

# Tour Operator Licences

## Fact Sheet

July 2014

### Competitive Allocation of Tour Operator Licences

#### Background

The *Crown Land Acts Amendment (Lease and Licence Terms) Act 2009* became effective in Victoria on 1 July 2011.

The Act amended the *National Parks Act 1975*, *Forests Act 1958*, *Crown Land (Reserves) Act 1978*, *Land Act 1958* and *Wildlife Act 1975*, establishing a consistent legislative framework for licensing commercial tourism and commercial recreation activity on public land in Victoria.

Public land in this context includes land and waters managed by or on behalf of the Crown.

The legislation states:

- Public land managers may grant a tour operator licence for a period of up to 10 years
- Public land managers must charge regulated statewide fees for a tour operator licence
- Penalties apply for operating without a tour operator licence or for breaching conditions of a tour operator licence.

#### Competitive Allocation of Tour Operator Licences

The majority of tour operator licences in Victoria are issued on a non-competitive.

Subject to the applicant meeting licence terms and conditions, licences are issued on application because no limit to the number of licences available for a site or activity is considered necessary.

However, there are circumstances in which a public land manager may consider it necessary to restrict the number of licences operating at a particular site or area, to protect natural or cultural values and/or visitor safety.

In these circumstances, public land managers may grant licences following a publicly advertised invitation (also known as an Expression of Interest) to interested persons to apply for the specified licences.

#### Draft Guidelines for Competitive Allocation of Tour Operator Licences

The Department of Environment and Primary Industries (DEPI) has prepared draft guidelines to inform public land managers, licence applicants and other stakeholders on policy and principles applicable to competitive allocation of tour operator licences. As competitive allocation is not common, the guidelines remain in draft to enable land managers to refer to them on a 'pilot' basis. DEPI welcomes feedback on the draft guidelines from all stakeholders.

# Tour Operator Licences

Public land managers are strongly encouraged to obtain professional probity advice in the preparation and management of processes for competitive allocation of tour operator licences.

## Fees for Competitively Allocated Tour Operator Licences

The Regulations establishing tour operator licence fees provide that:

- Public land managers may set the annual fee for a competitively allocated licence, but must advertise the fee in a public Expression of Interest document before licence applications are made
- As a minimum the annual fee must be equivalent to the annual fee for standard tour operator licences (as set out in the table below)
- Use fees for competitively allocated licences are the same as for standard tour operator licences
- No use fee cap applies to competitively allocated licences.

### Summary of Competitively Allocated Tour Operator Licence Fees

| Category                           | Fee from 1 July 2014 (\$) |
|------------------------------------|---------------------------|
| Minimum annual fee                 | \$275                     |
| Use fee – general visitor          | \$2.40                    |
| Use fee – school student and child | \$1.60                    |

Note: The annual fee for standard tour operator licences are set in fee units in the Regulations. Fee units are indexed annually by a rate set by the Treasurer to ensure that the value of fees is not eroded by price increases over time. The value of the fee unit is published in the Government Gazette and major newspapers. Fees with an amount less than one fee unit are not indexed annually i.e. the use fees will not index.

The level of a fee unit for 2014-2015 has been set at \$13.24, the annual licence fee for a standard tour operator licence is expressed as 20.78 fee units, by multiplying \$13.24 by 20.78 fee units you end up with a fee set at \$275 for the 2014-2015 financial year.

## Further assistance

For more information on the tour operator licence reform project visit [www.depi.vic.gov.au/forestry-and-land-use/visiting-parks-and-forests/tour-operators](http://www.depi.vic.gov.au/forestry-and-land-use/visiting-parks-and-forests/tour-operators) or call the DEPI Customer Service Centre on 136 186.

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