Canoeing & Kayaking

Adventure Activity Standards (AAS)

For Organisations, Guides and Leaders Conducting Adventurous Activities for Participants (Commercial or Non-Commercial)

- Written by the Outdoor Recreation Centre Inc.
- Endorsed by Victoria’s Outdoor Recreation and Adventure Tourism Sectors
- Supported by Victorian State Government
SUPPORTED BY THE MEMBERS OF THE ORC INC. COMMITTEE OF MANAGEMENT REPRESENTING:

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- Camping Association of Victoria
- Canoeing Victoria
- Duke of Edinburgh’s Award (Vic.) Inc.
- Guides Victoria
- Indoor Rockclimbing Gyms of Australia
- Adventists Outdoors (Vic) – Wild Ed.
- Scouts Australia – Victorian Branch
- Victorian Outdoor Education Association
- Victorian Sport and Recreation Association of Persons with Intellectual Disability Inc.
- Tourism Alliance (formerly Victorian Tourism Operators Association)

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- Verve – knowledge & skills
- Camping Association of Victoria
- Department of Education and Training
- Department of Sustainability and Environment
- Parks Victoria
- Sport and Recreation Victoria
- Tourism Training Victoria
- Tourism Victoria
- Tourism Alliance (formerly Victorian Tourism Operators Association)
- Victorian WorkCover Authority
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- Australian Canoeing Inc.
- Canoe Kayak Education Australia (CKEA)
- Army Adventure Training Wing
- Scouts Australia (Victorian Branch)
- The Outdoor Education Group
- Canoeing Victoria
- Meridian Kayaking
- Alpine Institute of TAFE
- Aqua Camps
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The AAS will not cover each and every circumstance of an adventure activity. Nor can they, when adhered to, entirely eliminate the risk or possibility of loss or injury. Consequently they should be used as a guide only. Whenever using the information contained in this publication or any AAS, all adventure activity providers should carefully evaluate the specific requirements of the intended adventure activity and the persons participating in it. If necessary advice should be obtained from a suitably experienced and qualified professional person.

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ADVENTURE ACTIVITY STANDARDS - WHY HAVE STANDARDS?

AAS are voluntary guidelines for undertaking potentially risky activities in a manner designed to promote:

1. **Safety** for both participants and providers,
2. **Protection** for providers against legal liability claims and criminal penalties, and
3. **Assistance** in obtaining insurance cover.

These AAS are **NOT** statutory standards imposed by law.

**BASIS OF LEGAL LIABILITY**

Legal liability for personal injuries or property damage is primarily governed by the law of:

1. **Contract**; and
2. **Negligence**.

Although provisions of statutes such as the *Trade Practices Act* (Cth) and the *Fair Trading Act* (Vic) are also relevant.

**CLAIMS IN CONTRACT**

For there to be a claim in contract there must be a legally enforceable agreement (i.e. a contract) between the person who has suffered injury or loss and the provider against whom the claim is being made. For example, there is a contract between a provider and a client, where the provider agrees to provide services for payment. The contract can be in writing or oral, or both. The claim in contract can only be made by one party to the contract against the other party, unlike a claim in negligence, which is not so limited.

Apart from the express terms of the contract, the law will usually imply certain terms into a contract that require a service provider to do a number of things when providing that service. Those implied terms might include a requirement to provide competent guides and instruction, safe equipment, and a general requirement to exercise the degree of reasonable skill and care which is to be expected of a competent provider. Some of these terms will be implied by sections of the *Trade Practices Act 1974* (Cth) and the *Fair Trading Act 1999* (Vic).

If injury or damage occurs because the provider did not exercise reasonable care in the provision of the service a court will find there was a breach of the contract entitling a party to claim compensation (damages) for the loss or injury suffered.
CLAIMS IN NEGLIGENCE

Over recent years the Law of Negligence has undergone substantial legislative change in Victoria. These changes are set out in the *Wrongs Act 1958* (Vic) (as amended).

The essential elements of a claim in negligence are:

1. a duty of care being owed by the provider to take reasonable measures for the safety of their clients / participants;
2. a breach of this duty of care, and
3. the breach of the duty of care being a cause of the harm suffered by the participant.

A successful claim in negligence against a provider will result in an award of damages against that provider to compensate for the loss or injury thereby suffered.

Although the law does not automatically impose a duty of care, it is likely such a duty will be imposed when one party (the provider) assumes responsibility for another in the provision of adventure activities.

The duty of care is a legal requirement imposed by the courts on a provider to take reasonable care to protect a client or participant from foreseeable harm or loss.

If a claim is made and a court finds that a duty of care is owed, the court must then decide what is the appropriate level or standard of that duty of care, to determine if the provider has acted reasonably or alternatively has breached the duty of care. The standard of care is determined by all the relevant circumstances and the particular facts of each case. A court will have regard to the experience of the providers and the clients, the conditions at the time, and ultimately may seek the guidance from experts in the field. A court will find that the standard of care has not been met, (i.e. there has been a breach of the duty of care) if the evidence, on the balance of probabilities, establishes that the provider has not acted reasonably in the circumstances. If that conduct has caused loss and damage the provider will be liable to pay damages to compensate the party who has been injured or has suffered a loss.

For example, in an outdoor recreation activity some participants could find themselves in a situation suited to more advanced participants. There may be persons in the group who have been lead to believe by the provider that a certain skill level was not required and enrolled to join a group mis-described as being for “beginners”.

If, an accident occurred due to their inexperience, and these “novice” participants were injured, it is possible that a legal action to recover damages might be based as follows:

- in the law of contract, against the provider, if it can be demonstrated that the provider incorrectly described the group as being for “beginners”; and
- in the law of negligence, against the leader and guide, as well as the provider because of a failure to adequately instruct, advise and perhaps supervise the group.

