

Tour Operator and Activity Provider Licensing Licence transfer

Fact Sheet
June 2018

What is the purpose of a licence?

The tour operator licensing system provides a consistent legislative framework for licensing commercial tourism and commercial recreation activity on public land and waters in Victoria.

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.

Can I transfer my licence?

A standard tour operator¹ licence, unlike some Crown land licences, is not transferable to other licensees or to unlicensed entities.

The reasons a tour operator licence may not be transferred are:

- a Crown land licence allows the licensee to access and undertake specified activities on Crown land. It is not a property right that can be transferred between private individuals;
- a delegated public land manager is the only body authorised to determine who is appropriate to hold a licence for access to Crown land. It is not appropriate for private individuals to make this decision by transferring a licence.

Importantly, however, a tour operator licence can be issued to either a business or an individual. If the licence is issued under a business name, and a new owner buys the business without changing the business entity (i.e. the registered business name remains the same) and continues to comply with all licence conditions, they would not be required to go through a full application process and a new licence (as a licence variation) will be issued.

I'm selling my business – how can I ensure business continuity for the new owner?

The vast majority of tour operator licences are not restricted in number, so a prospective buyer of a business requiring a tour operator licence should be advised to contact the relevant land manager and apply for a licence or licence variation as soon as possible. If the applicant meets required licence terms and conditions and insurance requirements, a licence will generally be issued.

If an operator sells their business they need to contact the land manager in writing as soon as possible to cancel their licence or notify of the sale of the business entity.

For more information on tour operator licences please visit www.forestsandreserves.vic.gov.au/tour-operators or call the DELWP Customer Contact Centre on 136 186.

¹ For the purpose of this fact sheet the term 'Tour Operator' means a person or organisation who conducts an organised tour or recreational activity for profit on public land.

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ISBN 978-1-76077-084-6 (pdf/online/MS word)

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