

GUIDANCE NOTE NO: 29/97

REVISION NO:

Guided Tours Using Hire & Drive Canoes or Dinghies - Inland Waters

Several commercial interests in the Northern Territory tourist industry operate guided tours afloat using groups of hire and drive canoes and dinghies. The length and scope of the guided tours vary from 6 hours to several days dependant on the area and purpose of the tour. During 1996 several incidents related to such guided tours have occurred and caused considerable concern as to the safety standards being applied by the operators and their guides. This guidance note serves to highlight the potential dangers involved and recommends practices to improve the safety of such tours:

- (a) It is stressed that all persons undertaking a guided tour, with the sole exception of the guide, are subject to the conditions of the Marine (Hire and Drive) Regulations.
- (b) Certain tour vehicle operators have, in the past, made block Hire and Drive vessel bookings with licensed operators and have divided their passenger's adhoc between the booked vessels and undertaken the duties of guide solely by being present in one of the hired craft.

In relation to this practice, it is stressed that responsibility remains solely with the licensed Hire and Drive operator, not with the tour vehicle operation, and the conditions of the Marine (Hire and Drive) Regulations apply at all times. This responsibility cannot be subrogated to another person, such as a tour vehicle driver and the hirers remain individuals for the purpose of the Regulations, irrespective of who makes the group booking or payment.

- (c) Guided tour operators, as Hire and Drive Permit holders, submit on application, an Emergency Plan to cope with the dangers involved in their particular operating area. It is stressed that the guide should have an in depth knowledge of this plan and should be an integral part of it. There should also be provision in the Plan to cope with such instances as the guide becoming separated from a tour or becoming injured or incapacitated, these circumstances have occurred during the last year.
- (d) It is essential that operators ensure that their guides meet basic criteria:
 - (1) They should be competent swimmers with some knowledge of lifesaving techniques;
 - (2) They should have basic First Aid skills;
 - (3) They should possess good local knowledge of the tour area; and
 - (4) They should be highly competent operators of the craft that they use and know its limitations.

Instances of failure to meet these criteria in part and, on one occasion wholly, have been noted in the past year. This has given cause for considerable concern.

Overall, the foregoing recommendations are but basic common sense and good commercial practice. There are no shortcuts in safety and failure to observe sensible safety precautions could potentially lead to Hire and Drive Permits being withdrawn in certain circumstances, it is hoped that this will not become necessary.

These guidance notes should be observed by all Hire and Drive operators on inland waters in the interest of the safety of their customers.

Signed by: Mike Bowman
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