

Recreational Angling

Adventure Activity Standards (AAS)

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



Government of South Australia
Office for Recreation and Sport



Introduction to AAS

The South Australian Adventure Activity Standards (AAS) have been developed to assist organisations, guides and leaders to plan and undertake outdoor adventure activities with dependent participants. This document should be used as part of your organisation's risk management program.

Participants undertaking adventure activities may already have a degree of skill and experience in a particular adventure activity, and as such may be less dependent upon the group leader for guidance and instruction. In these situations, the AAS should be adapted to reflect the experience of group members and the particular situation of the adventure activity.

Regardless of the extent to which the AAS is adopted, each organisation, guide and leader has a duty of care to its participants to have completed a risk analysis of the activity, and developed a risk management approach to address potential and unexpected situations.

The AAS have been prepared with the involvement of a wide cross-section of South Australia's and Victoria's outdoor industry, and reflects minimal acceptable standards of behavior expected when planning and undertaking outdoor adventure activities with inexperienced and dependent participants.

Acknowledgement

In the development and implementation of AAS in South Australia, Recreation SA acknowledges the work of the Outdoor Recreation Centre Inc. in initiating, coordinating and developing AAS through many outdoor recreation groups within Victoria.

These AAS can now be adapted nationally across a number of outdoor adventure activities, and Recreation SA has reviewed and amended the content, in consultation with South Australian outdoor industry representatives, to reflect South Australia's legal, government, environmental, social, education and industry conditions.

The implementation of the AAS in South Australia is recognition of the State's commitment to national minimum industry standards for outdoor adventure activities.

Important disclaimer

The information contained in this publication has been gathered through widespread industry consultation. All reasonable attempts have been made to ensure that it is accurate, relevant and current at the date of publication. Nevertheless, the Adventure Activity Standards (AAS) are only advisory and general in nature and should not be relied upon to meet individual or specific requirements. They are recommendations for voluntary application to adventure activity providers and participants. They are not binding on any person or organisation and have no legal force.

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.

This publication and the information and the AAS it contains are made available on the express condition that the Government of South Australia (Office for Recreation and Sport) and Recreation SA, together with the authors, consultants and advisors who have assisted in compiling and drafting this publication and the AAS are not rendering professional advice to any person 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 as a consequence of reliance upon anything contained in or omitted from this publication.

Supported by members of Recreation SA's Outdoor Standing Committee representing:

- Department for Environment and Heritage
- Operation Flinders
- Bushwalking Leadership SA
- Wilderness Escape Outdoor Adventures
- Venture Corporate Recharge
- BCS Adventure Services
- Scouts SA
- The Association for Horsemanship Safety and Education
- Rock Solid Adventure
- With Good Company
- TAFE SA, Adelaide North

Managed by the AAS Steering Committee representing:

- Department of Education and Children's Services
- Department for Environment and Heritage
- Department for Families and Communities—Office for Youth
- Department for Families and Communities—Youth Adventure and Recreation Service
- Office for Recreation and Sport
- Recreation SA
- TAFE SA, Adelaide North
- Wilderness Escape Outdoor Adventures
- Venture Corporate Recharge
- South Australian Rock Climbing Education Association (SAREA)

Content provided by and endorsed by:

- South Australian Recreational Fishing Advisory Council Inc.
- Department for Families and Communities—Youth Adventure and Recreation Service

Adventure Activity Standards: why have standards?

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

1. **Safety** for both participants and providers
2. **Information** for providers against legal liability claims and criminal penalties
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
2. Negligence.

Although provisions of statutes such as the *Trade Practices Act 1974 (Cth)* and the *Recreational Services (Limitation of Liability) Act 2002* 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 *Recreational Services (Limitation of Liability) Act 2002*.

If injury or damage occurs because the provider did not exercise reasonable care in the provision of the service, a Court can 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 South Australia. These changes are set out in the *Civil Liability Act 1936 (SA)*.

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
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'
- 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 should be addressed by any 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 forecast 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
- 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 minimise 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.

Defences against claims by participants

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?
- 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
- 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.

However, section 38 of the *Civil Liability Act 1936 (SA)* prescribes that there is no duty to warn of an 'obvious risk', or if there is an applicable code of practice in force under the *Recreational Services (Limitation of Liability) Act 2002*. Further to this, the section does not apply if the plaintiff has requested advice or information about the risk from the defendant or if the defendant is required to warn the plaintiff of the risk either by law or pursuant to the code in force under the *Recreational Services (Limitation of Liability) Act 2002*.