The duty of care of the provider is higher than that placed on the ordinary citizen because the provider has agreed to provide services for a reward or assumed a responsibility of care for others e.g. by holding him/herself out as experts or specialists who have agreed to take participants into potentially dangerous or remote situations.
 Whilst not an exclusive list the following is a guide to the standards that must be met by an provider, guide, instructor, teacher or staff member:

- ensure the activity is appropriate for the skills and experience of the intended participants;
- ensure the intended activity is appropriate given the known, expected and forecasted conditions;
- provide adequate staff/leader supervision;
- provide competent and appropriately trained staff/leaders;
- provide safe and properly functioning and adjusted equipment;
- provide reasonable food and safe shelter (if relevant to the activity);
- provide reasonable guidance, instruction and direction to participants; and
- depending on the activity, have an adequate knowledge of the area in which it is to take place and be able to provide reasonable first aid, emergency backup and rescue.

The law will require the provider to protect participants from known hazards, but also from those risks that could arise (that is, those that the provider, instructor, teacher or staff member guide should reasonably have foreseen) against which reasonable preventative measures could be taken.

In these circumstances, in order to limit potential for legal liability and to minimize the risk of injury, each organisation needs to implement risk and safety management processes, which have identified foreseeable risks and put in place measures to control such hazards. For the same reasons, all providers, leaders or guides ought, as a minimum, to have completed appropriate first aid and activity specific training.

This is particularly so where the activity is a specialised one. In these circumstances, as a participant will be seen as relying on the expertise of the provider, leader or guide, a high duty of care will be imposed because they will be considered as having a responsibility for the control, guidance and protection of the participant.

All of the elements of any claim must be proved by the claimant on the balance of probabilities. (i.e. more probable than not.)

DEFENCES AGAINST CLAIMS BY PARTICIPANTS

Establish No Negligence

The most obvious defence to a claim in negligence is for the operator to establish that he / she acted with all reasonable care in the circumstances – that is, was not negligent.

In attempting to do so the following questions must be considered:

- was the risk of harm foreseeable?
- was the risk not insignificant? and
- would a reasonable operator have taken additional precautions that would have prevented the harm?
In determining whether a reasonable operator would have taken additional precautions a court will consider the following (amongst other relevant things):

- the probability that harm would occur if care were not taken;
- the likely seriousness of the harm;
- the burden of taking precautions to avoid the risk of harm, and
- the social utility of the activity that creates the risk of harm.

**Voluntary Assumption of Risk**

If it can be proved, on the balance of probabilities, that a participant was fully aware of and freely accepted the risk of suffering injury in an activity then this will be a defence to a claim in negligence. It will not be a defence, however, if the injury was caused by the inexperience or incompetence of the provider, defective equipment, inadequate supervision or instruction as it is highly unlikely that any participant would have consented to accept such risks.

If the risk of harm was an obvious one then there is a rebuttable presumption that the person who suffered the harm was aware of the risk.

**Duty to Warn**

A person who owes a duty of care to another person to give a warning, or other information in respect of a risk, satisfies that duty if reasonable care is taken to give that warning, or other information. This is potentially very important in the context of an Adventure Activity where it may be prudent for the provider to give all participants printed instructions and warnings (where appropriate) and obtain signed acknowledgements.

**Contributory Negligence**

If the accident was caused or contributed to by lack of reasonable care on the part of the participant then this will be a partial defence, according to the apportionment of responsibility made by the court between the provider and the participant. In cases of extreme acts of negligence by the participant, contributory negligence can be very high (e.g. 80 / 90%) and sometimes a complete defence.

**Inherent Risks**

A person is not liable in negligence for harm suffered by another person as a result of an inherent risk. An inherent risk is a risk of something occurring that cannot be avoided by the exercise of reasonable care.

**Waiver to Sue / Exclusion of Liability Agreements**

Amendments to the *Trade Practices Act 1974* (Cth) and the *Fair Trading Act 1999* (Vic) now enable the suppliers of “recreational services” to limit their legal liability to their customers, who are 18 years of age or over for death or personal injury. This is done by having a written Waiver to Sue signed by each customer prior to the supply of the services. A Waiver to Sue is a legally enforceable contract not to sue the supplier of recreational services should the customer be
injured or killed by the provision of the service. The Waivers must be carefully drafted and, in Victoria, must comply with the wording set out in the Fair Trading Act. The use of a signed Waiver to Sue under this Act enables suppliers of recreational services to exclude their liability for negligence and to limit their liability to injury or death suffered by a customer caused by reckless conduct described in the Fair Trading Act as “Gross Negligence.”

To qualify for this legislative protection the service provided must come within the meaning of “recreational services” as defined in the Trade Practices Act and the Fair Trading Act.

Pursuant to these Acts “recreational services” mean services that consist of participation in:

(a) sporting activity or a similar leisure - time pursuit, or
(b) any other activity that involves a significant degree of physical exertion or physical risk and is undertaken for the purposes of recreation, enjoyment or leisure.

GOOD SAMARITANS, VOLUNTEERS, APOLOGIES

Good Samaritans

Under the Wrongs Act 1958 (Vic) (as amended) an individual who provides assistance, advice or care to another person in an emergency or accident, where there is no expectation of payment by money or other means, will not be able to be sued for any injury or harm he / she causes.

Volunteers

Volunteers are also protected by this Act from liability for injury to another when they are providing a community service within the scope of the work provided by their community organisation.

Apologies

This Act also provides that a person by saying that they are “Sorry” or apologising for causing injury or harm to another does not constitute an admission of liability provided it does not include a clear acknowledgement of fault. Likewise, a reduction or waiver of fees payable for a service is not an admission of fault or liability.

LIMITATION ON CLAIMS FOR PERSONAL INJURY DAMAGES

The Wrongs Act provides that an injured person cannot obtain damages for pain and suffering unless they suffer permanent whole person physical impairment of greater than 5%. If the injury is psychological / psychiatric the impairment must be greater than 10%.
This Act also imposes a cap on damages for pain and suffering of a maximum of $371,380-00 (indexed annually) together with other limitations on claims for both past and future economic loss.

APPLYING THE ADVENTURE ACTIVITY STANDARDS

Having suitable risk management programs and strategies in place, and ensuring the AAS are met, will minimise the likelihood of injury or loss. However, evidence of compliance with such programs and the AAS will also assist in the legal defence of claims and in proving that a provider and its leaders have acted reasonably in the circumstances (i.e. were not negligent). It is also likely such programs will assist providers in obtaining more favourable insurance arrangements.

