



# CAPILANO UNIVERSITY

COURSE OUTLINE		
<b>TERM:</b> Fall 2019	<b>COURSE NO:</b> TOUR 457	
<b>INSTRUCTOR:</b>	<b>COURSE TITLE:</b> Adventure Advanced Risk Management and Tourism Law	
<b>OFFICE:</b> <b>LOCAL:</b> <b>E-MAIL:</b> @capilanou.ca	<b>SECTION NO(S):</b>	<b>CREDITS: 3</b>
<b>OFFICE HOURS:</b>		
<b>COURSE WEBSITE:</b>		

Capilano University acknowledges with respect the Lil'wat, Musqueam, Squamish, Sechelt, and Tsleil-Waututh people on whose territories our campuses are located.

## **COURSE FORMAT**

Three hours of class time, plus an additional hour delivered through on-line or other activities for a 15-week semester, which includes two weeks for final exams. This course may also be offered in mixed-mode format.

## **COURSE PREREQUISITES/CO-REQUISITES**

75 credits of 100-level or higher coursework

## **CALENDAR DESCRIPTION**

This course focuses on increasing the student's knowledge of legal issues facing adventure tourism businesses, sports organizers, recreationalists, spectators, and recreation facilities. Students will develop knowledge of how various areas of the law impacts the adventure tourism industry, and will include both civil and criminal matters, administrative law, and risk management. By the end of this course students should be able to analyze and understand the impact of applicable Canadian Laws on adventure tourism business ventures. Students will be introduced to relevant B.C. and Federal statute law as well as applicable judge-made law. The rights and potential liabilities of the various parties in adventure tourism business relationships will also be discussed.

## **REQUIRED TEXTS AND/OR RESOURCES**

- Tamra, Alexander & Pat Papadeas, Canadian Business Law
- Additional readings provided by Instructor

**COURSE STUDENT LEARNING OUTCOMES**

**On successful completion of this course, students will be able to do the following:**

- Explain the basic structure of the Canadian legal system
- Explain and discuss the fundamentals of the law of torts and professional liability, their impact on adventure tourism business ventures and the possible remedies available
- Analyze the essential requirements of a valid contract and evaluate the ways a contract can come to an end and the associated remedies
- Analyze specific contracts, including the terms used, that apply to tourism businesses
- Explain the relationship between statutes and the common law as they pertain to adventure tourism businesses
- Discuss and analyze the advantages and disadvantages of various business organizations
- Analyze and apply basic legal principles and concepts to problems, which may arise in the business world
- Explain how legal issues get incorporated into an overall risk management program for an adventure tourism business

**COURSE CONTENT**

WEEK	TOPIC(S)
<b>1</b>	<b>Course Introduction</b> 1. Student Expectations 2. Introduction to Risk Management within a Legal Plan
<b>2</b>	<b>Foundations of Business Law in Canada</b> 1. Canadian legal system 2. Sources of Canadian Law Jurisdiction Areas of Law (Statute, Common, Criminal, Administrative)
<b>3</b>	<b>Resolving Disputes</b> Legal Services and dealing with Lawyers Canada's Court system The Litigation Process Alternatives to Litigation
<b>4</b>	<b>Torts Law</b> 1. Review torts (intentional and unintentional) 2. Study economic torts of negligent misrepresentation and negligent omission, misappropriation of personality, injurious falsehood, intentional interference with contractual relations 3. Negligence and liability, as it pertains to the Adventure Tourism Industry

5	<b>Contract Law</b> Elements of a binding contract Enforcement of contractual rights and breach of contract Damages
6	<b>Contracts Specific to Adventure Tourism</b> Contracts relevant to Adventure Tourism: (Releases and Waivers) Particular Clauses Interpretation of contracts, express/implied terms
7	Mid Term Week
8	<b>Businesses in the Marketplace</b> Sales of Goods Electronic Commerce Protecting Consumers
9	<b>Form of Business Organizations:</b> Sole proprietorship / Partnership / Incorporation Corporations – limited liability of shareholders, directors and officers; and situations where liability will occur Strategies for starting a business – start-ups, buying a business and franchises Societies and cooperatives – liability of members, directors and officers Liability of volunteers and risk reduction
10	<b>Banking, Finance Law and Debtor-Creditor Law</b> Negotiable Instruments How to Finance a business
11	<b>Presentations: Risk Management Programs</b> Topics could include: Organization risks and responsibilities, risk management strategies, training and supervision, insurance, etc.
12	<b>Employment in Adventure Tourism:</b> Independent Contractors Creating the relationship Human Rights Employment Standards Work Safe BC – overview Privacy Terminating the relationship

<b>13</b>	<p><b>Property Law for Adventure Tourism</b>  Distinguishing real property and personal property  Distinguishing tangible property and intangible property  Title vs. possession  Bailment – renting equipment, leasing equipment, Hotel Keeper’s Act  Leasing premises and the Occupier’s Liability Act</p> <p><b>Intellectual Property Law</b>  Protecting ideas, business names, designs and logos  Patents, industrial designs and copyright</p>
<b>14 - 15</b>	FINAL EXAM PERIOD

### EVALUATION PROFILE

Assessment	% of Final Grade
Assignments	15%
Project #1	10%
Mid-term	20%
Project #2	15%
Presentation	15%
Final Exam	25%
Total	100%

### ASSIGNMENTS

The assignment structure for this course is determined by the instructor in accordance with the learning outcomes outlined above. Please refer to the course syllabus and Moodle site for a detailed breakdown.

**Written Assignments:** This course will include a combination of short written assignments (e.g. homework) and/or longer assignments such as a report.

**Quizzes:** This course will include quizzes/midterm (e.g. online quizzes), and a final exam. The format of these assessments will be determined by the instructor and may include a combination of true/false, multiple choice, short answer and matching.

