



Hotel Management Contract Packages

(Definition in Light of Results of Case Studies) *

by

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Introduction – Hotel Contract Packages

The question was raised about the essence of the legal definition of contracts, whereby hotel-owning companies, particularly public enterprise companies, assign other persons to manage hotels owned thereby, and whether such contracts are differently designated. Identifying the legal definition of these contracts is subject to several criteria that pursue to indicate the real intent of contracting parties. We should take into account that contract definition is a legal process where the judge is subject to the highest judicial authority along the court scale i.e. the court of cassation. Performing this process requires specific legal skills that enable the person to aptly apply the appropriate legal definition of the contract after legally scrutinizing its terms and provisions in conjunction with the circumstances surrounding the contract conclusion as well as its objectives. While defining a contract and hence classifying it into one category of contracts, a person should take into consideration that the defining process is more complex when the contract includes more than one legal process, imposes various obligations and regulates several activities delivered by either party to the contract in performance thereof. Furthermore, the contract may contain modern transactions unfamiliar to the traditional rules of contracting. As a result, traditional classifications of contracts, although apparently simple, can not encompass all forms of recent transactions and their evolution since everyday life is pressing towards more complex transactions and mixed classifications and divisions of contracts.

It is noteworthy that the aim of the foregoing is to denote that the process of defining packages of relations contained in one contractual document requires, in addition to legal background about contract theory, the application of many legal techniques used to breakdown these packages into the several legal processes contained therein in preparation to identify the core around which the contract package is revolving. Consequently, if a contract package is broken down into many legal relations, it is probable that each of these relations shall have their respective legal definitions. However, these relations, once combined in one contractual instrument, pursue one underlying end which prevails over the upshot of the legal definition process.

* This article is translated from Arabic