



Cocos (Keeling) Islands Marine Park Management Plan 2025
 Section 4.3.6 (Commercial tourism) and 4.5.2 (Class approvals)

CLASS APPROVAL – SMALL-SCALE COMMERCIAL TOURISM

Approved Persons	Persons undertaking small-scale commercial tourism activities within the Marine Park, as part of a locally run tourism operation. This includes employees, servants, agents and contractors.
Approved Actions within Approved Zones	<p>Commercial tourism involving fishing – in the yellow Habitat Protection Zone only.</p> <p>Vessel-based commercial tourism not involving fishing – in all zones except the inshore green National Park Zones (Zone 3, The Rip and Zone 4, Trannies Beach).</p> <p>Non-vessel based commercial tourism not involving fishing – in all zones.</p> <p>Use of remotely piloted aircraft (drones), including to capture footage of Participants and/or for promotion of the Approved Person’s commercial tourism operations – in all zones.</p>
Excluded Actions	<p>Commercial tourism activities involving more than 30 Participants or a vessel longer than 25 metres.</p> <p>Note: excluded actions may be individually authorised by the Director in accordance with the management plan (for example through a licence or permit).</p>

<p>Conditions of Approval</p>	<p>a) Approved Actions must be conducted in accordance with:</p> <p>b) the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) ('EPBC Act');</p> <p>c) the <i>Environment Protection and Biodiversity Conservation Regulations 2000</i> (Cth) including any prohibitions, restrictions or determinations made under the Regulations</p> <p>d) the <i>Cocos (Keeling) Islands Applied Laws Ordinance 1992</i> (Cth);</p> <p>e) the Cocos (Keeling) Islands Marine Park Management Plan 2025.</p> <p>f) any prohibitions, restrictions, determinations or directions made by the Director.</p> <p>g) other applicable Commonwealth, State and Territory laws, including environmental laws, work and health safety, and maritime and aviation safety laws (to the extent those laws are capable of operating concurrently with the laws and instruments described in paragraphs (a) to (d)).</p>
	<p>h) Approved Persons must have appropriate qualifications and training or relevant experience (or accreditation) to competently conduct the Approved Action.</p>
	<p>i) Where applicable, Approved Persons must ensure that all Participants are appropriately trained and/or accredited to competently participate in the Approved Actions.</p>
	<p>j) Approved Persons must ensure appropriate risk management systems, strategies and procedures are in place to minimise risks to the Participants in the Approved Action and members of the public, and must produce evidence of such systems, strategies and procedures on request of the Director.</p>
	<p>k) Approved Persons must ensure that they fully inform themselves of, and equip themselves for, all foreseeable hazards and conditions they may encounter while conducting the Approved Action.</p>
	<p>l) Approved Persons must inform the Director of any new potential safety hazard or risk encountered or discovered while in the Marine Park as soon as practicable.</p>
	<p>m) If an emergency situation arises during the Approved Action (e.g. a serious injury or missing person), the Approved Persons must ensure:</p>

	<ul style="list-style-type: none"> a) notification to the relevant emergency response authority as soon as possible (the Director is not an emergency response agency); b) compliance with any requests or directions from that authority; and c) notification to the Director's Marine Compliance Duty Officer (0419 293 465) as soon as practicable after the emergency situation has been resolved.
	<ul style="list-style-type: none"> n) Approved Persons must ensure that vessels used in undertaking an Approved Action are operated and maintained in accordance with: <ul style="list-style-type: none"> a) National Standards for Commercial Vessels (for example: vessel survey requirements administered by the Australian Maritime Safety Authority); and b) Other applicable laws. <p>Approved Persons must, if requested by the Director, provide copies of all relevant certificates and other documents demonstrating compliance with this condition.</p>
	<ul style="list-style-type: none"> o) Approved Persons must not conduct the Approved Actions unless they hold insurance sufficient to cover any liability the Approved Persons may have to Participants, their employees, agents, contractors and, third parties or to the Director, and in any case for an amount of not less than \$10 million in respect of any single event, with an insurer that is licensed by the Australian Prudential Regulation Authority or otherwise approved by the Director. p) Approved Persons must, if requested by the Director, provide copies of relevant certificates and other documents demonstrating compliance with this condition. q) Approved Persons must sign an indemnity in favour of the Director if requested by the Director.
	<ul style="list-style-type: none"> r) Approved Persons must: <ul style="list-style-type: none"> a) When anchoring is necessary, ensure that damage to coral, seagrass or other marine habitat is minimised.
	<ul style="list-style-type: none"> s) Approved Persons must take all reasonable steps to prevent the introduction of pests into the Marine Park or transfer pests between locations within the Marine Park. Reasonable steps may include, but are not limited to, regular inspection and cleaning of vessels and equipment and passenger briefings.

