

FACULTY OF GLOBAL AND COMMUNITY STUDIES		
COURSE OUTLINE		
Term:	<i>Fall 2015</i>	Instructor:
Course No:	<i>TOUR 457</i>	Office:
Course Name:	<i>Adventure Advanced Risk Management and Tourism Law</i>	Telephone:
Credits:	<i>3</i>	E-mail:
Classroom/Lab:		Office Hours:
Scheduled:		

COURSE FORMAT: 3 hours lecture per week for 15 weeks, plus fourth hour activities

PREREQUISITES: 75 credits of 100 level or higher coursework , including TOUR208

FOURTH HOUR: Fourth hour activities for this course may include on-line instruction, small group meetings with faculty, tutorials, field trips, or industry events.

COURSE 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.

COURSE LEARNING OUTCOMES:

LEARNING OUTCOMES
1. Differentiate the various categories of law as they apply to the Canadian common law system and understand how they impact adventure tourism business ventures.
2. Understand basic steps in the Canadian, and in particular the B.C., court systems.
3. Identify torts and explain their impact on adventure tourism business ventures.
4. Apply the principles of enforceable contract and assess the impact of both statute and judge-made law on adventure business contracts.
5. Recognize and analyze specific contracts such as employment contracts, agency contracts, leases, e-commerce contracts, and waivers of liability.
6. Categorize the methods of protecting intellectual property, and more specifically, adventure business ideas, names and logos.
7. Explain the advantages and disadvantages of the three legal forms of business organization, and when it is appropriate to use other structures such as societies and cooperatives.
8. Understand how the above factors fit into an overall risk management program for an adventure business venture.

EVALUATION PROFILE:

Assessment	% of Final Grade	Individual/Group
Assignments	15%	I
Project #1	10%	I
Mid-term	20%	I
Project #2	15%	I
Presentation – Risk Management Program	15%	I
Final Exam	25%	I
Total	100%	

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

GRADING STANDARDS:

- A+ All aspects of the work submitted are to exceptional standards.**
Comprehensively researched, clear and concise, extremely well structured and designed, with a diverse and exhaustive range of evidence (e.g.: literature, other data) used effectively and critically. Demonstrates enlightening, insightful, and/or original thinking of the topics. Presented to the highest standards (e.g.: references, style, grammar, length).
- A All aspects of the work submitted are to very high standards.**
Thoroughly researched, clear and concise, excellently structured and designed, with an extensive range of evidence (e.g.: literature, other data) used effectively and critically. Demonstrates a thorough and comprehensive understanding of the topics. Presented to very high standards (e.g.: references, style, grammar, length).
- B All aspects of the work submitted are to high standards.**
Accurately researched, clear discussion, well structured and designed, with a good range of evidence (e.g.: literature, other data) used effectively and critically. Demonstrates a thorough understanding of the topics. Presented to high standards (e.g.: references, style, grammar, length).
- C All aspects of the work submitted are to acceptable standards.**
Sufficiently researched, providing good discussion, reasonably well structured and designed, with an acceptable range of evidence (e.g.: literature, other data) used effectively. Demonstrates satisfactory understanding of the topics. Presented to reasonable standards (e.g.: references, style, grammar, length).
- D All aspects of the work submitted are to adequate standards.**
Insufficiently researched, needs improvement in flow and design, and/or level of detail, with a limited range of evidence (e.g.: literature, other data) used. Demonstrates rudimentary understanding of the topics. Presented to basic standards (e.g.: references, style, grammar, length).
- F All aspects of the work submitted are below adequate standards.**
Research, flow and design, and/or level of detail are unsatisfactory, with an insufficient range of evidence (e.g.: literature, other data) used. Demonstrates unfamiliarity with the topics. Presented to below adequate standards (e.g.: references, style, grammar, length).