DISCLAIMER

The above comments on legal liability in Contract and Negligence and defences and limitations thereto, including recent legislative changes, do not purport to be a complete and accurate description of the law on these topics. Outdoor Recreation Centre Inc., its servants and agents are not by these comments providing legal advice to any person, company or organisation and make no warranties with respect thereto and to the maximum extent permitted by law disclaim all liability and responsibility for any direct or indirect loss, damage or liability which may be suffered or incurred by any person, company or organisation as a consequence of or in reliance upon anything contained in, implied by, or admitted in this document.
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ACTIVITY DESCRIPTION

These adventure activity standards are intended to describe the expected requirements for conducting any recreational group canoeing/kayaking activity (they do not consider accepted practices for organised competitive events).

The details within all AAS are to be interpreted with specific consideration for each individual activity session and group. Groups paddling on international grade 4 and above are not considered to involve dependent participants and require different and specific safety measures. For this reason this AAS should not be relied upon and make no mention such additional measures.

1 PLANNING

The planning section of the activity standards contains the documented protocol, administration and pre activity aspects of AAS that must be completed before undertaking any activity plan.

1.1 CONSIDERATIONS FOR DEVELOPING AN ACTIVITY PLAN

Organisations and leaders must develop activity plans to ensure that the sessions are conducted safely and in a manner appropriate for the needs of specific group or participants. The following are the minimum variables to be considered;

- Desired outcomes of session.
- Available time/duration of trip/session.
- Total size of group & prescribed ratios (2:5).
- Skill and experience of available leader(s).
- Client profile (physical and mental ability, skill level, experience etc.).
- Foreseeable weather conditions (include forecast).
- Access and egress.
- Transport requirements.
- Accessibility and remoteness of trip/site.
- Available equipment and resources (suitability, condition, communication, safety).
- Land managers requirements.
- Potential location and environmental considerations (river grade/sea state etc.).
- Emergency response plan.
When selecting the leader(s) for a canoeing session it is essential to consider the following:

- That the leader(s) have the required competency to conduct the session, effectively manage incidents and to satisfy the planned objectives.
- The selected activity leader must be familiar with the specific body of water being visited.
- Competencies must be commensurate to the activity environment (swell, river grade remoteness etc.)

1.2 PRE-TRIP DOCUMENTATION

Documentation is often seen as a chore and not a minimum requirement. There are however, certain details which a leader and/or organisation must be aware of to maximise safety. The following documentation is suggested for a canoeing session:

- Emergency Strategy (See 1.4).
- Participants name, address and emergency contact details.
- It is recommended that all participants medical conditions and appropriate treatment plans be documented (for example; Asthma (details of management plan required), diabetes, epilepsy, fainting/dizziness, specific allergic reactions, blood conditions which may effect bleeding/clotting, conditions effecting balance, recent or longstanding injuries, disability, illness or other relevant medical conditions (e.g. heart condition, migraines and/or pregnancy) and any relevant medication)
- Following a full explanatory brief, participants must provide signatures to acknowledge inherent risks and to authorise any relevant emergency treatment by a medical officer if required.
- Participants under the age of 18 must have the signature of a parent/guardian.

All documentation must be readily accessible to the leader and a non-participating contact in the event of an incident/emergency. This is known in canoeing as a float plan, and all individual participants requirements must be appropriately accounted for throughout the session.

A float plan for every trip that leaves the immediate launch area should include, details of the participants and the trip and should be lodged with a responsible person or authority so that in the event of an emergency, a detailed description of the group and its activity is freely available.

1.3 RISK ASSESSMENT

Prior to any session being conducted, risks should be identified through a risk assessment. The leader(s) must be familiar with any measures documented in the risk assessment and as a minimum, these should include.

- Weather and foreseeable conditions.
- Environment (suitability and foreseeable changes).
- Participants (requirements/ability).
- Equipment (suitability and condition).
Risk assessments should be conducted in line with the national training package unit SRORIK001A which will comply with the Australian Standard AS/NZS 4360:1999.

1.4 EMERGENCY STRATEGY

Following the risk assessment for the activity, a detailed emergency strategy must be developed. The purpose of any emergency strategy is to manage incidents and minimise their escalation. This should be documented, and is often referred to as an emergency management plan which allows leaders and/or organisations to establish a programmed response to incidents.

The emergency strategy/management plan must be specific to each activity session and must contain:

1.4.1 Chain of Command

The persons with which a leader should communicate or report to in the event of an emergency response.

1.4.2 Communication Systems and Technology

Emergency responses in outdoor environments can be assisted by various technological modes of communication. These may include mobile phones, radios and satellite phones, etc. While all can assist in the activation of an emergency response, consideration should always be given to their limitations (e.g. mobile telephone network coverage, battery failure).

The following information must be accurately provided when activating an emergency response requiring external assistance:

- Communication and contact details.
- Escape route and location information.
- Participant lists.
- Medical forms and patient details.
- Details of available/suitable transport.
- Documented emergency procedures to be implemented in the event of;
  - Serious injury or fatality.
  - Serious threats to personal safety from high risk environmental conditions (e.g. bushfire).
  - Lost participants.
  - Behavioral management problems.

Such procedures should include:

- Priority of tasks: immediate, second, third.
- Roles and responsibilities.
- Exit routes, emergency and evacuation procedures.
- Responses for lost persons and injury to participants and to leader.
- Contact details for base camp and program administrators as required.
1.5 RESTRICTIONS TO PARTICIPATION

Operational restrictions to a canoeing session include weather, equipment, changes to water conditions and restrictions dictated by land manager(s) and environmental factors (flood, lightning, drought, fire).

Individual restrictions to a canoeing session should apply to participants deemed to be under the influence or effects of alcohol or drugs, including prescription drugs, which may affect performance, and to participants who are unable or unwilling to follow instructions. (See 2.3, responsibility of the leader)

2 RESPONSIBILITY OF THE LEADERS

This section includes all aspects of the activity plan that involve the leaders. This section covers the specific competencies required to lead groups at various difficulty levels and the basic requirements of the leaders that form the basis of reasonable duty and standard of care.