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 *Recreational Services (Limitation of Liability) Act 2002*, and the *Trade Practices Act 1974 (Cth)* enables providers of 'recreational services' to modify or exclude a duty of care owed to a consumer by the use of a waiver or limitation of liability. This will only apply where there is no registered code in relation to the recreational service. The amendment will only apply until 1 August 2007, after which time the only manner in which liability will be able to be modified with respect to a recreational service will be in accordance with a registered code.

Good Samaritans, Volunteers, Apologies

Good Samaritans

Under the *Civil Liability Act 1936 (SA)* (as amended) an individual who provides assistance, advice or care to another person in an emergency, 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 if acting in good faith without recklessness (provided the good Samaritan's ability was not significantly impaired by alcohol or drugs).

Volunteers

Pursuant to the *Volunteers Protection Act 2001 (SA)* volunteers are protected from liability for injury to another when they are acting in good faith and without recklessness in the course of carrying out community work for a community organisation. This immunity does not operate if the volunteer's ability to carry out the work properly was impaired by drugs or the volunteer was acting outside the scope of activities authorised by the community organisation or contrary to instructions given by the community organisation.

Expressions of Regret

The *Civil Liability Act 1936 (SA)* provides that no admission of liability or fault is to be inferred from the fact that a person expressed regret in respect of the incident relating to the injury.

Limitation on claims for personal injury damages

Pursuant to the *Civil Liability Act 1936* (as amended) an injured person cannot obtain damages for pain and suffering unless the injured person's ability to lead a normal life was significantly impaired by the injury for a period of at least seven days or medical expenses of at least the prescribed minimum have been reasonably incurred in connection with the injury. The assessment of pain and suffering is assigned a scale value on a scale running from zero to sixty, sixty being the most severe form of injury.

The Act also imposes a cap on damages for pain and suffering of a maximum of \$241,500 (indexed annually) together with other limitations in respect of damages for mental harm, and 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. Evidence of compliance with such programs and the AAS may also assist in the legal defence of claims and in helping to establish 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. The State Government of South Australia (Office for Recreation and Sport) and Recreation SA, 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

The recreational angling AAS have been written as an aid to commercial owners and operators, volunteer organisations and employees, guides and trip leaders (commercial or non-commercial). They are intended to describe the level of responsibility considered as reasonable for those who undertake to formally provide a group angling experience in South Australia.

Whilst AAS strictly apply to any organised angling trip involving dependent participants, it is important that the individual circumstances of each location and type of angling be taken into account. These are voluntary standards and the level to which leaders or guides adhere to requirements such as a risk assessment will depend to a large degree on the remoteness and/or complexity of the trip.

These are recommendations to prevent or minimise accidents and incidents, to minimise escalation of minor incidents and as such complying with AAS will provide evidence that an appropriate duty of care was afforded.

Definition of terms used

Organisation: A group of persons organised for a particular purpose and assuming the role of providing a Fishing 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 guide or trip leader or instructor. (NOLRS 'Client')

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

Trip Leader: A senior guide who assumes the responsibility of the guide and co-ordinates the entire group, including the guides, to satisfy the objectives of the trip (commercial or not).

Urban: Urban trips are defined in AAS as any trip which is at no point any more than 2 hours from emergency medical attention.

Remote: Remote trips are defined in AAS as any trip which is at any point more than 2 hours from emergency medical attention.

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

| | |
|------|---|
| AAS | Adventure Activity Standards |
| DEST | Department of Education, Science and Training |
| NTIS | National Training Information Service |
| ITAB | Industry Training Advisory Board |

| | |
|-------|--|
| SRTA | Sport and Recreation Training Australia |
| NOLRS | National Outdoor Leaders Registration Scheme |
| Cth | Commonwealth |

1 Planning

Before setting out, the planning section of the activity standards contains the documented administrative aspects of AAS. It is here you will find the requirements that must be completed before undertaking any activity plan.