**Presentations:** This course includes a presentation component. Detailed instructions will be provided in class and on Moodle.

## GRADING PROFILE

A+ = 90-100	B+ = 77-79	C+ = 67-69	D = 50-59
A = 85-89	B = 73-76	C = 63-66	F = 0-49
A- = 80-84	B- = 70-72	C- = 60-62	

### Incomplete Grades

Grades of Incomplete "I" are assigned only in exceptional circumstances when a student requests extra time to complete their coursework. Such agreements are made only at the request of the student, who is responsible to determine from the instructor the outstanding requirements of the course.

### Late Assignments

Assignments are due at the beginning of the class on the due date listed. If you anticipate handing in an assignment late, please consult with your instructor beforehand.

### Missed Exams/Quizzes/Labs etc.

Missed exams/quizzes will receive a grade of "0" unless PRIOR arrangements (wherever possible) are made with the instructor. Permission to make up an exam will only be given in extraordinary situations such as illness of the student or the death of a close family member. A doctor's certificate, or other proof supporting the reason for the absence, may be required.

### Attendance

Regular class attendance, and participation in course activities and assignments, is expected and likely essential to successfully achieving the course learning outcomes. Students are responsible for any and all content and instructions communicated during scheduled classes, in course handouts, and (if applicable) via course e-mail and websites. In cases where participation by all students is essential for conducting the planned instructional activities, attendance may be mandatory. In all cases, the attendance expectations and any penalties for missing instructional activities shall be clearly articulated on the course outline.

### English Usage

Students are expected to proofread all written work for any grammatical, spelling and stylistic errors. Instructors may deduct marks for incorrect grammar and spelling in written assignments.

### Electronic Devices

Students may use electronic devices during class for note-taking only unless instructed by the instructor

### On-line Communication

Outside of the classroom, instructors will (if necessary) communicate with students using either their official Capilano University email or Moodle; please check both regularly. Official communication between Capilano University and students is delivered to students' Capilano University email addresses only.

## UNIVERSITY OPERATIONAL DETAILS

### Tools for Success

Many services are available to support student success for Capilano University students. A central navigation point for all services can be found at: <https://www.capilanou.ca/student-life/>

**Capilano University Security: download the [CapU Mobile Safety App](#)**

### Policy Statement (S2009-06)

Capilano University has policies on Academic Appeals (including appeal of final grade), Student Conduct, Academic Integrity, Academic Probation and other educational issues. These and other policies are available on the University website.

### Academic Integrity (S2017-05)

Any instance of academic dishonesty or breach of the standards of academic integrity is serious and students will be held accountable for their actions, whether acting alone or in a group. See policy and procedures S2017-05 Academic Integrity for more information: <https://www.capilanou.ca/about-capu/governance/policies/>

Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances, are prohibited and will be handled in accordance with the Student Academic Integrity Procedures.

**Academic dishonesty** is any act that breaches one or more of the principles of academic integrity. Acts of academic dishonesty may include but are not limited to the following types:

**Cheating:** Using or providing unauthorized aids, assistance or materials while preparing or completing assessments, or when completing practical work (in clinical, practicum, or lab settings), including but not limited to the following:

- Copying or attempting to copy the work of another during an assessment;
- Communicating work to another student during an examination;
- Using unauthorized aids, notes, or electronic devices or means during an examination;
- Unauthorized possession of an assessment or answer key; and/or,
- Submitting of a substantially similar assessment by two or more students, except in the case where such submission is specifically authorized by the instructor.

**Fraud:** Creation or use of falsified documents.

**Misuse or misrepresentation of sources:** Presenting source material in such a way as to distort its original purpose or implication(s); misattributing words, ideas, etc. to someone other than the original source; misrepresenting or manipulating research findings or data; and/or suppressing aspects of findings or data in order to present conclusions in a light other than the research, taken as a whole, would support.

**Plagiarism:** Presenting or submitting, as one's own work, the research, words, ideas, artistic imagery, arguments, calculations, illustrations, or diagrams of another person or persons without explicit or accurate citation or credit.

**Self-Plagiarism:** Submitting one's own work for credit in more than one course without the permission of the instructors, or re-submitting work, in whole or in part, for which credit has already been granted without permission of the instructors.

**Prohibited Conduct:** The following are examples of other conduct specifically prohibited:

- Taking unauthorized possession of the work of another student (for example, intercepting and removing such work from a photocopier or printer, or collecting the graded work of another student from a stack of papers);
- Falsifying one's own and/or other students' attendance in a course;
- Impersonating or allowing the impersonation of an individual;
- Modifying a graded assessment then submitting it for re-grading; or,
- Assisting or attempting to assist another person to commit any breach of academic integrity.

### **Sexual Violence and Misconduct**

All Members of the University Community have the right to work, teach and study in an environment that is free from all forms of sexual violence and misconduct. Policy B401 defines sexual assault as follows:

Sexual assault is any form of sexual contact that occurs without ongoing and freely given consent, including the threat of sexual contact without consent. Sexual assault can be committed by a stranger, someone known to the survivor or an intimate partner.

Safety and security at the University are a priority and any form of sexual violence and misconduct will not be tolerated or condoned. The University expects all Students and Members of the University Community to abide by all laws and University policies, including B.401 Sexual Violence and Misconduct Policy and B.401.1 Sexual Violence and Misconduct Procedure (found on Policy page <https://www.capilanou.ca/about-capu/governance/policies/>)

**Emergencies:** Students are expected to familiarise themselves with the emergency policies where appropriate and the emergency procedures posted on the wall of the classroom.

### **DEPARTMENT OR PROGRAM OPERATIONAL DETAILS**

See course syllabus