



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

### NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

#### Tour Operator Licence Fee Regulations 2011

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the Tour Operator Licence Fee Regulations 2011 (the proposed Regulations). The proposed Regulations consist of the:

- Crown Land (Reserves) (Tour Operator Licence Fee) Regulations 2011;
- Forests (Tour Operator Licence Fee) Regulations 2011;
- Land (Tour Operator Licence Fee) Regulations 2011;
- National Parks (Tour Operator Licence Fee) Regulations 2011; and the
- Wildlife (Tour Operator Licence Fee) Regulations 2011.

The **Crown Land Acts Amendment (Lease and Licence Terms) Act 2009** (the Act) amends the **Crown Land (Reserves) Act 1978**, **Forests Act 1958**, **Land Act 1958**, **National Parks Act 1975** and **Wildlife Act 1975** to establish a licensing scheme for tour operators and activity providers on public land. The Act also authorises the Governor in Council to make regulations prescribing fees for tour operators and recreational activity providers.

The objectives of the proposed Tour Operator Licence Fees Regulations 2011 are to prescribe fees for a licence to conduct a guided tour or recreational activity on public land for profit and to improve transparency and administrative efficiency with respect to the tour operator licensing system.

The current fees for Parks Victoria and Department of Sustainability and Environment (DSE) managed lands were set in 1996 and have not been reviewed since their introduction. The prescribed fees represent an increase to the current fees and are considered necessary to obtain cost recovery on the licensing system. Not-for-profit organisations that operate on a non-commercial basis will not be required to obtain a tour operator licence.

The RIS discusses four options for prescribing licence fees: fees based on the businesses and activities to be covered; fees based on levels of cost-recovery; fees based on variable and fixed fee structures; and fees based on licence categories. The preferred option put forward in the RIS is prescribing fees based on partial cost-recovery (75 per cent) incorporating variable fee rates that cover a broad range of businesses and activities with the ability to restrict the conduct of some activities through competitive allocation of licences.

The proposed fee structure takes into consideration both the private and public benefits of the provision of commercial tourism and recreation services on public land. The RIS concludes that the benefits of making the proposed Regulations outweigh the associated costs.

Copies of the RIS and the proposed Regulations may be obtained by visiting DSE's website at [www.dse.vic.gov.au](http://www.dse.vic.gov.au) or the Victorian Competition and Efficiency Commission at [www.vcec.vic.gov.au](http://www.vcec.vic.gov.au).

Public comments and submissions are invited on the proposed Regulations and RIS. All comments must be in writing and must be received by no later than 5.00 pm on 29 April 2011. All submissions will be treated as public documents.

You may make a submission by email to [licence.reforms@dse.vic.gov.au](mailto:licence.reforms@dse.vic.gov.au). Whilst email submissions are preferred, hard copy submissions may be directed to: Ms Lauren McLees, Policy Officer, Department of Sustainability and Environment, PO Box 500, East Melbourne 3002.

**SPECIAL**

People with a disability wishing to make submissions in an alternate format should contact DSE on 136 186 and ask to speak to the Licence Reforms Project Officer.

RYAN SMITH  
Minister for Environment and  
Climate Change  
[www.dse.vic.gov.au](http://www.dse.vic.gov.au)  
Customer Service Centre 136 186

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