

# Adventure Activities Licensing Service

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## Exemptions from holding an Adventure Activities Licence (20 December 2016)

Before providers offer certain specified activities to under 18 year olds in return for payment they need to be inspected and issued with a licence. There are a number of exemptions. In each case the specific exemption below assumes that the provision satisfies all other criteria that would require the provider to hold a licence.

### 1. **Age exemption.**

If the provider only offers activities to 18 year olds or over. [AALR reg. 1 *young person* and *facilities for adventure activities* and AALR reg. 3(1)]

### 2. **Activity exemption.**

If the provider offers no activities that are specified in AALR. That is, neither the activity nor the venue are specified. [AALR reg. 1 *adventure activities*]

### 3. **Payment exemption.**

If the provider is not paid for the provision. Payment may be by the participants themselves (e.g. at the point of delivery), or on their behalf (e.g. by a parent or school), or by some third parties (e.g. a grant or contract). Payment may be explicitly for the provision of adventure activities or as part of a package that includes adventure activities. An exception to the payment exemption is if a Local Authority provides adventure activities to a school. Even if the activities are free of charge the Local Authority is still required to hold a licence. [AALR reg. 3 and AALA Notes 1.02 (Nominal payment) and 2.01 (Voluntary Associations)]

### 4. **Educational establishment exemption.** (schools, colleges, etc).

If an educational establishment is providing activities to its own pupils. Educational establishment providing activities to pupils of other educational establishments need a licence. [AALR reg 3(2)(b)]

### 5. **Voluntary Association exemption.** (e.g. Scouts, Sailing Clubs, Youth Clubs).

- (a) If a voluntary association is providing activities to its own members.
- (b) If a voluntary association is offering activities to other voluntary associations by agreement.
- (c) If a voluntary association is offering activities to a non-member as a 'taster day' for no more than 3 days a year for any one person. [AALR 3(2)(a) and AALA Note 2.01]

6. **Parental exemption.**

If each young person is accompanied on the activity by their parent. This does not extend to other family members such as grandparents. [AALR reg. 3(2)(c)]

7. **Merchant Shipping Act (MSA) exemption.**

If a current Royal Yachting Association (RYA) Recognised Training Centre (RTC) is providing only sailing and/or windsurfing instruction in accordance with the RYA's Conditions of Recognition for its RTCs. If the RYA RTC offers other activities that are specified in AALR they are still required to hold a Licence. [AALR reg.1 *watersports (c)*]

8. **Ministry of Defence (MoD) exemption.**

MoD personnel, including cadet officers, are exempt when on duty.

9. **Employee and free-lance exemption.**

If working under the authority of a licence held by some other person. [AALR 3(2)(d)]