1.1 Activity plan for recreational angling

Selecting a location is the most important consideration when creating an activity plan. Organisations and leaders must select sites that meet the objectives of their trip. To do this the following considerations must be included:

- Objectives of the trip (desired outcomes, type of catch, learning opportunity)
- Weather and conditions (tide, wind, swell, river levels, forecast for extreme weather, heat or fire danger)
- Size of the group
- Leader/guide to participant ratio. (See 2.6 Ratios of trip leader and guides to participants)
- Access/navigation requirements (bushwalking, four wheel drive or horse trail riding AAS and marine safety guidelines may be relevant to access the selected fishing location. Marine navigation such as GPS must be considered)
- Accessibility and remoteness of site (distance, difficulty of trail or sea conditions)
- Land managers' requirements or restrictions (access guidelines, registration, marine parks).

When selecting the leader and guide/s for a fishing trip it is essential to consider the following:

- The leader and guide/s must have appropriate competency and experience to conduct the trip, effectively manage incidents and to satisfy the planned objectives.
- The leader or a guide on the trip must be familiar with the specific planning and area of the trip (including awareness of potential hazards at the site).

1.2 Pre-trip documentation

Documentation is often seen as a chore and not a minimum requirement. However, there are certain details which a leader and/or organisation must be aware of to maximise safety. The following is agreed to be the minimum required documentation for a fishing trip:

- Emergency strategy (including details set out below in 1.4 Emergency strategy)
- Participant's name, address and emergency contact details. It is recommended that any participant medical conditions and how they should be dealt with be documented, as this will prepare the leader for what may be a reasonably

foreseeable incident (for example, asthma and the required management plan, recent or longstanding injuries/illness)

- Participants under the age of 18 must have the signature of a parent/guardian.

All documentation must be readily accessible to the leader in the event of an incident/emergency and participants should be made aware of its location at the briefing. All individual participants requirements must be appropriately accounted for throughout the trip.

1.3 Site specific hazards

AAS recommend that trip leaders conduct a risk assessment of the selected location prior to the group activity. This need not be documented but the leader should be mindful that any obvious or anticipated hazards be dealt with appropriately.

This may involve removing the hazard or simply alerting participants to the hazard and suggesting a means to deal with the hazard (e.g. slippery rocks, overhanging branches, tidal rip current, inconsistent swell, deep pool).

1.4 Emergency strategy

Every emergency strategy must be written to manage incidents and minimise their escalation.

Trip leader, guide/s and an appropriate external contact, either within each organisation or otherwise, must be fully aware of the emergency strategy and a summary must be provided as a component of the preliminary group briefing.

The emergency strategy for a fishing trip must be specific to each site and must contain:

- Suitable evacuation routes
- Assembly points where appropriate
- Contact details for land manager, emergency services, police, ambulance and how they are best contacted (mobile phone, satellite phone, radio).

(On land managed by the Department for the Environment and Heritage (National Parks), all emergency contact details are available from the Park Rangers as part of the parks emergency plan).

- Closest hospital, available vaccines (inland fishing) and access times.

The trip leader shall communicate with the relevant external contact at designated time/s. Upon failure to do so, the external contact shall notify the SES/Police.

1.5 Restrictions to participation

Operational restrictions to a fishing trip include adverse weather, river levels, sea conditions and access restrictions dictated by the relevant authority (Dept for Environment and Heritage, Dept for Primary Industries and Resources SA—PIRSA Fisheries, Dept for Transport, Energy and Infrastructure—Marine Safety).

AAS strongly recommend that ocean facing rock fishing (rock based game fishing) should never be conducted with dependent groups. Experts consider it extremely difficult to offer appropriate supervision to groups and in the event of an incident, any leader is

rendered helpless should a participant slip, fall or be washed into swell. Participants looking to learn rock fishing should seek advice from an experienced/specialist and supervision should be one to one (Ratio of 1:1) with additional consideration to be given to foreseeable conditions (tide, swell, wind).

Individual restrictions to a fishing trip should apply to participants excessively under the influence of alcohol or drugs and who are unable or unwilling to follow instructions.

AAS recommend that consumption of alcohol during a fishing session be minimal, especially for boat-based trips.

2 Responsibilities of the trip leader/guide

This section includes all aspects of the activity plan that involve both the trip leader and the guide. This section covers the specific competency required for various types of location, difficulty levels and covers basic requirements.

2.1 Competencies

In the absence of any established and recognised training qualification for fishing guides and leaders, any leader must be confident of having satisfied a process of skill acquisition, which must be at least equivalent to that described by the following selected units from the Department of Education, Science and Training.

