

**Master's Degree in Law**  
**"Territory and Public Administration" Curriculum**

**YACHTING AND TOURISM LAW**

**a. y. 2023/2024, Semester II, 6 ECTS, 42 hours**  
**Prof. Anna L. Melania SIA**

<b>Course Info</b>	Master's Degree in Law, "Territory and Public Administration" Curriculum YACHTING AND TOURISM LAW a. y. 2023/2024, Semester II, 6 ECTS, 42 hours  LANGUAGE: ITALIAN
<b>Teacher Information</b>  <b>Office hours</b>	Anna L. Melania SIA, associate professor SSD IUS/06 <a href="mailto:asia@unicz.it">asia@unicz.it</a> - Skype: annasia2012  web site: <a href="https://diges.unicz.it/web/docenti/sia-anna-liberata-melania/#1589191422131-3c23618d-edd1">https://diges.unicz.it/web/docenti/sia-anna-liberata-melania/#1589191422131-3c23618d-edd1</a>  phone <a href="tel:+3909613694948">+39 09613694948</a> , fax. <a href="tel:+390961368754">+39 0961368754</a> Room 6, Legal-economic area Building.  During class time, in the hour following the end of class. At the end of the course, every Tuesday from 10.30 to 12.30. Any changes will be promptly communicated on the Department's website. Meetings can also be arranged on Google Meet or Skype. In this case, it is necessary to send a request to the following address: <a href="mailto:asia@unicz.it">asia@unicz.it</a>
<b>Course Description</b>	The course is aimed at examining the regulation of the main institutes of private and public law of legal relationship concerning the tourism and yachting sector. The training activity is addressed to the study and analysis of the regulatory sources, of the maritime state property and transport infrastructures for tourism and recreational purposes, of the tourist air navigation; of the obligations and the main contractual cases inherent to the tourism and pleasure boating sector, deepening the protection of the tourist's rights and the liability profiles in the nautical pleasure boating sector.
<b>Course Objectives and Expected Learning Outcomes</b>	The course aims to provide students with an in-depth knowledge of the regulatory evolution concerning yachting and tourism and the application of the institutions of special law, to improve the development of an autonomous critical and evaluation capacity by examining case law and solving specific cases relating to the legal relations configurable in the tourism and yachting market

<p><b>Program (contents, modalities)</b>  <b>The possible distinction between attending and non-attending program</b></p>	<p>The student can choose between two different examination programs. The following topics will be covered:</p> <p style="text-align: center;">Program 1)</p> <ul style="list-style-type: none"> <li>- regulatory sources, maritime domain, and transport infrastructures for tourist-recreational purposes, main contractual clauses inherent to the tourism and yachting sector, with consideration of the rights of the tourist (Part A),</li> <li>- air navigation for tourism (Part B),</li> <li>- liability in yachting (Part C).</li> </ul> <p style="text-align: center;">Program 2)</p> <p>Alternatively, you can choose to deepen your knowledge of the contracts of «organized tourism» and tourist cruises:</p> <ul style="list-style-type: none"> <li>- The Italian Tourism Code.</li> <li>- The travel package and cruise contract.</li> <li>- Obligations and responsibilities of professionals.</li> </ul> <p>For attending students, specific exam programs can be agreed upon, based on the topics covered in class.</p> <p>For out-of-class students and working students, the program is reduced. For details see the following box on the recommended text.</p> <p>Erasmus students may choose to present three chapters of their choice among those indicated in the program. They will have to present an in-depth thesis on a topic of air law (of their own choice, different from those covered by the examination program) that carries out a comparative analysis between the rules in force in Italy and those laid down in their own country.</p>
<p><b>Estimated Hours Required for Self-Study</b></p>	<p>The program requires individual student study of approximately 100 hours.</p>
<p><b>Teaching Methods</b></p>	<p>The course takes place in the second semester of the academic year and is divided into lectures, with case studies, reading, and commentary on the most important judgments of Italian and foreign jurisprudence and the most accredited guidelines of the doctrine. Meetings with academics and experts are planned.</p>
<p><b>Learning Resources (recommended textbooks, any additional)</b></p>	<p style="text-align: center;">Program 1)</p> <p>Part A):  V. FRANCESCHELLI, F. MORANDI, <i>Manuale di diritto del turismo</i>, VIII ed., Giappichelli Editore, Torino, 2022, limited to:</p>