	<p>t) Approved Persons must take reasonable steps to ensure that all Participants in the Approved Actions do not (except where in accordance with the management plan and this class approval):</p> <ul style="list-style-type: none"> a) behave contrary to any warning or regulatory signs displayed at the Marine Park's access points used by the Approved Persons or elsewhere in the vicinity of the Marine Park; b) collect, pick, interfere with, feed, handle or disturb any native flora or fauna, or handle or disturb the dwelling place of any native fauna; c) remove shells, coral, plants or animals from the Marine Park; or d) impede public access to any part of the Marine Park.
	<p>u) Any articles lost in the Marine Park that are likely to cause environmental harm, must be reported to the Director as soon as practicable after the loss occurs. The report must include a description of what was lost, the location, date and time of loss/suspected loss.</p>
	<p>v) Approved Persons must, at no cost to the Director but subject to availability and the provision of reasonable notice by the Director, allow a member of the Director's staff to accompany a trip conducting the Approved Action for the purpose of evaluating compliance with this class approval.</p>
	<p>w) If requested by the Director, Approved Persons must, at no cost to the Director but subject to the provision of reasonable notice, report to the Director details of their Approved Actions within the previous 12 months, such as:</p> <ul style="list-style-type: none"> • number of Approved Actions conducted • number of Participants involved • locations visited and number of visits • other matters relevant to marine park management.

This class approval will come into effect on 12 February 2025 and will remain in effect for the term of the Cocos (Keeling) Islands Marine Park Management Plan 2025, unless this class approval is suspended, cancelled or varied sooner by the Director in accordance with that management plan.

This class approval does not apply to or affect requirements for commercial tourism in Pulu Keeling National Park.

For enquiries relating to this class approval, contact: marineparks@dcceew.gov.au.

A handwritten signature in black ink, appearing to read 'R. Archer', written in a cursive style.

Ricky Archer
Director of National Parks

Date: 18 Feb 2025

Interpretation

In the class approval and conditions:

1. **Approved Actions** means the actions described as Approved Actions in this class approval.
2. **Approved Person** means a person in the class of persons described as Approved Persons in this class approval.
3. **Approved Zones** means a Zone in which the Approved Actions are authorised by this class approval to be carried out.
4. **Authorised Officer** means a warden or an inspector under the EPBC Act.
5. **Cocos (Keeling) Islands Marine Park** means the Cocos (Keeling) Island Marine Park established by, and described under, the *Environment Protection and Biodiversity Conservation (Commonwealth Marine Reserves) Proclamation 2022*.
6. **Cocos (Keeling) Islands Marine Park Management Plan 2025** means the Cocos (Keeling) Islands Marine Park Management Plan 2025 made under section 370 of the EPBC Act.
7. **Director** means Director of National Parks continuing under section 514A of the EPBC Act and includes any agency that succeeds to the functions of the Director of National Parks.
8. **EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999*.
9. **EPBC Regulations** means the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth).
10. **Fishing** means the definition in section 528 of the EPBC Act.
11. **Marine Park** means the Cocos (Keeling) Islands Marine Park.
12. **Participants** mean all who take part in the Approved Activity in the Marine Park as part of each activity, including the Approved Persons.
13. **Vessel** means a motor or wind powered watercraft.
14. **Zone** means a management Zone established by the Cocos (Keeling) Islands Marine Park Management Plan 2025.