A statement of attainment for these units is not compulsory. However, the inclusion of this section is intended to provide a suitable benchmark describing the skills that a leader should have as described within the National Outdoor Recreation Industry Training Package.

Leadership and management skills

| Code | Unit name |
|------------|--|
| SRXEMR001A | Respond to emergency situations |
| SRXFAD001A | Provide first aid |
| SRXGRO001A | Facilitate a group |
| SRXGRO002A | Deal with conflict |
| SRXRIK001A | Undertake risk analysis of activities |
| SRXOHS001B | Follow defined OHS policy and procedures |

Outdoor recreation skills (Urban)

| Code | Unit name |
|------------|---------------------------------------|
| SROOPS002B | Plan for minimal environmental impact |
| SROOPS003B | Apply weather information |
| SROODR005A | Guide outdoor recreation sessions |

Outdoor recreation skills (Remote)

| Code | Unit name |
|------------|--|
| PUAOPE002A | Operate communications systems and equipment |
| SRONAV002B | Navigate in difficult or trackless areas |
| SROOPS006B | Use and maintain a temporary overnight site |

Fishing specific skills

| Code | Unit name |
|-------------|---|
| SROFSH002A | Comply with fisheries management regulations and conservation strategies |
| SROFSH001A | Use basic skills to catch and handle fish |
| SROFSH005A | Select, use and maintain fishing tackle outfits |
| SROFSH007A | Use knowledge of fish habitats, behavioural and life cycles to locate fish. |

Details of these units can be accessed by logging on to the Department of Education, Science and Training, (DEST), National Training Information Service website at <www.ntis.gov.au>.

The above units are components of national training courses that encompass the specification of knowledge areas and skills relevant to the outdoor recreation industry and the application of that knowledge and skill to a standard of performance required in the workplace.

2.2 First aid

Decisions on the level of first aid should be based upon the risk assessment and emergency strategy for this adventure activity. Leaders and guides should have the appropriate first aid skills commensurate with the planned activity, the skills of the group and the location of the activity, including remote areas.

A basic first aid kit should be carried on and be accessible throughout any formal recreational fishing trip involving dependant participants.

The following list provides an overview of equivalent first aid training with South Australian providers St John Ambulance and Australia Red Cross.

Level 1: Basic First Aid (Resuscitation) involves basic skills and knowledge in order to recognise and provide immediate first aid for a range of common illnesses and injuries and minimise the severity of injury or sudden illness.

Leaders and guides with Basic First Aid should be able to:

- perform CPR (resuscitation)
- manage breathing emergencies: expired air resuscitation (EAR)
- control bleeding, wounds and bandaging

Level 2: Intermediate or Senior First Aid involves skills and knowledge to recognise and provide immediate first aid for a range of common illnesses and injuries and minimise the severity of injury or sudden illness.

Leaders and guides with Intermediate or Senior First Aid should be able to:

- perform CPR (resuscitation)
- manage breathing emergencies – expired air resuscitation (EAR)
- control bleeding, wounds and bandaging
- manage extremes of heat and cold

- manage injuries to bones, joints and muscles
- manage poisoning, bites and stings
- define the principles of first aid
- demonstrate knowledge of basic human anatomy
- recognise and manage both a conscious and an unconscious casualty
- perform effective CPR and expired air resuscitation (EAR)
- identify a range of common illnesses and injuries
- control bleeding and care for various types of wounds
- recognise and manage injuries to bone or soft tissue
- recognise and manage medical conditions that may need emergency care, including heart attack, stroke, asthma, diabetes and epilepsy
- use practical first aid skills using prepared and improvised materials
- demonstrate knowledge of first aid management for a range of common illnesses and injuries.

A comprehensive first aid kit appropriate to the level of first aid training must be easily accessible at all times. Remote areas may require more advanced first aid skills such as Wilderness First Aid where leader and guides recognise, prevent and treat many illnesses and injuries prevalent in wilderness and remote locations.

2.3 Specific responsibilities of the trip leader

The following are the accepted responsibilities of an angling trip leader. Individual tasks may be delegated but the responsibility remains with the trip leader.

Whenever commencing any fishing trip, it is the trip leader's 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 trip and to receive acknowledgement from all participants that he/she (as leader) has the role of leading the group.

