



ICM

SEPTEMBER 2015

HOTEL & CATERING LAW

Instructions to candidates:

- a) Time allowed: Three hours (plus an extra ten minutes' reading time at the start – do not write anything during this time)
 - b) Answer any FIVE questions
 - c) All questions carry equal marks. Marks for each question are shown in []
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1. An Act of Parliament is a law that is enforced in all areas of the country where it is applicable.
 - a) Explain how a Bill becomes an Act of Parliament. [10]
 - b) Compare and contrast primary legislation with secondary legislation. [10]
 2. A company operating within the hospitality industry will be regulated by legislation that relates to company law. Write notes on the following:
 - a) Annual General Meeting
 - b) Memorandum of Association
 - c) Articles of Association
 - d) Limited Liability Partnerships [20]
 3. A legally binding contract is arranged between a hotelier and a guest whenever a booking for accommodation is agreed.
 - a) Write brief notes on FIVE of the essential elements of a contract. [10]
 - b) Discuss the differences between 'implied terms of fact' and 'implied terms of law'. [5]
 - c) Explain how the Unfair Contract Terms Act 1977 affects the hotelier. [5]
 4. Section 1(1) of the Hotel Proprietors Act 1956 draws a distinction between 'inns' and other establishments.
 - a) What is an **inn**? [5]
 - b) Examine the innkeeper's right of lien. [10]
 - c) Explain the innkeeper's position when a traveller departs from the premises having failed to pay for refreshment consumed. [5]
 5. Proprietors and managers in the hospitality industry are regulated by a range of health and safety laws that apply to their workplaces. Critically examine regulations that cover this aspect of the business. [20]
 6. Before a person can take responsibility for authorising the sale of alcohol, he or she will need to apply for a licence.
 - a) Examine the procedure for applying for a licence that will authorise a person to sell alcohol. [10]
 - b) Discuss how a person authorised to sell alcohol may contravene the requirement to prevent disorderly conduct on licensed premises. [10]
 7. Information relating to a person that is stored on a computer must be secure to protect confidentiality and privacy. Critically examine legislation that covers the security of data on customers and employees. [20]
 8. The Health and Safety at Work etc Act 1974 places a legal responsibility on every employer to take care of the health, safety and welfare of employees.
 - a) Explain how enforcement notices may be issued under the Act. [5]
 - b) Describe an employer's duty in respect of a safety policy, and explain the purpose of such a policy. [10]
 - c) Outline an employer's duties under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). [5]