

Course Syllabus

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| 1. Program of Study | B.B.A. (Tourism and Hospitality Management) |
| Faculty/Institute/College | Mahidol University International College |
| 2. Course Code | ICTM 352 |
| Course Title | Tourism and Hospitality Law |
| 3. Number of Credits | 4 (4-0-8) (Lecture-Lab-Self-study) |
| 4. Prerequisite (s) | ICTM 212 |
| 5. Type of Course | Required Course |
| 6. Session | Trimester 1, 2, 3 / Every academic year |
| 7. Conditions | Maximum number of students is 30 |

8. Course Description

The key principles of law applicable to tourism, hospitality, and related industries; Thai tourism legislation on business organizations and several international law issues such as consumer protection, product and service liability, employment, and law of access to the natural environment.

9. Course Objectives

After successful completion of this course, students will be able to

9.1 Understand the nature of law and the legal system of Thailand.

9.2 Understand the legal concept and principles of personality, juristic act and contract, the rules under the specific provisions of the Civil and Commercial Code concerning sale, hire of property, hire of work, hire of services and labor law, deposit and special rules for innkeeper, insurance.

9.3 Set up and manage basic forms of business organizations.

9.4 Understand the rules imposed by specific legislations concerning the operation of hotel, place of entertainment, travel agency and tourist guide business.

10. Course Outline

Week	Topics	Hours			Instructor
		Lecture	Lab	Self-Study	
1	Introduction to Law	4	-	8	Pramoj na Ayudhya, Q.
2	Personality	4	-	8	
3	Juristic Act	4	-	8	
4	Contract	4	-	8	
5	Contract of Sale	4	-	8	
6	Hire of Property & Hire of Work	4	-	8	
7	Hire of Services and Labor Law	4	-	8	
8	Deposit and Special Rules for Innkeeper	4	-	8	
9	Insurance	4	-	8	
10	Basic Forms of Business Organizations &	4	-	8	
11	Specific Legislations Concerning the Operation of Hotel, Place of Entertainment, Travel Agency and Tourist Guide Businesses	4	-	8	
	Total	44	0	88	
Final Examination					

NB. The course is subject to change without prior notice to fit the changing tourism circumstances.

11. Teaching Method (s)

- 11.1 Lectures
- 11.2 Discussions
- 11.3 Field trip
- 11.4 Presentations (students and guest speakers)

12. Teaching Media

- 12.1 LCD overhead projector
- 12.2 PowerPoint
- 12.3 Multimedia resources
- 12.4 Handouts
- 12.5 Text books

13. Measurement and evaluation of student achievement

Student achievement is measured and evaluated by

- 13.1 the ability in understanding the nature of law and the legal system of Thailand.
- 13.2 the ability in understanding the legal concept and principles of personality, juristic act and contract, the rules under the specific provisions of the Civil and

Commercial Code concerning sale, hire of property, hire of work, hire of services and labor law, deposit and special rules for innkeeper, insurance.

- 13.3 the ability in setting up and managing basic forms of business organizations.
- 13.4 the ability in understanding the rules imposed by specific legislations concerning the operation of hotel, place of entertainment, travel agency and tourist guide business.

Ratio of mark

1. Class Participation	10 %
2. Assignment	20 %
3. Midterm Examination	30 %
4. Final Examination	40 %
Total	100 %

14. Course evaluation

14.1 Students' achievement as indicated in number 13 above.

14.2 Students' satisfaction towards teaching and learning of the course using questionnaires.

15. Reference (s)

Please see Section 18.

