

NT Parks Booking System – Cancellation and Modification Policy

Parks and Wildlife Commission of the Northern Territory
Department of Environment, Parks and Water Security

Version 1.5

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Contact details	Executive Director Department of Environment, Parks and Water Security PO Box 496, Palmerston, NT, 0831
Approved by	Neva McCartney
Signature	
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1.1	February 2023	Director Park Development	Revised to include Parks Pass
1.2	1 March 2023	Senior Director PDSP	Revised to amend pandemic (5.4) and include extreme weather (5.3)
1.3	28 March 2023	Director Park Development	Revised re booking modifications
1.4	1 December 2023	Senior Director CCP	Revised to reflect updated agreement
1.5	18 December 2023	Executive Officer	Revisions to simplify policy, including title change

Acronyms and Abbreviations	Full form
ACL	Australian Consumer Law
Cancellation period	The period during which a request to alter or cancel a booking is made, that determines the eligible refund
CST	Customer Service Team
DEPWS	Department of Environment, Parks and Water Security
ED	Executive Director
Immediate family	A relation of the person making the booking who is their parent or guardian, sibling or child
NTG	Northern Territory Government
Parks and Reserves	Areas managed by the Parks and Wildlife Commission and declared under section 12 of the <i>Territory Parks and Wildlife Conservation Act 1976</i>
Refund	Monetary amount payable to the person who made a booking for camping, walking or other fees in accordance with this policy
Commission	Parks and Wildlife Commission

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1. Purpose

The purpose of the Northern Territory Parks Booking System - Cancellation and Modification Policy (Policy) is to ensure consistent and transparent decision-making in relation to claims for refunds of fees paid by private individuals or groups for bookings made through the Parks and Wildlife Commission's (Commission) Booking System.

2. Scope

The Policy applies to bookings for a parks pass, camping, walking fees (or other fees) at parks and reserves managed by the Commission.

The Policy does not apply to the Territory Wildlife Park, Alice Springs Desert Park, George Brown Darwin Botanic Gardens or any other business operating under the *Territory Parks and Wildlife Conservation By-Laws 1984*, specifically By-Law 13 Trade and Commerce permit.

Northern Territory (NT) residents do not require a parks pass to walk, camp or for day visits to Parks and Reserves in the NT. Proof of residency may be requested by Rangers. However, camping and overnight walking fees still apply to NT residents.

The Policy is supplementary to legal obligations, particularly those under Australian Consumer Law (ACL).

The Policy does not apply to fees or refunds in relation to goods, however it is noted that the supply of goods is also subject to legal obligations under the ACL.

The Policy may be overruled by broader decisions by the NT Government or the Commission to waive or defer fees and charges. The Commission will be guided by Government in these circumstances.

3. Consumer Rights and Obligations

The Commission is responsible for providing consumer guarantees for services provided under the ACL. To meet consumer guarantees, the Commission must ensure that the services that are paid for are:

- provided with due care and skill,
- fit for any specified purpose (express or implied), and
- provided within a reasonable time (when no time is set).

There are some services that are not required to be covered by consumer guarantees including, but not limited to:

- services bought before 1 January 2011 and
- services costing more than \$100 000, which are for commercial use.

Consumer obligations

Consumers' rights are not limitless and the consumer guarantees do not require the Commission to provide a remedy unless one of the guarantees has not been met. For example, the Commission is not required to provide a remedy if a consumer:

- simply changes their mind, decides they do not like the purchase or have no use for it,
- discovers they can buy the goods or services more cheaply elsewhere, and
- has damaged the goods by using them in a way that was unreasonable.

Further information on consumer guarantees can be found at: <https://www.accc.gov.au/business/treating-customers-fairly/consumers-rights-obligations>.

4. Policy Statement

Customers may cancel or modify a booking according to the timeframes and refund eligibility outlined in the following sections. Refunds will be processed through the Booking System.

4.1. Cancellation period and refund amounts

Camping and Walking - 100% Refund Period

- Cancellations made two (2) or more calendar days prior to the original booking start date will be eligible for 100% refund.

Camping and Walking – 50% Refund Period

- Cancellations made one (1) calendar day prior to the original booking start date will be eligible for 50% refund.

Parks Pass – 100% Refund Period

- Cancellations made prior to the effective date (i.e. until the day before commencement) will be eligible for 100% refund.

Table 1 - Summary of Cancellation Period and Refund Percentage

Days prior to the booking start date:	Activity the booking relates to:	Percentage of refund:
2 or more days	<ul style="list-style-type: none"> • Multi-day walk (including camping fees associated with multi-day walk) • Camping 	100%
1 day	<ul style="list-style-type: none"> • Multi-day walk (including camping fees associated with multi-day walk) • Camping 	50%
1 or more days	<ul style="list-style-type: none"> • Parks Pass 	100%

4.2. Modification rules for multi-day walks and camping

- Modifications that increase the value of the booking by adding people or nights, can be made to bookings that are more than one (1) day in the future.
- Modifications that decrease the value of the booking by reducing the number of people or nights, that are made two (2) or more days before the booking start date, will receive 100% refund of the difference in fees.
- Modifications that decrease the value of the booking by reducing the number of people or nights, that are made one (1) day before the booking start date, will receive 50% refund of the difference in fees.

4.3. Modification rules for a Parks Pass

- A parks pass booking cannot be modified. The pass must be cancelled and booked again.

4.4. Extenuating circumstances

Full refunds, minus an administration fee* will be given for cancellations 1 or less days from the booking start date in the following circumstances:

- Death, serious illness or severe injury of the person making the booking or their immediate family, when supported by written evidence (e.g. medical certificate).
- Extreme weather or emergency event in other State/Territory, resulting in travel restrictions.

Other extenuating circumstances may be considered by the delegate on a case-by-case basis.

*If approved, refunds issued for extenuating circumstances will incur an administration fee of 10% of the original booking amount.

No refund requests will be considered later than 28 days after the booking start date, regardless of the circumstances.

4.5. Refund due to park closure

The Commission retains the right to close any part of a park or reserve without notice for management reasons or unforeseen circumstances such as, but not limited to, weather extremes or emergencies.

Refunds due to park closures will be processed by the Customer Service Team as a full refund or a modification without cost, according to the customer's preference. No administration fee will apply.

5. Refund method

Modifications or cancellations are processed in the Booking System according to the timeframes and eligibility set out in section 4.

Refunds can only be credited to the original credit card or account used to purchase the booking.

An Administration Fee of 10% of the original booking amount applies when refunds are processed by a Commission staff member by phone or email, except in the case of a park closure (see section 4.5).

Refunds will be processed at the time changes are made and may take up to two weeks to appear on bank statements.

6. Delegate approval

A refund must be approved by the appropriate delegate in line with requisite governing legislation (e.g. *Financial Management Act 1995* and *Contracts Act 1978*) and subordinate legislation (e.g. the Department's Financial Delegations and relevant Treasurer's Directions).

7. Notification of decisions

Customers will be promptly notified after a decision has been made. Where a decision is made to refuse a refund or deferral of the service, the notification will include the reasons for the decision and the customer's right to request a review.

8. Legislation and associated documents

Australian Consumer Law

Treasurer's Directions

Aboriginal Land Rights (Northern Territory) Act 1976 (Cwth)

Cobourg Peninsula Aboriginal Land, Sanctuary and Marine Park Act 1981

Contracts Act 1978

Financial Management Act 1995

Nitmiluk (Katherine Gorge) National Park Act 1989

Parks and Wildlife Commission Act 1980

Territory Parks and Wildlife Conservation Act 1976