2.1 COMPETENCY OF LEADERS

Several qualification and accreditation schemes are available through community organisations, employers, TAFE colleges, universities and registered training organisations (RTO’s) for training canoeing/kayaking leaders. As a leader of canoeing activities you must be confident in having satisfied a comprehensive process of skill acquisition and experience which must be at least equivalent to that described by the Units of Competence from the Australian National Training Authority (ANTA), which make up the following Australian Canoeing qualifications.

A statement of attainment for these units is not compulsory. However the inclusion of this section is intended to provide a suitable benchmark to introduce individual accountability in line with the Australian Canoeing Inc. awards scheme.

Please see the Australian Canoeing Inc. website http://www.canoe.org.au/canoe-education/awards/awardsc.html and select an award under the drop down menu “Australian
Canoeing Inc. Award Scheme Levels* for a listing of the National Outdoor Recreation Industry Training Package Competencies that are required for each Award:

**Flatwater Guide (Level 1)**

Holders are expected to be able to lead expeditions on inland waters such as open lakes and rivers (but not on whitewater) in controlled conditions for inland kayaking and canoeing which include:

- Sheltered and calm waters
- Minimal wind
- Ease of access to shore
- Minimal flow of water

They must have a high standard of teaching and paddling ability. A guide is to only impart skills or knowledge that is necessary for a person to participate safely and adequately in canoeing or kayaking. At the end of a session or program with a guide, the intent is not for the participant to have acquired the skills to independently participate in the activity. This award specifically excludes dangerous or exposed areas.

**Flatwater Instructor (Level 1)**

Holders are expected to be able to instruct, facilitate skill transfer to develop participants in order so that they may act independently or with minimal supervision in controlled conditions for inland kayaking and canoeing which include:

- Sheltered and calm waters
- Minimal wind
- Ease of access to shore
- Minimal flow of water

This requires the Instructor to be able to critique technique, apply a variety of appropriate instructional strategies, and may require them to assess participants’ skill acquisition at the end of a program or session. Flatwater instructors can also lead expeditions on inland waters such as open lakes and rivers (but not on Whitewater). This award specifically excludes dangerous or exposed areas.

**Sea Guide (Level 2)**

Holders are expected to be able to lead expeditions in moderate sea conditions, defined as areas where the coastline may be simple, not involving overfalls, tidal races, difficult landings or open crossings and

- Minimum winds of up to 7 - 10 knots (12 - 19 km/h)
- Breaking waves (up to 1.0 m)
- Small surf (0.5 to 1.0 m)
They have a high standard of teaching and paddling ability. A guide is only to impart skills or knowledge that is necessary for a person to participate safely and adequately in canoeing and kayaking. At the end of a session or program with a guide, the intent is not for the participant to have acquired the skills to independently participate in the activity.

**Sea Instructor (Level 2)**

Holders are expected to be able to instruct, facilitate skill transfer to develop participants in order so that they may act independently or with minimum supervision in moderate sea conditions, defined as areas where the coastline may be simple, not involving overfalls, tidal races, difficult landings or open crossings and

- Minimum winds of up to 7 - 10 knots (12 - 19 km/h)
- Breaking waves (up to 1.0 m)
- Small surf (0.5 to 1.0 m).

This requires the instructor to be able to critique technique, apply a variety of appropriate instructional strategies, and may require them to assess participants' skill acquisition at the end of the program. A sea instructor (Level 2) is qualified to act in the capacity defined as a Sea Guide (Level 2).

**Sea Guide (Level 3)**

Holders are expected to be able to lead expeditions in difficult sea conditions, defined as open crossings with

- Wind speeds of 7 - 21 knots (12 - 38 km/hr)
- Wave heights of at least 1.0 m
- Surf up to 2.0m

They have a high standard of teaching and paddling ability. A guide is only to impart skills or knowledge that is necessary for a person to participate safely and adequately in canoeing and kayaking. At the end of a session or program with a guide, the intent is not for the participant to have acquired the skills to independently participate in the activity.

**Sea Instructor (Level 3)**

Holders are expected to be able to instruct, facilitate skill transfer to develop participants in order so that they may act independently or with minimum supervision in difficult sea conditions, defined as open crossings with

- Wind speeds of 7 - 21 knots (12 - 38 km/hr)
- Wave heights of at least 1.0 m
- Surf up to 2.0m

This requires the instructor to be able to critique technique, apply a variety of appropriate instructional strategies, and may require them to assess participants' skill acquisition at the end of the program. A sea instructor (Level 3) is qualified to act in the capacity defined as a Sea Guide (Level 3).
Whitewater Guide (Level 2)

Holders are expected to be able to lead expeditions in Grade 2 Whitewater conditions. They have a high standard of teaching and paddling ability. A guide is only to impart skills or knowledge that is necessary for a person to participate safely and adequately in canoeing and kayaking. At the end of a session or program with a guide, the intent is not for the participant to have acquired the skills to independently participate in the activity.

Whitewater Instructor (Level 2)

Holders are expected to be able to instruct, facilitate skill transfer to develop participants in order so that they may act independently or with minimum supervision in Grade 2 Whitewater conditions. This requires the instructor to be able to critique technique, apply a variety of appropriate instructional strategies, and may require them to assess participants’ skill acquisition at the end of the program. A Whitewater Instructor may instruct on Grade 2 and guide on Grade 3.

Whitewater Guide (Level 3)

Holders are expected to be able to lead expeditions in Grade 3-4 Whitewater conditions. They have a high standard of teaching and paddling ability. A guide is only to impart skills or knowledge that is necessary for a person to participate safely and adequately in canoeing and kayaking. At the end of a session or program with a guide, the intent is not for the participant to have acquired the skills to independently participate in the activity.