16. Instructor (s)

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17. Course Coordinator

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18. Additional Information

Course Details and References

1. Introduction to Law

- 1.1 What is Law and Why is it Necessary ?
 - 1.1.1 Meaning and definition of law
 - 1.1.2 History and development of law
 - 1.1.2.1 Nature of community : family and state
 - 1.1.2.2 From moral rules to law
 - 1.1.2.3 Three stages of development of law
 - 1.1.3 Nature of law
 - 1.1.3.1 Composition of law
 - 1.1.3.2 Law and other rules
 - 1.1.3.3 Comments on nature of law
- 1.2 Source of Law
 - 1.2.1 Enacted law (jus scriptum)
 - 1.2.1.1 Nature of enacted law
 - 1.2.1.2 Legislative process
 - 1.2.1.3 Hierarchy of law
 - 1.2.1.4 Nature and grouping of enacted law
 - 1.2.2 Non-enacted law (jus non scriptum)
 - 1.2.2.1 Customary law
 - 1.2.2.2 General principles of law
 - 1.2.2.3 Court precedent
- 1.3 Classification of Enacted of Law
 - 1.3.1 Public law
 - 1.3.1.1 Constitutional law
 - 1.3.1.2 Administrative law
 - 1.3.1.3 Criminal law
 - 1.3.2 Private law
 - 1.3.3 International law
 - 1.3.4 Substantive law
 - 1.3.5 Procedural law
- 1.4 General Concept of Rights and Other Terms
 - 1.4.1 Meaning of "right"
 - 1.4.2 Terms similar to "right"
 - 1.4.2.1 Duty
 - 1.4.2.2 Liability
 - 1.4.2.3 Power or authority
 - 1.4.2.4 Privilege
 - 1.4.2.5 Immunity

- 1.5 Category of Rights
 - 1.5.1 Public right
 - 1.5.2 Private right
 - 1.5.2.1 Subject of right
 - 1.5.2.2 Party
 - 1.5.2.3 Exercise of right
 - 1.5.2.4 Source of right

- 1.6 Exercise of Right
 - 1.6.1 Abuse of right
 - 1.6.2 Act of prevention
 - 1.6.3 Act of necessity
 - 1.6.4 Self-help

- 1.7 Principle of “Bona Fide” (Good Faith)

- 1.8 Factors in Application of Law
 - 1.8.1 Time
 - 1.8.1.1 When does a law come to force or become effective?
 - 1.8.1.2 The law has no retrospective effect
 - 1.8.1.3 No law – no offence
 - 1.8.1.4 Termination of law
 - 1.8.2 Person
 - 1.8.2.1 Exemption under internal law of such country
 - 1.8.2.2 Exemption under international law or treaty
 - 1.8.3 Territory

- 1.9 Application and Consequences of Law
 - 1.9.1 What are consequences of law?
 - 1.9.2 Order of application
 - 1.9.3 Legal system
 - 1.9.3.1 The common law
 - 1.9.3.2 The civil law

- 1.10 Interpretation of Law
 - 1.10.1 Interpretation of general law
 - 1.10.2 Interpretation of special law

- 1.11 Enforcement of Law

Reading Materials and References

1. Lecture Notes (To be made available)
2. Business Law, Fourth Edition, Denis Keenan & Sarah Riches, Pitman
3. Business Law, Sixteenth Edition, Paul Dobson and Clive M. Schmitthoff, Sweet & Maxwell, 1997
4. Business Law & The Regulatory Environment, Anderson, Fox & Twomey, Twelfth Edition, South Western

5. Commercial Law, R.M. Goode, Pelican Books, 1985
6. Introduction to English Law, Twelfth Edition, Butterworths
7. Law, Seventh Edition, Made Simple
8. Law for Business Students, Second Edition, Alix Adams, Longman, 1999
9. Principles of Hospitality Law, Michael Boella & Alan Pannett, Second Edition, Cassell
10. กฎหมายเบื้องต้นทางธุรกิจ, ดร. ทวีเกียรติ มีนะกนิษฐ, พิมพ์ครั้งที่ 7, สำนักพิมพ์มหาวิทยาลัยธรรมศาสตร์ 2540 (Basics of Business Law, Dr. Taweekiet Meenakanit, 7th Edition, Thammasat University Printing House, 1997)
11. ความรู้เบื้องต้นเกี่ยวกับกฎหมายทั่วไป, ฉบับพิมพ์ครั้งที่ 12, ศาสตราจารย์หยุด แสงอุทัย (Basic Knowledge of General Law, 12th Edition, Professor Yud Sang-Utai)
12. บทความเรื่องหลักกฎหมายทั่วไป, ศ.ไพจิตร ปุญญพันธ์, วารสารนิติศาสตร์ ฉบับที่ 1 มีนาคม 2540 ปีที่ 27 (Article on General Legal Principles, Professor Pajit Punyapan, Law Journal No. 1 dated 1 March 1997, Year 27).
13. คำอธิบายประมวลกฎหมายแพ่งและพาณิชย์ว่าด้วยนิติกรรมและสัญญา, ฉบับพิมพ์ครั้งที่ 7, สักดิ์ สนองชาติ, สำนักพิมพ์นิติบรรณการ (Textbook on the Civil and Commercial Code on Juristic Act and Contract, 7th Edition, Sak Sanongchart, Nitibannakarn Printing House)
14. คำอธิบายวิชากฎหมายแพ่ง : หลักทั่วไป เล่ม 1, ความรู้กฎหมายทั่วไป, ฉบับพิมพ์ครั้งที่ 4, ผศ. สมยศ เชื้อไทย (Textbook on the Civil Law Subject: General Principles, General Knowledge of Law, 4th Edition, Assistant Professor Somyos Chua-Thai)
15. ความรู้นิติปรัชญาเบื้องต้น, พิมพ์ครั้งที่ 6 ปรับปรุงใหม่, ผศ. สมยศ เชื้อไทย (Basic Knowledge of Jurisprudence, 6th Edition, Assistant Professor Somyos Chua-Thai)
16. ความรู้ทั่วไปเกี่ยวกับกฎหมาย, ฉบับพิมพ์ครั้งที่ 2 แก้ไขเพิ่มเติม, ประสิทธิ์ ปิวาวัฒนพานิช (General Knowledge of Law, 2nd Edition, Amendment, Prasith Piwawatapanich)