REQUIRED TEXT and OTHER RESOURCES:

Jackson, J., Heshka, J., Managing Risk: Systems Planning for Outdoor Adventure Programming Reading Package

COURSE CONTENT/SCHEDULE:

WEEK	TOPIC(S)	REQUIRED READINGS/ ACTIVITIES
1	<p>The Law in Canada</p> <p>1. Canadian legal system</p> <p>2. Sources of Canadian Law Jurisdiction Areas of Law (Statute, Common, Criminal, Administrative)</p>	
2	<p>Tort Law</p> <p>Review torts (intentional and unintentional)</p> <p>Study economic torts of negligent misrepresentation and negligent omission, misappropriation of personality, injurious falsehood, intentional interference with contractual relations</p>	
3	<p>Overview of Liability in Adventure Tourism</p> <p>1. Negligence 2. Occupier's Liability 3. Public Lands</p>	
4	<p>Overview of Liability in Adventure Tourism continued:</p> <p>4. Products Liability 5. Directors and Officers Liability 6. Defences to Liability</p>	
5	<p>Contract Law</p> <p>Elements of a binding contract Interpretation of contracts, express/implied terms Enforcement of contractual rights and breach of contract Damages Particular Contracts relevant to Adventure Tourism: (Releases and Waivers, Indemnities) Particular Clauses Proper execution of contracts - Discuss Contract Drafting Assignment</p>	
6	<p>Form of Business Organizations:</p> <p>Strategies for starting a business – start-ups, buying a business and franchises</p> <p>Sole proprietorship / Partnership / Incorporation</p> <p>Corporations – limited liability of shareholders, directors and officers; and situations where liability will occur</p> <p>Societies and cooperatives – liability of members, directors and officers</p> <p>Liability of volunteers and risk reduction</p>	

7	Mid Term Week	
8	Employment in Adventure Tourism: Creating the relationship Terminating the relationship Work Safe BC – overview Independent Contractors Contractual Terms	
9	Risk Management for Adventure Tourism: Elements of risk management Adventure tourism organizations risks and responsibilities Risk management strategies Training and Supervision Insurance protection	
10	Risk Management Operational Case Study Developing Risk Management Program for an adventure tourism business	
11	Property Law for Adventure Tourism 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	
12	Intellectual Property Law Protecting ideas, business names, designs and logos Patents, industrial designs and copyright	
13	Presentations: Risk Management Programs Final Exam Preparation	
14 - 15	FINAL EXAM PERIOD	

UNIVERSITY POLICIES:

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

FACULTY POLICIES:

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 email and web sites. 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.

Attendance for weekend courses is mandatory.

No exemption from class time will be granted without appropriate medical documents or a proven emergency. Should a student choose to be absent they will receive a 15% deduction off the total final grade in the course for any day/or portion thereof missed. Students are required to make up all class work for which they were not in attendance.

Professional Behaviour:

Students must demonstrate a professional attitude and behaviour toward work, fellow students and their instructors. Each student should demonstrate reliability, respect for and co-operation with colleagues. A willingness to work calmly and courteously under difficult conditions as well as a determination to achieve first-class work while meeting deadlines is necessary. Students should have respect for equipment and systems. Students should display a constructive response to criticism. Professional behaviour includes appropriate language use. Appropriate language use involves using respectful, moderate, and inclusive language at all times.

Cheating and Plagiarism:

Cheating is an act of deceit, fraud, distortion of the truth, or improper use of another person's effort to obtain an academic advantage. Cheating includes permitting another person to use one's work as their own. Plagiarism is the presentation of another person's work or ideas as if they were one's own. Plagiarism is both dishonest and a rejection of the principles of scholarship. Information about how to avoid plagiarism by proper documentation of sources is available in the Library, the Writing Centre and is published on the University website.

Penalties for Cheating and Plagiarism:

A grade of '0' for an examination, quiz or assignment or 'F' for the course may be assigned if cheating or plagiarism has taken place. First incidents deemed by the instructor to be particularly serious or second or subsequent incidents of cheating and plagiarism will be dealt with under the provisions of the University Policy on Cheating and Plagiarism (See the University Website). All students should familiarize themselves with the University Policy on Cheating and Plagiarism as such behaviour can result in suspension from the University.

Missed Exams or 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.**

English Usage:

All assignments are marked for correct English usage, proofreading and formatting, **up to a maximum of 15% of the total mark for that assignment.**

Assignments:

Homework assignments are due at the **start of class** on the due date unless otherwise advised by your instructor. Late assignments will only be accepted if prior approval for a late submission date has been given by the instructor.

Programmable Tools:

The use of programmable items such as calculators, and dictionaries etc. is forbidden during tests, quizzes, and exams. Cell phones are not to be brought to any test, quiz, or exam.

Incomplete Grades:

Incomplete grades will not be given unless special arrangements have been made with the instructor prior to the exam period.

Copyright Policy:

Students are expected to familiarize themselves with and abide by the University's Copyright Policy. The University's Copyright Policy is published on the University Website.