The trip leader must ensure that all Marine Safety requirements are satisfied where relevant: www.transport.sa.gov.au/safety/marine/

2.4 Assistant to the trip leader

All persons acting as guide must support and assist the trip leader according to the trip plan and manage any incident or emergency according to the emergency strategy if the leader becomes injured or incapacitated. (See 2.6 Ratios of trip leader and guides to participants and 2.7 Group size).

2.5 Group communication and authority

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

Every communication system requires a clear full briefing. This may be delivered differently according to organisational preference and, where relevant, the length and complexity of a trip but must include and is not limited to each and every element of the following:

- Introduction of trip leader, guides description of trip, location and objectives.
- Strategies for conservation including flora, fauna, human impacts (do's and don'ts), rubbish removal.
- The nature of the activity, inherent risks, emergency strategy, group conduct and communication requirements.
- Equipment and clothing including explanation of inherent risks (hooks, knives, ropes, gaffs, etc.) correct and appropriate equipment use and, where relevant, fit.
- Confirm participants' clothing is appropriate for the planned trip.
- Verbal check for participants to inform the leader/guide of any recent and/or relevant medical conditions, medication and of any specific requirements which must be accounted for throughout the trip. (This information is confidential but it is the responsibility of a leader/guide to provide an opportunity to acknowledge and account for such requirements).
- Explanation of required documentation, including completion and signing of waiver.

2.6 Ratios of trip leader and guides to participants

Obvious variables will affect the leader/group ratios. These include environmental factors (type of fishing, size of group, forecast weather/water conditions) and the group (experience, competence). There are clearly situations where your judgement will dictate the requirement for smaller numbers of participants per leader/guide. Land managers or relevant authorities may also suggest ratios that differ from AAS and where these are within AAS (fewer participants per leader/guide) they must be regarded as minimum standards.

Operators of boats must be mindful of regulations dictating crew requirements for charter operators. These regulations are deemed to be safe and as such should apply to all boat based fishing groups.

The ratio of competent supervision to participant should not exceed 1:7 where the participants are considered to be dependant (reliant upon a leader).

2.7 Group size

For the safety of both the group participants, the environmental impact and the quality of the participant's experience, large groups should always be managed in a manner which will optimise group supervision (see 2.6 Ratios of trip leader and guides to participants) and minimise the environmental impact.

Any group considered difficult to manage or which has potential to be significantly destructive to the environment should be split and each resultant group must independently adhere to AAS.

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 fishing trip it is important to plan ahead as much as possible for all eventualities taking into account any appropriate information including forecast weather conditions.

3.1 Equipment used by the group

If fishing is boat based, the boat must be obviously sound and the boat and operator must have the appropriate certification.

3.2 Equipment used by the participants

It is important that all equipment is appropriate for the intended use. Clothing should be confirmed as appropriate for the conditions expected on the trip (sun, rain, hot and cold) and the leader/guide should be confident to the best of their ability that all equipment used is in a clean and serviceable condition and functionally sound for the intended use.

It is also important that personal medication must be carried and the requirements must be understood by the trip leader and guide/s.

3.3 Equipment used by the trip leader/guide

The leader must be confident that they have equipment and clothing appropriate to the foreseeable conditions plus the responsibility to ensure that all relevant group equipment is correctly carried, in sound condition and that emergency communication equipment is easily accessible.

It is also the leader/guide's responsibility to ensure that to the best of their knowledge they have:

- Appropriate emergency communication equipment (e.g. nearest accessible landline, mobile phone, GPS, satellite phone and/or EPIRB for remote areas)
- Appropriate first aid equipment (commensurate to first aid certification)

3.4 Equipment condition, maintenance and storage

As stated above, it is essential that all equipment used by the leader, guide and participants be in a clean and serviceable condition and functionally sound for the intended use. It is also essential that the leader/guide ensure that all equipment and supplies are appropriately carried and stored/stowed through out the trip.

4 Environment and conduct

The leader, guide and organising body should be satisfied that participants are aware of their responsibilities (as members of the group) to ensure areas of scenic or recreational significance, special scientific or archaeological sites, and the natural environment are respected, and that the requirements of land managers are adhered to. Specific to recreational angling:

National code of practice for recreational fishing

Look after our fisheries:

1. Take no more than your immediate needs.
2. Understand and observe all fishing regulations.
3. Support and encourage activities that restore and enhance fisheries and fish habits.