2. Persons - Subject of Rights

2.1 Natural Person

2.1.1 Personality

2.1.1.1 Beginning of personality

2.1.1.2 Ending of personality

2.1.2 Composition of personality

2.1.2.1 Nationality

2.1.2.2 Name

2.1.2.3 Domicile

2.1.2.4 Status

2.1.3 Capacity

2.1.3.1 Minor

2.1.3.2 Incompetent person

2.1.3.3 Quasi-incompetent person

2.2 Juristic Person

2.2.1 Category of juristic person

2.2.2 Rights and duties of juristic person

2.2.3 Management of juristic person

2.2.4 Domicile of juristic person

Reading Materials and References

1. Lecture Notes (To be made available)
2. Excerpt from the Civil and Commercial Code, Book I-IV And Glossary, Fifth Edition, Professor Kamol Sandhikshetrin (To be made available)
3. Introduction to English Law, Twelfth Edition, Butterworths
4. Law, Seventh Edition, Made Simple
5. Principles of Hospitality Law, Michael Boella & Alan Pannett, Second Edition, Cassell
6. ความรู้เบื้องต้นเกี่ยวกับกฎหมายทั่วไป, ฉบับพิมพ์ครั้งที่ 12, ศาสตราจารย์หยุด แสงอุทัย
(Basic Knowledge of General Law, 12th Edition, Professor Yud Sang-Utai)
7. หลักกฎหมายบุคคล, นเรศร์ เกษะประกร
(Legal Principles of Person, Nares Kesaparakorn)
8. ความรู้เบื้องต้นเกี่ยวกับกฎหมายทั่วไป, ฉบับแก้ไขเพิ่มเติม, กมกริช วัชรเสถียร
(Basic Knowledge of General Law, Amendment, Komgris Wacharasathien)

3. Juristic Act

3.1 Overview of Juristic Act

- 3.1.1 Meaning of juristic act
- 3.1.2 Composition of juristic act
 - 3.1.2.1 Declaration of intention
 - 3.1.2.2 Lawful act
 - 3.1.2.3 Voluntary act
 - 3.1.2.4 Intent to establish juristic relations
 - 3.1.2.5 Movement of rights

3.2 Validity of Juristic Act

- 3.2.1 Capacity in making juristic act
 - 3.2.1.1 Minor
 - 3.2.1.2 Incompetent person
 - 3.2.1.3 Unsound mind person
 - 3.2.1.4 Quasi-incompetent person
- 3.2.2 Illegal objectives of juristic act
 - 3.2.2.1 Meaning of objective
 - 3.2.2.2 Objective expressly prohibited by law
 - 3.2.2.3 Impossible objective
 - 3.2.2.4 Objective contrary to the public or good moral of the people
- 3.2.3 Legal format requirement of juristic act
 - 3.2.3.1 Meaning of legal format requirement
 - 3.2.3.2 General rule on legal format requirement
 - 3.2.3.3 Category of legal format requirement