Whitewater Instructor (Level 3)

Holders are expected to be able to instruct, facilitate skill transfer to develop participants in order so that they may act independently or with minimum supervision in Grade 3-4 Whitewater. This requires the instructor to be able to critique technique, apply a variety of appropriate instructional strategies, and may require them to assess participants’ skill acquisition at the end of the program. A Whitewater Instructor (Level 3) is qualified to act in the capacity defined as a Whitewater Guide (Level 3).

2.2 FIRST AID

Every supervisor must have a current and recognised first aid certificate equivalent to the old Victorian Work Cover level 2, which is now measured by the ANTA unit SRXFAD001A from the Sport and Recreation Package or HLTFA1A from the Health and Fitness Package.

On any session, a comprehensive first aid kit appropriate to the level of first aid training available and to the trip must be accessible at all times. A second first aid kit must be carried on any trip with more than 20 paddlers (participants and leaders). The first aid kits must be carried in separate boats.

Leaders should be aware that some remote areas may require more advanced first aid qualifications and other programs may have to implement site specific procedures for dealing
with the provision of first aid. Decisions should be based upon the risk assessment and
emergency strategy.

### 2.3 RESPONSIBILITY OF THE LEADER(S)

The following points are the responsibilities of an activity leader. Individual tasks may be
delegated but the responsibility remains with the leader.

It is the activity leaders responsibility to ensure that the level of knowledge, ability, skill and
equipment of each participant is appropriate for the level of difficulty and complexity of the
session and to receive acknowledgement from all participants that he/she (as the leader) has
the role of leading the group.

This responsibility includes but is not limited to the following:

- Understand and endorse trip plan.
- Research and manage foreseeable hazards/incidents/emergency.
- Ensure that minimal environmental impact message is conveyed and adhered to.
- Confirm group experience/capabilities (where possible).
- Check all equipment including (first aid kit and communication) prior to departure and on
  return.
- Ensure a full briefing is clearly carried out and understood by all leaders and participants
  (See 2.4).
- Check water conditions and weather reports prior to session and every day on a multi day
  trip.
- Ensure that all group equipment is secured/stored correctly at all times.
- Control the pace of the group and rest group if necessary.
- Maintain constant surveillance/observation of participants to ensure, to the best of your
  ability, that all participants avoid situations beyond their known capabilities.
- Appropriately designate responsibility.
- Notify external contacts of safe completion.
- Ensure that any incidents are documented and reported.
- Ensure that waiver/acceptance of risk forms have been signed and collected by/for all
  participants prior to activity (where appropriate).
- Appoint external contacts to notify Police etc if not contacted by designated time.
2.4 ACTIVITY BRIEFING

As for all outdoor activities involving group participation, all participants and leaders must use an agreed and understood system of communication. It is essential that this be devised before the session and agreed as a component of the pre-activity briefing.

(For examples of accepted river signals contact the Outdoor Recreation Centre Victoria Inc.)

The activity briefing may be delivered differently according to organisational preference and where relevant, the length and complexity of a session but must include (and is not necessarily limited to) each and every element of the following:

- The nature of the activity, inherent risks, emergency strategy, group conduct and communication requirements.
- The national standard river signals or signals appropriate to the activity.
- The correct and safe handling and navigation of the canoe/kayak being used.
- The correct fitting and wearing of appropriate personal floatation devices (PFD's) which are to be worn at all times.
- The whereabouts of all safety and communication equipment.
- The correct and safe operation of applicable/relevant equipment (including safety).
- The correct procedure in the event of a capsize.
- Appropriate protection from the elements (sun, wind, cold).
- Opportunity for participants to voice any concerns (medical or otherwise).
- The program for the session/day.
- The role and expectations for each participant.
- Group conduct and spacing where relevant.
- Confirm participants have understood the brief (Acceptance of risk).
- Confirm participants are free of the effects of alcohol/drugs.
- Confirm participants clothing, footwear, hair and jewellery are safe and appropriate for the planned trip.
- Explanation of required documentation, including completion and signing of waiver.

2.5 RATIOS

Variables affect the leader/group ratios in varying environments. There are clearly situations where your judgement will dictate a requirement that there be a smaller or larger number of participants per leader. Land managers may also suggest ratios that differ from AAS and where these are within AAS they must be regarded as minimum standards.

The following ratios apply to participants rather than craft.
Ratios for inland kayaking/canoeing (Flat water)

In adverse weather, the conditions on a large body of inland water can approach those found at sea. Also water temperatures, even in summer, may be much lower than equivalent sea temperatures.

Control of a group can be rapidly lost as conditions deteriorate and capsizes occur. Under such conditions, as at sea, it can be difficult to keep the group together unless they are able to respond skilfully and effectively to instructions – the larger the group, the more so.

The acceptable ratio for conducting group kayaking or canoeing activities on inland water is 1:8 participants or 1:12 participants if they are all in double kayaks, open canoes or sit on tops.

Supervision may require to be increased towards a ratio of 1:4 participants based upon consideration of the potential influence/presence of the following factors;

- Participants have special needs, including behavioural, physical or mental disability.
- Participants include children.
- Weather conditions are poor (existing or forecast), white horses, wind and/or cold water.
- Any planned trip is along a committing shoreline with few safe egress points.
- The area is remote from observation/rescue.
- The body of water is subject to unpredictable winds, common in mountainous areas.

Supervision may be relaxed towards a ratio of 1:12 participants based upon consideration of the potential influence/presence of the following factors;

- All participants are adults.
- All participants are competent, both individually and as a group, to deal with likely problems which may be encountered.
- All participants are reliable Eskimo-rollers and using suitable equipment for rolling.
- Good weather forecast with light/favourable winds, flat and warm water which present little risk to participants.
- The group has the same geographical start and finish location and does not ‘tour’ within the session (for example during an instructional session).
- Area is in a non-remote where assistance from other groups or craft might be available.
- Planned trip will stay close to an easily accessible shoreline.

Ratios for white-water kayaking/canoeing on moving rivers up to grade 3

Communication problems caused by water noise, helmets covering ears, and a shortage of safe, ‘assembly points’, will always make the management of a large group extremely difficult. The value of a competent assistant (to bring up the rear, or pre-shoot a rapid, or deal with individual problems) cannot be over-emphasised when paddling on moving water.

