

Tour Operator and Activity Provider Licensing

When do Adventure Activity Standards apply to organised tours, activities and events on public land?

Fact Sheet
May 2019

Public land hosts a range of organised recreational adventure events, tours and activities. These come with inherent risks and organisers have a duty of care to participants. To help organisers manage risk and safety, good practice guidance is available in Adventure Activity Standards (AAS).

What are adventure activity standards?

Victorian Adventure Activity Standards are the outdoor sector's best practice guidelines used to manage risk and safety across a wide range of outdoor adventure activities. The outdoor sector and activity experts have developed the standards to offer guidance based on the best available knowledge and experience.

AAS include guidance on activity planning, group size, leader to participant ratios, equipment, minimal impact and more. These are designed to be adapted to the circumstances of the group. For example, the recommended group size may depend on the difficulty of the activity and the skill of participants.

What is the Australian standard and good practice guides?

Work is underway to develop an Australian set of good practice guidance, transitioning from each state and territory having its own set of standards. The Australian AAS (AAAS) and related Good Practice Guides (GPGs) together form the voluntary good-practice framework. The AAAS and the majority of GPGs are available now for viewing ahead of the official pre-release launch in September 2019. Transition to the good practice framework by all States and Territories is planned for early 2020.

More information about Victorian AAS, can be found on the Outdoors Victoria website www.outdoorsvictoria.org.au/ and the AAAS and GPGs on the Australian AAS website www.australianaas.org.au/.

Who are the standards and GPG's designed for?

The AAS, AAAS and GPGs are designed for use by anyone who is leading dependent participants on outdoor adventure activities, whether this is done commercially, not for profit or in a voluntary capacity.

Are the standards compulsory?

The AAS, AAAS and GPGs are voluntary standards and GPG's and are flexible to allow users to adapt them to their own context. On their own, the AAS, AAAS and GPG's have no legal status and there is no legal requirement to comply with them.

However, compliance with an AAS or AAAS and GPG may be required by a land manager as a condition of a tour operator licence or event permit.

It is important to note that some insurance companies may require compliance with an AAS or AAAS and GPG. Policy holders should check with their insurance provider.

When does an adventure tour or activity require a licence?

A tour operator licence will be required if an individual, business or organisation is planning to conduct a regular, commercial (for profit) activity on public land.

An organisation that provides a service solely to their members (e.g. a volunteer club that provides a leader), and who do not receive a financial reward over their direct costs, do not require a tour operator licence.

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Why is a licence required?

Licensing provides land managers and government with assurances that tour operators and activity providers are:

- implementing risk management measures associated with a tour or activity
- meeting relevant safety standards
- complying with environment protection conditions.

A tour operator licence does not provide authorisation to run an event or club activity without an event permit.

Will I be required to apply the standards as a condition of a tour operator licence?

Where there is a relevant standard or GPG for an activity, it will be required to be met as a general condition of most tour operator licences.

The AAS and GPG's are an important tool for land managers to ensure that anyone who has a duty of care to activity participants is undertaking their activity in a safe and responsible manner.

When do adventure activities or events require a permit?

If a club, individual or business is planning to hold an event on public land, the organiser should contact the relevant land manager well in advance. They may be required to apply to the land manager for an event permit. Issuing permits provides land managers and government with assurances that:

- risk and safety concerns of events are formally addressed
- event infrastructure and facilities are appropriately planned
- environmental protection measures are made.

Public land managers have different requirements, however permits are typically required for:

- events that are of a competitive nature or pose a risk to public safety or the site
- events for which a fee is charged
- activities involving constructions, the marking of a course or road closures
- activities requiring the total or near total exclusive use of sites
- events where participant numbers are above specified thresholds

Always contact the respective land manager to confirm if a permit is required and if there are any requirements such as fees, bond, insurance etc.

Will I be required to apply the standards as a condition of an event permit?

It depends on the specific requirements of the respective public land manager.

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