3.3 Declaration of Intention

- 3.3.1 General rule on declaration of intention
 - 3.3.1.1 Maker of declaration of intention
 - 3.3.1.2 Manner of declaration of intention
 - 3.3.1.3 Validity of declaration of intention
 - 3.3.1.4 Interpretation of declaration of intention
 - 3.3.1.5 Principles concerning declaration of intention
- 3.3.2 Hidden intention
 - 3.3.2.1 Meaning of hidden intention
 - 3.3.2.2 General rule relating to hidden intention
 - 3.3.2.3 Legal consequences of hidden intention
- 3.3.3 Absolute simulation (declaration of false intention)
 - 3.3.3.1 Meaning of absolute simulation
 - 3.3.3.2 General rule relating to absolute simulation
 - 3.3.3.3 Legal consequences of absolute simulation
- 3.3.4 Relative simulation (declaration of false intention to conceal another intention)
 - 3.3.4.1 Meaning of relative simulation
 - 3.3.4.2 General rule relating to relative simulation
 - 3.3.4.3 Legal consequences of relative simulation

- 3.4 Declaration of Intention due to Abnormal Circumstances
 - 3.4.1 Mistake
 - 3.4.1.1 Meaning of mistake
 - 3.4.1.2 General rule on making juristic act by mistake
 - 3.4.1.3 Legal consequences of mistake
 - 3.4.2 Fraud
 - 3.4.2.1 Meaning of fraud
 - 3.4.2.2 General rule on making juristic act by fraud
 - 3.4.2.3 Legal consequences of fraud
 - 3.4.3 Duress
 - 3.4.3.1 Meaning of duress
 - 3.4.3.2 General rule on making juristic act by duress
 - 3.4.3.3 Legal consequences of duress

- 3.5 Invalidity of Juristic Act
 - 3.5.1 Void act
 - 3.5.1.1 Meaning of void act
 - 3.5.1.2 General rule relating to void act
 - 3.5.1.3 Legal consequences of void act
 - 3.5.2 Voidable act
 - 3.5.2.1 Meaning of voidable act
 - 3.5.2.2 General rule relating to voidable act
 - 3.5.2.3 Legal consequences of voidable act

- 3.6 Condition and Time Condition
 - 3.6.1 Condition
 - 3.6.1.1 Nature of condition
 - 3.6.1.2 Validity of condition
 - 3.6.1.3 Legal consequences of condition
 - 3.6.2 Time condition
 - 3.6.2.1 Nature of time condition
 - 3.6.2.2 Validity of time condition
 - 3.6.2.4 Legal consequences of time condition

Reading Materials and References

1. Lecture Notes (To be made available)
2. Excerpt from the Civil and Commercial Code, Book I-IV And Glossary, Fifth Edition, Professor Kamol Sandhikshetrin (To be made available)
3. Business Law, Sixteenth Edition, Paul Dobson and Clive M.Schmitthoff, Sweet & Maxwell, 1997
4. Commercial Law, R.M. Goods, Penquin Books, 1985
5. Fundamental Principles of Law, The Law of Contract, J.C. Smith, Sweet & Maxwell
6. Principles of Hospitality Law, Michael Boella & Alan Pannett, Second Edition, Cassell
7. Treitel The Law of Contract, Eighth Edition, G.H. Treitel, Sweet & Maxwell/Stevens
8. คำอธิบายประมวลกฎหมายแพ่งและพาณิชย์ว่าด้วยนิติกรรมและสัญญา, ฉบับพิมพ์ครั้งที่ 7, สักดิ์ สนองชาติ, สำนักพิมพ์นิติบรรณการ (Textbook on the Civil and Commercial Code on Juristic Act and Contract, 7th Edition, Sak Sanongchart, Nitibannakarn Printing House)

9. ข้อหลักกฎหมายแพ่งและพาณิชย์ นิติกรรม, ไชยยศ หะมะรัชตะ, สำนักพิมพ์นิติธรรม
(Summary of Juristic Act in the Civil and Commercial Law, Chaiyos Haemaratchata, Nithitham Printing House)
10. ความรู้เบื้องต้นเกี่ยวกับกฎหมายทั่วไป, ฉบับแก้ไขเพิ่มเติม, คมกริช วัชรเสถียร
(Basics of General Law, Amendment, Komkris Watcharasathien)