Protect the environment:

4. Remove rubbish to prevent pollution and to protect wildlife.
5. Use established roads and tracks wherever possible.
6. Take care when boating and anchoring to avoid damaging sensitive areas.
7. Report environmental damage and pollution to the relevant authorities.

Respect the rights of others and treat fish humanely:

8. Quickly and correctly return unwanted or illegal catch to the water.
9. Use only legal tackle, attend your gear and value your catch.
10. Obtain permission to enter land and respect the rights of all to use the waterways.

Further to this the following strategies, which effectively minimise disturbance to natural and cultural values, represent acceptable conduct for the long-term sustainability of both the activity and the environment.

Waste

Rubbish: It is the responsibility of the group leader to ensure that no rubbish or introduced matter is left as a result of the group's activity in an area. This particularly applies to all food or drink packaging, food scraps and activity equipment. Leaders should plan to carry rubbish receptacles sufficient to enable all group-generated rubbish to be removed from the area. Where practicable, leaders should encourage participants to remove rubbish left by previous users.

Human waste: Faecal wastes are to be managed and disposed of in line with environmental regulations and land manager directions. This means that where toilet facilities are provided, these must be used. Where camping is permitted and no toilet facilities are available, toilet wastes must be buried at least 100 metres from a watercourse. If it is not feasible to bury wastes or to bury them at least 100 metres from a watercourse (e.g. narrow river valley, cliff areas), group leaders should plan to use equipment (e.g. 'poo-tubes') that enable the wastes to be removed and disposed of at a facility designed for this purpose.

Fire

Fire Bans: In most parks, the fire danger season in South Australia usually extends from 1 November to 30 April, depending on seasonal conditions. No wood fires are permitted in parks during this time. Some parks have year round bans on wood fires. Open flames are banned in all parks on days of extreme fire danger. These are declared by the

Country Fire Service (CFS). Parks may be closed to visitors on Total Fire Ban days. The onus is on the leader to check the fire ban status for the area they are visiting. Phone or visit the Department for Environment and Heritage or CFS Office for more details.

Camp Fires: Native vegetation within reserves is protected. In non-reserve areas, dead trees and fallen logs play an important role in the environment. In some parks, wood fires are prohibited or restricted. Gas or liquid fuel stoves are preferable. Where fires are permitted they must be:

- lit in existing fireplaces where possible or in a properly constructed fireplace or pit (minimum 30cm deep and a maximum of one metre wide) and returned as closely as practicable as it was
- cleared of flammable vegetation for at least three metres around the fireplace or pit
- kept to a minimum size necessary for cooking, minimising disturbance to the surrounding area
- attended at all times
- extinguished with water
- avoided if fuel is scarce
- avoided if at all unnecessary or where doing so will not comply with the minimal impact approach.

Camping

- Camp at established campsites where possible
- Make campsites away from water resources (at least 20 metres from any stream) and allow animals undisturbed access
- Use floored tents with poles
- No trenches around tents
- Use toilet facilities where available
- Avoid using any soaps or detergents. If they must be used, use only biodegradable soaps and detergents. Dispose of washing water at least 50 metres from any water source
- Wash all soil from camping and personal equipment and vehicles before leaving home or moving between locations, in order to avoid transporting seeds or soil-borne pathogens such as phytophthora.

In addition, participants are also expected to:

- try to avoid tracks and other areas which will be intrinsically more prone to erosion, especially with larger groups
- use boot washing and or hygiene stations to assist in the prevention of phytophthora
- make reasonable efforts to minimise the impact of the group on others

- assist other parties in difficulty providing this action does not adversely effect the safety of the group
- be diplomatic with other groups and other recreational users of the area
- try to minimise noise.

5 Further information

South Australian Recreational Fishing Advisory Council Inc (SARFAC) www.sarfac.com

Useful contacts

The Department of Primary Industries and Resources SA
PIRSA Fisheries: www.pir.sa.gov.au/

The Department for Transport, Energy and Infrastructure
Marine Safety: www.transport.sa.gov.au/safety/marine/

The Department for Environment and Heritage
Coasts and Marine: www.environment.sa.gov.au/coasts/
National Parks: www.parks.sa.gov.au/parks/