

UNIT 4: The Travel and Tourism Business Toolkit

ILLUSTRATE THE POTENTIAL IMPACT OF THE LEGAL AND
ETHICAL CONSIDERATIONS ON A TRAVEL AND TOURISM
BUSINESS

Legislation vs. Regulations vs. Standards

- ▶ *Regulation has been described as a rule of order having the force of law, prescribed by a superior or competent authority, relating to the actions of those under the authority's control.*
- ▶ Standards make things work by providing specifications (guidelines or requirements) for products, services and systems. If used consistently, they ensure quality, safety and efficiency. They may take the form of a Reference Document that provides details about the criteria involved.
- ▶ The system of rules, or statutes made by the government of a country, state, city. Statutes are enacted by legislative body, then signed by the ranking official (President/Governor). Everyone must follow them to be legal.

Standards

- ▶ Voluntary Consensus Standards
- ▶ Industry Standards
- 1. Product-Based Standards
- ▶ Consortia Standards
- 2. Construction Standards for buildings and systems in the built environment
- ▶ Regulatory Standards
- 3. Performance-Based Standards
- 4. Management System Standards
- 5. Personnel Certification Standards

Legislation

- ▶ Environmental legislation
- ▶ Consumer and passenger rights
- ▶ Freedoms of the air and bilateral agreements
- ▶ Data protection and confidentiality
- ▶ Employee legislation

Environmental impact and Legislation

- ▶ Unplanned growth of tourism especially unplanned construction near beaches, mountains, hills, near heritage buildings, monuments etc.
- ▶ Soil erosion and deforestation due to over construction
- ▶ Air, water and noise Pollution because of automobiles, airlines, ships and cruises etc.
- ▶ Littering and garbage done by trekkers, mountaineers and tourist
- ▶ Hunting of animals.
- ▶ Overcrowding at popular beaches, mountains, treks, wildlife sanctuaries and national parks etc.
- ▶ Waste caused by the hotels and other allied industries leading to water, air and soil pollution

Environmental impact and Legislation

- ▶ The Environmental Protection (Duty of Care) Regulations 1991
- ▶ The Hazardous Waste Regulations 2005
- ▶ Control of Substances Hazardous to Health (COSHH) Regulations 2002
- ▶ Waste Electrical and Electronic Equipment Regulations 2006
- ▶ The Noise and Statutory Nuisance Act 1993
- ▶ The Water Resources Act 1991
- ▶ The Wildlife Protection Act, 1972
- ▶ The Wild Life (Transactions and Taxidermy) Rules, 1973
- ▶ The National Forest Policy, 1988

Consumer and passenger rights

- ▶ AirFares
- ▶ Schedules and Tickets
- ▶ Delayed and Canceled Flights
- ▶ Overbooking
- ▶ Baggage
- ▶ Passengers with Disabilities
- ▶ Contract Terms
- ▶ Travel Scams
- ▶ To Your Health
- ▶ Airline Safety and Security
- ▶ Complaining

Freedoms of the Air and Bilateral Agreements

- ▶ **First Freedom of the Air** - the right or privilege, in respect of scheduled international air services, granted by one State to another State or States to fly across its territory without landing (also known as a **First Freedom Right**).
- ▶ **Second Freedom of the Air** - the right or privilege, in respect of scheduled international air services, granted by one State to another State or States to land in its territory for non-traffic purposes (also known as a **Second Freedom Right**).
- ▶ **Third Freedom of The Air** - the right or privilege, in respect of scheduled international air services, granted by one State to another State to put down, in the territory of the first State, traffic coming from the home State of the carrier (also known as a **Third Freedom Right**).
- ▶ **Fourth Freedom of The Air** - the right or privilege, in respect of scheduled international air services, granted by one State to another State to take on, in the territory of the first State, traffic destined for the home State of the carrier (also known as a **Fourth Freedom Right**).
- ▶ **Fifth Freedom of The Air** - the right or privilege, in respect of scheduled international air services, granted by one State to another State to put down and to take on, in the territory of the first State, traffic coming from or destined to a third State (also known as a **Fifth Freedom Right**).

Freedoms of the Air and Bilateral Agreements

- ▶ **Sixth Freedom of The Air** - the right or privilege, in respect of scheduled international air services, of transporting, via the home State of the carrier, traffic moving between two other States (also known as a **Sixth Freedom Right**). The so-called Sixth Freedom of the Air, unlike the first five freedoms, is not incorporated as such into any widely recognized air service agreements such as the "Five Freedoms Agreement".
- ▶ **Seventh Freedom of The Air** - the right or privilege, in respect of scheduled international air services, granted by one State to another State, of transporting traffic between the territory of the granting State and any third State with no requirement to include on such operation any point in the territory of the recipient State, i.e the service need not connect to or be an extension of any service to/from the home State of the carrier.
- ▶ **Eighth Freedom of The Air** - the right or privilege, in respect of scheduled international air services, of transporting cabotage traffic between two points in the territory of the granting State on a service which originates or terminates in the home country of the foreign carrier or (in connection with the so-called Seventh Freedom of the Air) outside the territory of the granting State (also known as a **Eighth Freedom Right** or "**consecutive cabotage**").
- ▶ **Ninth Freedom of The Air** - the right or privilege of transporting cabotage traffic of the granting State on a service performed entirely within the territory of the granting State (also known as a **Ninth Freedom Right** or "**stand alone**" cabotage).

Data protection and confidentiality

The General Data Protection Regulation (GDPR) is a European Union Regulation that has been designed to strengthen and unify Data Protection within the EU.

1. Personal data shall be processed lawfully and fairly
2. Personal data shall be collected for one or more specified, explicit and legitimate purposes and shall not be processed in a manner that is incompatible with such purposes
3. Personal data shall be adequate, relevant and not excessive in relation to the purposes for which they are processed

Data protection and confidentiality

4. Personal data shall be accurate, and, where necessary, kept up to date, and every reasonable step shall be taken to ensure that data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay
5. Personal data shall be kept in a form that permits the identification of a data subject for no longer than is necessary for the purposes for which the data are processed
6. Personal data shall be processed in a manner that ensures appropriate security of the data, including, by the implementation of appropriate technical or organisational measures, protection against unauthorised or unlawful processing and accidental loss, destruction or damage.

Ethical Considerations

- ▶ Business Ethics
- ▶ Corporate Social Responsibility

Ethical Considerations; Business

Business ethics is the study of appropriate business policies and practices regarding potentially controversial subjects including corporate governance, insider trading, bribery, discrimination, corporate social responsibility, and fiduciary responsibilities.

Ethical Considerations; Business

- ▶ Article 1: Tourism's contribution to mutual understanding and respect between peoples and societies
- ▶ Article 2: Tourism as a vehicle for individual and collective fulfilment
- ▶ Article 3: Tourism, a factor of sustainable development
- ▶ Article 4: Tourism, a user of the cultural heritage of mankind and contributor to its enhancement
- ▶ Article 5: Tourism, a beneficial activity for host countries and communities
- ▶ Article 6: Obligations of stakeholders in tourism development
- ▶ Article 7: Right to tourism
- ▶ Article 8: Liberty of tourist movements
- ▶ Article 9: Rights of the workers and entrepreneurs in the tourism industry
- ▶ Article 10: Implementation of the principles of the Global Code of Ethics for Tourism

Corporate Social Responsibility

Corporate social responsibility (CSR) is a broad term used to describe a company's efforts to improve society in some way.

These efforts can range from donating money to nonprofits to implementing environmentally-friendly policies in the workplace.

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