4. Contract

4.1 Overview of Contract Law

4.1.1 Principles of freedom of contract

4.1.1.1 Sections 150, 151 of the civil and commercial code

4.1.1.2 Contra proferentum rule (“exemption clause shall be strictly construed against the persons who relies on them”)

4.1.1.3 No contract can require that fraud shall create no liability

4.2 Nature of Contract

4.2.1 Juristic act between at least two persons

4.2.2 Source of obligation

4.3 Classification of Contract

4.3.1 Contract for the benefit of a third party

4.3.2 Reciprocal and non-reciprocal contracts

4.3.3 Gratuitous and non-gratuitous contracts

4.3.4 Principal and accessory/subordinate contracts

4.3.5 Specific and general contracts

4.4 Formation of Contract

4.4.1 The rule of offer and acceptance

4.5 Termination of Contract

4.5.1 Right to terminate contract

4.5.1.1 Right provided by law

4.5.1.2 Right provided by contract

4.5.2 Legal consequences of termination of contract

4.6 Enforcement of Contracts and Damages

4.6.1 Enforcement of contract

4.6.1.1 Litigation

4.6.1.2 Arbitration

4.6.2 Damages

4.6.3 Contract Provisions Affecting Remedies and Damages

4.6.3.1 Limitation of remedies

4.6.3.2 Liquidated damages

4.7 Specific Contracts under the Civil and Commercial Code and Certain Types of Contracts Related to the Operation of Tourism and Hospitality Business

4.7.1 Specific contracts

- 4.7.2 Certain types of contracts related to the operation of tourism and hospitality business
 - 4.7.2.1 Food and beverage service (e.g. contract for the supply of food and beverage, contract for catering service)
 - 4.7.2.2 Lodging (e.g. lease agreement)
 - 4.7.2.3 Travel and tourism (e.g. contract of carriage, tour operator contract)
 - 4.7.2.4 Recreation
 - 4.7.2.5 Management (e.g. co-operation agreement, management agreement, franchise agreement)

Reading Materials and References

1. Lecture Notes (To be made available)
2. Excerpt from the Civil and Commercial Code, Book I-IV And Glossary, Fifth Edition, Professor Kamol Sandhikshetrin (To be made available)
3. Law, Seventh Edition, Made Simple
4. Introduction to English Law, Twelfth Edition, Butterworths
5. Business Law, Fourth Edition, Keenan & Riches
6. Charlesworth's Business Law, Fifteenth Edition, Paul Dobson - Clive M. Schmitthoff, Sweet & Maxwell
7. Fundamental Principles of Law - The Law of Contract, J.C. Smith, Sweet & Maxwell
8. Principles of Hospitality Law, Michael Boella & Alan Pannett, Second Edition, Cassell
9. Treitel-The Law of Contract, Eighth Edition, G.H. Treitel, Sweet & Maxwell/Stevens
10. The Civil and Commercial Code, Book I-IV And Glossary, Fifth Edition, Professor Kamol Sandhikshetrin
11. Understanding Hospitality Law, Jack P. Jefferies & Banks Brown, Fourth Edition, Educational Institute American Hotel & Lodging Association
12. ข้อหลักกฎหมายแพ่งและพาณิชย์ สัญญา, สุรศักดิ์ วาจาสิทธิ์, สำนักพิมพ์นิติธรรม (Summary of Juristic Act in the Civil and Commercial Law, Surasak Wajasith, Nithitham Printing House)
13. คำอธิบายประมวลกฎหมายแพ่งและพาณิชย์ว่าด้วยนิติกรรมและสัญญา, ฉบับพิมพ์ครั้งที่ 7, สักดิ์ สนองชาติ, สำนักพิมพ์นิติบรรณการ (Textbook on the Civil and Commercial Code on Juristic Act and Contract, 7th Edition, Sak Sanongchart, Nitibannakarn Printing House)

5. Contract of Sale

- 5.1 Nature and Definition of Sale
 - 5.1.1 Nature of sale
 - 5.1.2 Definition of sale
- 5.2 Composition of Contract of Sale
- 5.3 Sale and Other Contracts
 - 5.3.1 Sale and exchange
 - 5.3.2 Sale and gift
 - 5.3.3 Sale and hire of property
 - 5.3.4 Sale and hire purchase
 - 5.3.5 Sale and hire of work