<p><b>recommended reading for further study, other learning materials)</b></p>	<p>cap. I (<i>Il turismo nella Costituzione</i>), cap. II (<i>Competenze normative e fonti</i>), cap. IV (<i>Turismo e crisi pandemica</i>), cap. VII (<i>Le infrastrutture dei trasporti ed il demanio marittimo a finalità turistico-ricreativa</i>), cap. XIV (<i>I contratti della navigazione e dei trasporti</i>), cap. XVII (<i>I contratti del turismo organizzato</i>), cap. XIX (<i>La tutela dei diritti del turista: metodi di risoluzione alternativa delle controversie</i>).</p> <p>Part B):  F. MORANDI, U. IZZO, <i>L'aria</i>, vol. II, <i>La responsabilità civile e penale negli sport del turismo</i>, Giappichelli Editore, Torino, 2014, only: Parte III, cap. 1 (<i>Il volo da diporto o sportivo: inquadramento normativo</i>), cap. 2 (<i>La responsabilità civile</i>), pag.157-190.</p> <p>Part C):  F. MORANDI, U. IZZO, <i>L'acqua, mare, laghi, fiumi</i>, vol. III, <i>La responsabilità civile e penale negli sport del turismo</i>, Giappichelli Editore, Torino, 2015, only: Parte II, Cap. 4 (<i>Sport motoristici sull'acqua: regole di sicurezza e responsabilità</i>), pag. 245-292.</p> <p style="text-align: center;">Program 2)</p> <p>M. BRIGNARDELLO, <i>I contratti del «turismo organizzato» e di crociera</i>, Cacucci Editore, Bari, 2023.</p> <p>In-depth teaching material will be made available on the E-Learning platform - UMG.</p>
<p><b>Supporting Activities</b></p>	<p>Support activities are carried out by the teacher during office hours. There are some exercises, aimed at stimulating problem-solving skills, and seminars on specific topics with the participation of experts in the field.</p>
<p><b>Frequency Mode</b></p>	<p>Attendance is not compulsory, but it is recommended.</p>
<p><b>Methods of Assessment</b></p>	<p>The examination is oral and comprises three questions.</p> <p>Students who have attended at least 50% of the course can take the examination based on a syllabus agreed upon with the teacher. At the student's choice, in this case, it is possible to submit a written paper that deepens one of the topics covered in class.</p> <p>The evaluation of the exam will be carried out taking into consideration:</p> <ul style="list-style-type: none"> <li>- the ability to develop critical arguments.</li> <li>- the ability to make connections between the different parts of the program.</li> <li>- the ability to analyse jurisprudential and doctrinal orientations.</li> </ul>

The exam is passed if the candidate achieves a minimum grade of at least 18/30. The criteria listed in the following table will be used:

<b>Vote</b>	<b>Knowledge and understanding of the topic</b>	<b>Analysis and synthesis skills</b>	<b>Use of references</b>
Ineligible	Significant deficiencies. Significant inaccuracies	Irrelevant. Frequent generalizations. Inability to synthesize	Completely inappropriate
18-20	Level Threshold. Obvious imperfections	Just sufficient ability	Just appropriate
21-23	Routine knowledge	Can analyse and synthesize correctly. Argues logically and coherently	Uses standard references
24-26	Good knowledge	Has good analytical and synthesis skills. Topics are expressed coherently	Uses standard references
27-29	More than good knowledge	Has remarkable analytical and synthesis skills	Has deepened the topics
30-30L	Excellent knowledge	Has excellent analytical and synthesis skills	In-depth study