The acceptable ratio for conducting group kayaking or canoeing activities in moving water up to grade four is 1:6 participants and consideration must be given to the requirement for an additional leader or a minimum of two leaders(s) for any river trip.
Supervision may require to be increased towards a ratio of 1:4 participants based upon consideration of the potential influence/presence of the following factors:

- There is no support instructor/guide for the activity session (+1 leader).
- Participants have special needs, including behavioural, physical or mental disability.
- Participants include children.
- The river being paddled is likely to flood or rapidly change volume/level.
- The water temperature is cold and may affect participant’s capabilities.
- The river is in a remote area.
- The river is known to have few large breakouts.
- The river has continuous sections of technical water.
- The river has frequent ‘pinning’ hazards (rocks, trees etc).
- Egress is required above more hazardous sections.

Supervision may be relaxed towards a ratio of 1:10 participants based upon consideration of the potential influence/presence of the following factors:

- All participants are adults.
- All participants are competent white water paddlers for the river grade expected.
- All participants are reliable Eskimo-rollers.
- All participants are paired in open canoes or double kayaks.
- Water temperatures are warm and present little risk to participants.
- The river section is known well by leader.
- The river section has regular access/egress points with good, regular break-outs.
- The river section is readily accessible to external assistance.
- The leader holds a higher qualification than required for the river grade.

Ratio’s for Sea Kayaking

The effect (not always obvious) of winds and currents on novice paddling groups at apparently benign-looking beaches, can be dramatic. Local knowledge, and experience in this type of environment is vital for leaders.

Control of a group at sea can be rapidly lost as conditions deteriorate, and capsizes occur. Under such conditions, it can be impossible to keep the group together unless they are able to respond skilfully and effectively to instructions – the larger the group, the more so.

Some tidal estuaries (whilst sheltered at times) can present severe open sea hazards.

The acceptable ratio of leaders to participants for conducting group kayaking or canoeing activities at sea is 1:6 participants.

Supervision may require to be increased towards a ratio of 1:2 participants based upon consideration of the potential influence/presence of the following factors:

- Participants have special needs, including behavioural, physical or mental disability.
Participants are primarily children.

- Foreseeable conditions are poor including swell, breaking waves, spring tides and/or wind (especially if against tide).
- The water temperature is cold and may affect participant's capabilities.
- Access or egress will foreseeably involve surf > 1 metre.
- A trip is being undertaken which:
  - Is along a committing shoreline.
  - Is remote from observation.
  - Involves unavoidable tide races or overfalls.

Supervision may be relaxed towards a ratio of 1:8 participants based upon consideration of the potential influence/presence of the following factors;

- All participants are adults.
- All participants are competent, both individually and as a group, to deal with likely problems which may be encountered.
- All participants are in double kayaks.
- All participants are reliable eskimo-rollers.
- Good weather forecast for a stable sea state with no spring tides or tidal stream.
- Water temperatures are warm and present little risk to participants.
- The location/route is in not remote and assistance from other groups or craft is available.
- The location/route is always close to an easily accessible shoreline.
- The leader holds a higher qualification than required for the activity.

### 2.6 INCIDENT REPORTING

Australian Canoeing Inc. maintains records of canoeing incidents and accidents that resulted in injury or had the potential to result in injury. Members of Australian Canoeing Inc. are required to complete an incident report form to be forwarded directly for processing and are also keen to provide this service for incidents involving non-members.

These records are stored centrally and regularly reviewed to identify trends. Incident and accident reporting is a valuable risk management tool that assists in identifying injury trends. The timely and accurate recording of incident or accident-related information can also help you and insurers, to defend possible liability claims resulting from injuries that may have occurred during an organised activity.

An Incident Report Form can be obtained from the Australian Canoeing Inc. website www.canoe.org.au or by contacting the Australian Canoeing Inc. office on (02) 9552 4500.
3 EQUIPMENT

Equipment requirements vary with the objectives of the trip plan and the environmental conditions likely to be endured. When planning equipment requirements for a canoeing trip it is important that leaders consider all possible eventualities.

It is the responsibility of leader(s) to ensure that all participants carry with them all necessary equipment for the activity. They will also ensure that they have adequate emergency supplies to handle any likely contingency. In some situations such as Canoe and Kayak Lifeguards operating on very small bodies of water it is sufficient for much of the equipment to be available on shore and not carried in boats.

3.1 BOATS AND ASSOCIATED EQUIPMENT

Kayaks and canoes used in all activities shall be of a type that is suitable for the nature and duration of the activity, the conditions expected during the activity and the skill levels of all participants. All craft should:

- Provide a stable platform allowing strokes to be performed effectively.
- Possess the strength to withstand all foreseeable forces.
- Not sink, but remain horizontal, when swamped and remain suitable as buoyancy for its crew.
- Be capable of being towed by rope and grasped by hand.
- Allow for easy exit in the event of capsize.
- Not be designed, made of a material or finished in a way that could cause injury or impede exit.
- Be fitted with end loops or toggles.
- Fitted with footrests that will not allow feet to become entrapped and that will not break in the event of foreseeable paddling forces or impacts.
- Preferably of a colour that is clearly visible to other water users or rescue authorities.

All craft should conform to the following buoyancy requirements:

Positive buoyancy at each end or sturdy, waterproof bulkheads, front and back, with water tight hatch covers or integrated cockpits with watertight hatch covers or fixed flotation bags or being a ‘sit on top’ self-draining kayak.

It is recommended that kayak paddlers wear spray decks on white water and the sea. Decked canoe paddlers should wear spray decks on white water: they are optional on open canoes (including semi decked boats such as ‘wobbygongs’).

Rudders or retractable fins are recommended for use on sea kayaks, but paddlers should not be reliant on them for directional control of their craft. Removable fins or skegs are optional for white water boats when used at sea or for flat-water touring.

Effective hands free pumps are to be fitted to all sea kayaks paddled in sea conditions. Hand operated pumps are not recommended as the only form of pump, but may be carried as a
backup. It is noted that an effective bailing device in all boats is a legal requirement in several States. A sponge is a minimum requirement.