- 5.4 Subject-Matter of Contract of Sale
- 5.5 Future Goods
- 5.6 The Parties
 - 5.6.1 The buyer
 - 5.6.2 The seller
 - 5.6.3 The principle *nemo dat quod non habet*
 - 5.6.3.1 The rule “no one can give that which he has not”
 - 5.6.3.2 The doctrine of estoppel
- 5.7 Category of Contract of Sale
 - 5.7.1 Contract of absolute sale
 - 5.7.2 Conditional sale
 - 5.7.3 Time conditional sale
 - 5.7.4 Agreement to sell and purchase
 - 5.7.5 Promise to sell or purchase (Promise to sell or to buy)
- 5.8 Format of Contract of Sale
- 5.9 Transfer of Ownership
 - 5.9.1 Meaning of “ownership”
 - 5.9.2 Timing for transfer of ownership
 - 5.9.3 Legal consequence of transfer of ownership
- 5.10 Duties and Liabilities of the Parties
 - 5.10.1 The seller
 - 5.10.2 The buyer
- 5.11 Clauses for Non-Liability

Reading Materials and References

1. Lecture Notes (To be made available)
2. Excerpt from the Civil and Commercial Code, Book I-IV And Glossary, Fifth Edition, Professor Kamol Sandhikshetrin (To be made available)
3. Business Law, Fourth Edition, Denis Keenan & Sarah Riches, Pitman
4. Business Law & The Regulatory Environment, Anderson, Fox & Twomey, Twelfth Edition, South Western
5. Commercial Law, R.M. Goode, Pelican Books
6. Principles of Hospitality Law, Michael Boella & Alan Pannett, Second Edition, Cassell
7. The Sale of Goods, P.S Atiyah, 8th Edition, Pitman
8. Understanding Hospitality Law, Jack P. Jefferies & Banks Brown, Fourth Edition, Educational Institute American Hotel & Lodging Association
9. คำอธิบายกฎหมายว่าด้วยซื้อขาย แลกเปลี่ยน ให้, ดร. วิษณุ เกรืองาม, พิมพ์ครั้งที่ 6, โฉมิตการพิมพ์ 2536
(Explanation of Law Governing Sale, Exchange, Gift, Dr. Wisanu Kreu-ngam, 6th Edition, Kosit Karnpim 1993)
10. กฎหมายเบื้องต้นทางธุรกิจ, ดร. ทวีเกียรติ มินะกนิษฐ, พิมพ์ครั้งที่ 7, สำนักพิมพ์มหาวิทยาลัยธรรม

6. Hire of Property

6.1 Definition

6.2 Nature of Hire of Property

6.2.1 Reciprocal contract

6.2.2 Utilisation of property for limited period of time

6.2.3 Payment of rent

6.3 Relevant Provisions of Contract of Hire of Property

6.3.1 Format of contract

6.3.2 Time limit

6.3.3 Several persons claiming different rights

6.3.4 Sublease

6.3.5 Transfer of right

6.4 Duties and Liabilities of the Parties

6.4.1 Duty and liability of the lessor

6.4.1.1 To deliver property in good state of repair

6.4.1.2 To be liable for defect and eviction

6.4.2 Duty and liability of the lessee

6.4.2.1 To pay the rent

6.4.2.2 To use the property properly

6.4.2.3 To allow inspection and repair

6.4.2.4 To inform the lessor of events listed under Section 557 of the CCC

6.4.2.5 Not to make alteration

6.4.2.6 To return the property

6.4.2.7 To be liable for loss and damage

6.5 Termination of Contract

6.5.1 Time of termination

6.5.2 Events of termination

6.5.3 Renewal of contract

Reading Materials and References

1. Lecture Notes (To be made available)
2. Excerpt from the Civil and Commercial Code, Book I-IV And Glossary, Fifth Edition, Professor Kamol Sandhikshetrin (To be made available)
3. Business Law, Fourth Edition, Denis Keenan & Sarah Riches, Pitman
4. Business Law & The Regulatory Environment, Anderson, Fox & Twomey, Twelfth Edition, South Western
5. Commercial Law, R.M. Goode, Pelican Books.

