



## **Frequently Asked Questions and Answers about Tour Operator Licensing for areas managed by Parks Victoria and the Department of Sustainability and Environment (DSE)**

Tour operators play a key role in facilitating access to Victoria's public land, in promoting its values and appropriate use and in encouraging tourism and recreation in Victoria. Operating a tourism or recreation business conducting organised activities in areas managed by Parks Victoria or DSE requires a current Tour Operator Licence.

The Victorian tour operator licensing system for public land and waters is managed by Parks Victoria for land it directly manages, and on behalf of DSE. This provides you with a single point of contact and minimises administration and costs.

### **What are the benefits of being a licensed tour operator?**

Having a tour operator licence provides you with:

- The opportunity for your business to legally gain access to some of the States most highly valued scenic and attractive areas
- Compliance with legislation
- Marketing value of advertising your services to park destinations
- Free marketing of your business with your contact details listed on Parks Victoria's website
- Vehicle/vessel and personal identification which indicates to the public, other operators and Parks Victoria and DSE field staff that you are licensed
- The option to attend professional development, information and networking opportunities at

Parks Victoria regional tour operator workshops

- Three year licence term with appropriate accreditation
- Information and liaison with field staff for detailed local information
- Revenue raised from licence fees reinvested in parks estate

### **Who will require a tour operator licence?**

A person or business who conducts an organised tour or recreational business for profit on Crown land is required to hold a tour operator licence.

### **Who will not require a tour operator licence?**

Not for profit, charitable organisations, incorporated associations and other legal entities that provide a service (e.g. a bushwalking club that provides a leader) who do not receive a financial reward over their direct costs do not require a commercial tour operator licence.

### **Will a longer licence term for tour operators result in a loss of general public access to public land?**

No, public land is set aside by law for the benefit of the public as a whole. A licence grants a non-exclusive right to use land, so members of the public can continue to access and enjoy the land.

## How much will licence fees be?

The Regulations are to be phased in to reach 75% cost recovery over a three year period by introducing: the annual fee for a standard tour operator licence at:

- \$110 for the financial years ending 30 June 2012 and 30 June 2013
  - \$255 for the financial year ending 30 June 2014
  - 20.78 fee units for the financial year ending 30 June 2015 and subsequent financial years
- the use fee for standard and competitively allocated tour operator licences applicable to public lands in Victoria at:
  - \$1.10 per adult and \$0.75 per child for the financial years ending 30 June 2012 and 30 June 2013
  - \$2.40 per adult and \$1.60 per child for the financial year ending 30 June 2014 and subsequent financial years
- the use fee cap for a standard tour operator licence applicable to public lands in Victoria at:
  - \$5500.00 for the financial years ending 30 June 2012 and 30 June 2013
  - \$12500.00 for the financial year ending 30 June 2014
  - 1018.74 fee units for the financial year ending 30 June 2015 and subsequent financial years
- indexation of licence fees thereafter, in accordance with the Monetary Units Act 2004. Fees set under this Act are set by 'fee units'. Fee units are indexed annually to ensure that the value of fees is not eroded by price increases over time. The level of a fee unit for 2011-2012 has been set at \$12.22. As an example, the annual licence fee in the Regulations is expressed as 20.78 fee units, in 2011-2012 this represents a fee set at \$254.

**Table 1: Summary of Standard Tour Operator Licence Fees**

Category	Fee from 1 July 2011 (\$)	Fee from 1 July 2013 (\$)	Fee from 1 July 2014 (\$)
Annual fee - standard one year licence	110.00	255.00	20.78 fee units
Annual fee - standard licence greater than one year (per year)	110.00	200.00	16.3 fee units
Use fee - general visitor	1.10	2.40	2.40
Use fee - school student and child	0.75	1.60	1.60
Use fee cap	5,500	12,500	1018.74 fee units

## What if I am part way through a licence term?

If on 1 July 2011, you are part way through a licence term you will continue to pay the fees agreed with the land manager until the licence expires. Once the current licence expires, you will need to apply for the relevant new tour operator licence and pay the new regulated fee.

## Will we have to obtain a licence from each land manager if our activity crosses over management boundaries?

Each land management agency will have responsibility for administering and monitoring tour operator licences on the land they manage. Licences have conditions attached to them that are specific to an area and its land management values. Therefore, you will require a licence from each manager of the land your tour crosses.

## Do school groups need to be licensed?

No. Primary and secondary schools do not require a licence where the activities are conducted by staff as part of the curriculum within the school/institution.

School groups are required to follow the Department of Education and Early Childhood Development (DEECD) Safety Guidelines. Information about the licensing system will be included on the DEECD website. Should visitors or operators observe unsafe behaviour by school groups, they should notify the school principal.

### **Why don't school groups need to be licensed?**

Schools are not required to obtain a licence because they are not offering guided tours or outdoor recreational activities to the general public for profit. Access to public land for educational purposes by the general public, including school students, is an appropriate and important benefit of public lands.

However, where schools choose to use an external third party to deliver tours or outdoor recreational activities on public land, a licensed tour operator should be used.

### **What if our business is affected by fire or flood?**

The regulations provide that, if your business is impacted by a natural event such as a bushfire, flood, or other event affecting the licensed land, a licensee may apply to the Secretary of the Department of Sustainability and Environment for a reduction, waiver or refund of fees.

However, you should first discuss with the land manager other options for management and delivery of tours until the affected land can be reopened.

### **What if a tour operator doesn't want to get a licence?**

If a tour operator is unsure whether they need a licence they should in the first instance contact the relevant land manager, and/or contact DSE for further advice.

From 1 July 2011, it is an offence to operate a guided tour or outdoor recreational activity for profit on public lands. Penalties for operating without a licence, or breaching conditions of a licence, will be 20 penalty units for a natural person, and 100 penalty units for a body corporate. (A penalty unit for 2011-2012 financial year is \$122.14).