### 3.2 PADDLES

Paddles are to be appropriate for the type of craft and the build and skill levels of the participants. One or more spare paddle(s) shall be carried by the group as appropriate for the activity, notably at sea and in remote areas. Paddle parks are recommended for all participants while sea kayaking or in other exposed conditions such as large lakes.

### 3.3 PERSONAL FLOTATION DEVICES

All participants must wear an appropriate personal flotation device (PFD) that is consistent with the Australian Standard for Type 2, or Type 3 at all times while on the water.

The PFD should be the correct size for the wearer. Type 1 PFD’s are not suitable for Canoe or Kayak activities because they impede paddling ability and restrict correct posture.

A PFD shall be deemed appropriate by marking, which shall identify that the PFD complies with a recognised standard.

A pealless whistle attached to the buoyancy aid for emergency use is recommended to enable a person to attract attention.

Rescue PFD’s should comply with the previously mentioned standards for type 3 PFD’s.

Towing cowtails must be quick release. The PFD must not contain any pocket or other component that may impede paddling, normal rescue practices or exit from craft. It is recommended that all PFD’s be of a bright colour.

### 3.4 HELMETS

Helmets used on rivers greater than international river grade 2 should meet European Standard CE 1385. This Standard specifies requirements for helmets for canoeing and white-water sports for use in waters of Grades 1 to 4.

Helmets must also

- Cover the head to provide ample protection to the forehead, temple and back of the head.
- Have enough positive buoyancy to float.
- Be a good fit so as not to move, but not to be so tight as to be uncomfortable.
- Have an effective strap/buckle, to fix the helmet securely in place
- Have a good system to absorb the shock from impacts and to provide a separation distance between the outside of the helmet and the paddler’s head.
A canoeing helmet which meets the above requirements must also be worn while paddling in surf, among rocks or in sea caves, during rescue practice. They are optional for other canoeing activities. Helmet must be securely fixed whenever worn.

Face guards are not recommended for general recreational use as face guards can be dangerous and an unnecessary complication as they reduce vision and offer snagging points. Chin cups are also not recommended on the helmet. Experience shows that they do not work appropriately (this is also born out of the motorcycle and bicycle industry).

Helmets worn by leaders should be clearly distinguishable from those worn by the rest of the group.

3.5 NAVIGATION EQUIPMENT

Maps and/or marine charts, compasses, and GPS receivers shall be carried as deemed appropriate for the navigational requirements of the activity, and shall be treated and/or stored in such a way as to make them water resistant.

No single navigation system should be relied upon. Where an electronic system such as a GPS is used, spare batteries and another position fixing method should be available.

3.6 COMMUNICATION EQUIPMENT

The following communication equipment should be carried as appropriate for the activity. Electronic and other equipment that can be damaged by water is to be carried in water resistant containers. Instructors are responsible to determine the equipment to be carried by all participants.

- Marine (pea less) whistle, mobile phone, signalling mirror, marine VHF radio (operators should hold the VHF Certificate of Proficiency), flares (red, smoke, parachute), marine 27MHz radio, torch, strobe light, UHF radio, V-sheet, satellite phone, chemical light stick (or electronic equivalent), EPIRB (or PLB).

3.7 SAFETY AND RESCUE EQUIPMENT

- Basic rescue equipment, especially throw bags, should be carried where they are quickly and easily accessible.
- All leader(s) should consider having an appropriate towing system easily accessible so that it can be deployed quickly when needed.
- All towing systems must be quick-release, and should be set up so that they do not restrict the maneuverability of the towing boat.
- On any activity involving moving water, throw bags must be carried by all leaders. All participants should be trained in their use.
- It’s recommended that all leaders on whitewater carry a rescue (safety) knife and these should be quickly and easily accessible.
- A basic repair kit should be available in the event of an incident or emergency.
A roll of duct tape is considered a minimum requirement. A comprehensive group repair kit appropriate for the boats that are being used should be carried on all expeditions, particularly in remote areas.

Rescue equipment including slings, karabiners and pulleys are recommended on moving water and must be available to the leader on all activities conducted on grade 3 rivers.

Basic emergency equipment such as waterproof matches, a fuel stove, a small tent, bivvy bag or space blanket, an insulated mat, a sleeping bag, emergency shelter, etc. should be carried as appropriate for the activity, the participants, and the expected weather conditions.

### 3.8 MAINTENANCE, REPLACEMENT AND STORAGE

All equipment is subject to wear and tear.
- All equipment used in canoeing activities should be used, maintained and stored according to manufacturers specifications where applicable.
- All equipment used must be checked before and after each session/trip.
- All issued equipment must be carefully washed after each trip; wetsuits and helmets must be disinfected after each use.

### 3.9 CLOTHING FOR PARTICIPANTS.

- The outer layer should be of a colour that makes it easily visible for other water users or rescue services.
- Clothing must give adequate protection from the weather conditions that are expected during the activity.
- The protective qualities of the clothing should not be significantly reduced when the material is wet.
- Suitable clothing includes but is not limited to wetsuits, dry suits, thermal underwear, synthetic fleece, and paddling jackets for cold weather, and Lycra® rash shirts, stinger suits, and synthetic water-sports shirts in hot conditions.
- Suitable and safe footwear is to be worn at all times while paddling. Heavy boots of any style and thongs are not considered to be safe footwear and must not be worn.
- Hats or sunshades with helmets should be worn at all times while on the water.
- Sunglasses and prescription spectacles should be secured with a suitable restraint if worn.
- Leader(s) should ensure that extra dry clothing is carried, as appropriate, for the participants, the paddling conditions and the duration of the activity.

### 4 AUSTRALIAN CANOEING - MINIMAL IMPACT PRACTICES GUIDELINE

Canoeists, like others who use the outdoors for recreation, have a responsibility to minimise their impact on the natural environment, the enjoyment of others and on public and private property.
Canoeing leaders are expected to comply with these guidelines and any additional National Park, council or other authorities regulations and fire bans.