6. Principles of Hospitality Law, Michael Boella & Alan Pannett, Second Edition, Cassell
7. Understanding Hospitality Law, Jack P. Jefferies & Banks Brown, Fourth Edition, Educational Institute American Hotel & Lodging Association
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7. Hire of Work

7.1 Definition of Hire of Work

7.2 Nature of Hire of Work

7.3 Duties and Liabilities of the Parties

7.3.1 Duties and liabilities of the contractor

7.3.1.1 Duty to accomplish work

7.3.1.2 Liability for defective work

7.3.2 Duties and liabilities of the employer

7.3.2.1 To pay remuneration

7.3.2.2 To be liable to third persons for wrongdoing committed in the course of work

7.4 Termination of Contract

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8. Hire of Services and Labor Law

8.1 Definition of Hire of Services

8.2 Nature of Hire of Services

8.3 Duties and Liabilities of the Parties

8.3.1 Duties and liabilities of the employee

8.3.2 Duties and liabilities of the employer

8.4 Termination of Hire of Services

8.5 Implication of the Labour Protection Act B.E. 2541 (1998)

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9. Deposit and Special Rules for Innkeeper

9.1 Definition of Deposit

9.2 Nature of Deposit

9.2.1 Reciprocal contract

9.2.2 Objective

9.2.3 Non-gratuitous or gratuitous contract

9.2.4 Completion upon delivery of property

9.3 Deposit and Other Contracts

9.3.1 Deposit and loan

9.3.2 Deposit and lease

9.4 Rights, Duties and Liabilities of the Depositary

9.4.1 Rights of the depositary

9.4.1.1 To demand payment of expenses

9.4.1.2 To demand remuneration

9.4.1.3 To retain the deposited property

9.4.2 Duties and liabilities of the depositary

9.4.2.1 To exercise due care in keeping the deposited property in custody

9.4.2.2 To refrain from using or allowing a third party to use or keep custody of the deposited property

9.4.2.3 To notify the depositor of a claim by third party

9.4.2.5 To return the deposited property

9.4.3 Rights of the depositor

9.4.3.1 To demand the return of deposited property

9.4.3.2 To demand compensation

9.4.4 Duties and liabilities of the depositor

9.4.4.1 To pay the costs and expenses

9.4.4.2 To pay the remuneration

9.5 Termination of Contract

9.5.1 Return of deposited property

9.5.2 Loss of deposited property

9.5.3 Death of depositary

9.6 Definition of Inn, Hotel and Innkeeper

9.7 Rights of Innkeeper

9.8 Duties and Liabilities of Innkeeper

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 - 10.1 Definition of Insurance
 - 10.2 Nature of Insurance
 - 10.3 Legal Requirements
 - 10.4 Principles on Insurance
 - 10.4.1 Principles of insurable interest
 - 10.4.2 Principles of the utmost good faith
 - 10.5 Insurance Against loss
 - 10.6 Insurance on Life

10.7 Differences Between Insurance Against Loss and Insurance on Life

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11.1.1 Sole proprietor

11.1.2 Ordinary partnership

11.1.2.1 Formation of ordinary partnership

11.1.2.2 Nature of ordinary partnership

11.1.2.3 Management of ordinary partnership

11.1.2.4 Relation of partners

11.1.2.5 Dissolution and liquidation of ordinary partnership

11.2 Incorporated Business Organisation

11.2.1 Registered ordinary partnership

11.2.1.1 Formation of registered ordinary partnership

11.2.1.2 Comparison with ordinary partnership

11.2.2 Limited Partnership

11.2.2.1 Formation of limited partnership

11.2.2.2 Relations of partners

11.2.2.3 Comparison with ordinary partnership

11.2.3 Limited Companies

11.2.3.1 Private limited company

11.2.3.2 Public limited company

- 11.3 Other Forms of Business Organisation
 - 11.3.1 Joint venture
 - 11.3.2 Branch office
 - 11.3.3 Regional office
 - 11.3.4 Representative office
- 11.4 Factors in Choosing a Form of Business Organisation
 - 11.4.1 Registration and licenses required
 - 11.4.2 Non-tax considerations
 - 11.4.3 Tax considerations
- 11.5 Foreign Business Law
 - 11.5.1 Foreign business act B.E. 2542 (1999)
 - 11.5.2 Work permit

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