



Appendix VII: Definitions of Recreation and sport

The *Children's Protection Act 1993* applies to:

- any government, local government or non-government organisation that provides recreation and sport programs and services either wholly or partly for children;
- organisations is used broadly to include 'groups of persons organised for some end' that is, it is not limited to incorporated organisations, so it may include a group that meets regularly in a structured way, such as a children's sporting team, as long as it has some type of governance structure e.g. a committee;
- is unlikely to include a private individual who provides services to children independently, such as a person who provides private coaching, unless they engage other coaches who work for them.

It is unclear however to what extent the term 'non-government organisations' refers to all not-for-profit and for-profit organisations and businesses.

The *Children's Protection Act 1993* does not include a definition of what constitutes recreation and sport. Therefore, as an indicative guide only the types of organisations affected are listed below.

As such if your organisation has members, customers or clients younger than 18 years of age you should seek your own legal advice on whether or not you are required to comply with this legislation.

Sport:

The sport sector provides facilities, services and programs that contribute to opportunities for people to engage in activities that require physical effort and skills, are competitive, have formal rules and are organised within institutional structures. Activity in the sport sector occurs through:

- community-based organisations
- commercial operations (user pays)
- the public sector

The majority of activity in sport is based around not-for-profit sporting clubs and associations at national, state and local levels. However, in recent years, in many sports, there is an increasing level of private provision of services, which might include professional sport coaches, private swim schools, sport clinics.

Community Recreation:

The activities in this sector provide leisure and recreation services in a variety of community settings. They may include community recreation centres and aquatics facilities. Activities may include both active and passive forms of recreation.

Organisations in this sector are generally not-for-profit, community-based service providers that may focus on one activity such as a playgroup or martial art or provide a range of activities such as Scouts and Guides, Young Men's Christian Associations (YMCAs) and Police Citizens' Youth Clubs (PCYCs).



Again, there are increasing numbers of commercially driven organisations such as registered or licensed clubs, gyms and indoor sports centres that are providing a range of recreational services on a user-pays basis. Examples of such groups might include martial arts schools, dance schools, and indoor cricket centres.

Outdoor Recreation:

The outdoor recreation sector encompasses all areas of involvement where individuals or groups engage in either active or passive activities using outdoor environments.

People participate in a range of activities including:

- organised passive activities such as group picnics and barbeques
- soft active adventure such as bushwalking, camping, windsurfing and horse riding
- hard active adventure or high perceived risk activities such as hang-gliding, ballooning, underwater diving, rock climbing and white water rafting.

The outdoor recreation sector has grown strong in recent times due to an increase in popularity of adventure-based tourism, personal development programs, experiential learning, corporate adventure training and rehabilitation (youth at risk, correctional centres). Examples of these types of organisations might include mountain biking clubs, youth-at-risk programs, and boot camp training providers.

Fitness:

The fitness sector covers the range of operations related to the provision of facilities, services and programs that develop physical fitness through activity or movement, except through sport and active recreation in the outdoors.

Typically organisations offering fitness services include:

- commercial health and fitness centres
- commercial sport and recreation centres
- community sport and recreation centres
- corporate sector fitness programs
- holiday resorts and hotels
- educational institutions
- retirement villages
- freelance consultants
- sport clubs.

The type of services offered by this sector might include health appraisals, fitness assessments and testing, exercise prescription, exercise classes, fitness lifestyle advice, stress management, weight control, information services, courses and seminars.