4.1 ACCESS

- Always seek permission from landowners (including government authorities) for access to water. Apart from being courteous, it is often required by law. Also, you may need their help later.
- If you land at the edge of private property, be courteous and make yourself and your intentions known to the person.
- Use gates, not fences, and leave gates as you find them.
- Only drive vehicles on designated roads.
- Leave livestock and property alone.
- Use current paths and do not damage or remove flora.

4.2 RUBBISH

- If you carry it in, carry it out. Take bags for storing your rubbish.
- Take foods which have minimal packaging. Fresh food does not need cans and jars.
- Don’t be too proud to clean up someone else's' rubbish.
- Conserve water sources by not polluting them with soap, detergents or food scraps.

4.3 FIRES

- Fuel stoves are recommended for cooking, they are environmentally friendly and more efficient than fires.
- Some national parks do not allow open fires - check the local regulations.

If you do require an open fire:

- Do not collect wood for fires - it is illegal in some national parks.
- Check with RFS or council for fire bans before lighting any fire or stove.
- Use fireplaces or old fire scars if available - do not create new areas.
- When on beaches, build the fire below the high tide line.
- Keep fires small, large fires are wasteful - "the larger the fire, the larger the fool" (Paddy Pallin).
- Carefully select a site away from bushes, trees and rocks which could be damaged.
- Do not surround the fire with stones (leave the stones where they are).
- Do not dig a pit.
- Stop the fire long before you intend to leave, putting out fires should not be a last minute practice.
To ensure the fire is completely extinguished; quench the fire with water before leaving.

4.4 TOILETS

- Make provision to carry out human wastes where conditions are likely to result in waste being a significant part of the impact of the group.
- Select toilet sites 100 metres or more from water courses.
- Dig a hole 15–20 centimetres deep.
- Toilet paper should be carried out (do not burn).
- Sanitary pads and tampons should be carried out.

4.5 FLORA AND FAUNA

- Use tracks where possible to minimize damage to flora.
- Just being there is a disturbance to wildlife. Make as little noise as possible and respect the homes of animals.
- Animals and plants are not to be disturbed.
- Do not feed animals.
- Do not bring animals into National Parks.
- Conform to fishing requirements including licensing and size/volume restrictions.

4.6 EQUIPMENT & THE ENVIRONMENT

- If boats require tying up, ensure that the system does not damage the rocks or vegetation that is used.
- To avoid the transportation of weeds or soil borne pathogens, ensure all gear is cleaned prior to any trip and then at the area prior to leaving after a trip.
- Use self-supporting tents, rather than tarps or systems that rely on guys etc. from flora.

4.7 RIVERS

Avoid putting anything into the water which may pollute it; soap, dishwater, food scraps and rubbish.

4.8 BEACHES

- Dunes and their vegetation are an essential but fragile part of the beach ecosystem.
- Minimise damage to dunes by;
- Carry boats over dunes - do not drag them
- When entry and egress is from the water, leave boats below the dune level.
- Do not dig into dunes or create high use tracks - where a formed track is present, always use it.
- Beaches and dunes are the nesting sites of many birds, tread carefully and do not disturb nests.

4.9 CAMPSITES

- Campsites should be at least 20 metres from creeks, rivers or the sea shore, some National parks have a minimum requirement of 200m.
- Do not take radios or play loud music in campsites; respect the rights of others and minimise your impact on the local fauna.
- Leave timber etc where it is; do not create campsite furniture.
- Do not clear campsite areas and if staying for more than one night, move your tent to minimise damage.

4.10 BUSHWALKING

- Use formed tracks where possible.
- In untracked areas, do not cut or trample vegetation, with larger groups use multiple routes so as not to create a badly worn area.
- When planning your trip (including emergency access) plan to use formed tracks.

4.11 FINALLY

Always leave a trip intention plan or float plan with a responsible party that complies with National Park's trip registration and licensing requirements.

Leave no trace!
5 DEFINITION OF TERMS USED

**Activity Provider** – The provider of the activity. This may refer to an organisation (Commercial or non commercial) and/or a trip leader (commercial or non commercial).

**Organisation** - A group of persons organised for a particular purpose and assuming the role of providing a canoeing/kayaking activity (Activity provider) being commercial (for profit) or non-commercial (not for profit / community group).

**Participant** – A person whose welfare is the responsibility of a trip leader (guide or instructor). (NOLRS “Client”)

**Leader** – The leader may be a competent guide or instructor but the term applies to the individual(s) running/supervising the activity session.

**Guide** – A person who assumes responsibility for a group of participants on an adventure activity with the intention to offer the experience of the activity and to satisfy the objectives of the trip. (Commercial or not)

**Instructor** – A person who facilitates skill transfer or development to participants in order that they may act independently or with minimal supervision. This requires the instructor to be able to critique technique, apply a variety of appropriate instructional strategies and may require them to assess participant’s skill acquisition at the end of a program or session.

**International river grading** – Accepted worldwide, this is the system that grades the technical difficulty of navigating the most challenging rapids on a river. Grade 1 is gently flowing water and Grade 6 is generally considered to be un-runable or present a likely chance of death or serious injury.

**Emergency medical attention** – Definitive medical attention being that of a medically qualified person (paramedic, doctor). This may be getting definitive medical attention to the injured participant/s or by getting the injured participant/s to definitive medical attention.

Summary of abbreviations.

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<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>AAS</td>
<td>Adventure Activity Standards</td>
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<tr>
<td>ORC</td>
<td>Outdoor Recreation Centre Inc. Victoria</td>
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<tr>
<td>ANTA</td>
<td>Australian National Training Authority</td>
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<td>NTIS</td>
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<td>QORF</td>
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</table>
Australian Canoeing Inc. ("AC") is the National Sporting Organisation responsible for the management, coordination, development and promotion of paddle sports in Australia. One of its primary responsibilities is the promotion of safe canoeing practices.

In addition to achieving the minimum level of competence described in 2.1, Australian Canoeing Inc. leaders must re-register with Australian Canoeing Inc. Accreditation re-registration is a policy that requires Australian Canoeing Inc leaders to undertake a prescribed amount of continuing education. Re-registration is required to retain any rights as an Australian Canoeing Inc. Instructor.

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