

Tour Operator and Activity Provider Licensing

When does the new Australian Adventure Activity Standard apply to organised tours, activities and events on public land?

Fact Sheet
May 2020

Public land hosts a range of organised recreational adventure events, tours and activities and all organisers have a duty of care to participants. To help organisers manage risk and safety, the good practice framework is available in the Australian Adventure Activity Standard (AAAS) and related Good Practice Guides (GPGs).

What is the Australian Adventure Activity Standard (AAAS) and Good Practice Guides (GPGs)?

The AAAS and related GPGs are the outdoor sector's new good practice framework used to manage risk and safety across a range of led outdoor adventure activities. The outdoor sector and activity experts developed the framework to offer guidance based on the best available knowledge and experience across Australia.

The good practice framework is published under the Outdoor Council of Australia and comprises:

- **The AAAS** - key requirements for preparing and delivering all types of adventure activities
- **The core GPG** - recommended common practices and supporting information for implementing the AAAS across all adventure activities
- The various **activity GPGs** - detailed information on risk management and good practice for specific adventure activities.

The framework includes guidance for risk management, planning from design to delivery, identifying and understanding participants abilities and needs, communication, fit for purpose equipment and environments and selecting leaders with appropriate skills and experience.

When does transition from state or territory standards to the Australian AAS and GPGs begin?

The AAAS and GPGs were launched late in 2019 and are now ready for use.

For more information about the AAAS and GPGs visit australianaas.org.au/.

Four of the Victorian Activity Adventure Standards (AAS) were not updated by the AAAS Steering Committee and Outdoors Victoria as its Secretariat. These are for Four Wheel Driving, Snow Sports, Surfing Sessions and Trail Bike Touring.

More information about these Victorian AAS, can be found on the Outdoors Victoria website outdoorsvictoria.org.au/aas-list-of-standards/.

Who are the standards and GPGs designed for?

The Victorian AASs, the 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 and GPGs compulsory?

The AASs, the AAAS and GPGs are voluntary standards and are flexible to allow users to adapt them to their own context.

There is no legal requirement to comply with AASs, the AAAS and GPGs. However, compliance with AASs, the AAAS and GPGs 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 AASs, the AAAS and GPGs. 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, does not require a tour operator licence.

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?

The AAAS, core GPG and, where there is a relevant Victorian AAS (still in operation) or GPG for an activity, will be required to be met as a general condition of most tour operator licences.

The AAAS and GPGs 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.

What about schools?

Operators working with schools will need to reference relevant Department of Education and Training (DET) policies and procedures to ensure they meet DET requirements. The AAAS and GPGs complement these with general guidance.

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 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 conditions such as fees, bond, insurance etc.

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

This will depend on whether your event is a 'led' activity and the specific requirements of the respective public land manager. Please contact the public land manager for more information.



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