hotel): This is still the business that rents out the rooms. The supplier publishes their rooms on the internet and is in charge of ensuring sure the guest gets the service they promised.

The legal ties can be harder to understand here. The hotel and the guest usually have a contract for their stay, and the online service and the guest usually have a contract for their reservation. If something goes wrong, such the hotel being full or a problem with payment, the guest may have to deal with both the hotel and the platform.

Where to find:

Buhalis, D., and Law, R. (2008). Improvements in information technology and tourism management: Two decades later and a decade after the Internet—The current state of eTourism research. *Tourism Management*, 29(4), 609–623.

Beneke, J., et al. (2016). How the reputation of internet travel services affects how much people trust them and how likely they are to book rooms. *The Journal of Hospitality and Tourism Technology*, 7(4), 427–444.

The European Consumer Centers Network (ECC-Net) is a set of groups that aid people throughout Europe. You have rights when you book a hotel room online.

In short,

Contracts for places to stay are an essential part of tourism law since they safeguard the rights of both the tourists and the people who rent out the rooms. You need to know who the major persons are and what the law says about making a legal contract if you rent a room directly or through an online service. This information can help passengers and service providers not become confused and fix problems more promptly.