

Urgent Clarification and Transitional Support for Blue Card Reforms

Submission to the Attorney General



QUEENSLAND
TOURISM INDUSTRY
COUNCIL



Urgent Clarification and Transitional Support for Blue Card Reforms in Queensland Tourism

Submission to the Attorney-General

Key recommendations (what industry needs, clearly and urgently)

1. **Defer sector commencement for tourism to 20 March 2026.** This six-month deferral allows government to publish binding guidance, process seasonal hires, and prevent avoidable school-holiday cancellations. If a deferral is not possible, adopt a **published education-first enforcement posture from 20 September to 13 December 2025**.
2. **Publish binding, tourism-specific guidance within two weeks**, replacing “may/might” with clear “in/out” rulings and safe-harbour examples, covering attractions, accommodation, school camps, mixed-age programming and contractors.
3. **Define “child accommodation services” and “residing on-site”** for commercial accommodation (hotels, resorts, caravan/holiday parks, island properties), with worked scenarios and any additional obligations that flow where children and staff reside on the same site.
4. **Issue a practical test for “mainly involving children”**, including thresholds and examples for when a general-admission product becomes child-directed because it is booked by a school or camp, and **clarify operator vs teacher/parent supervisory responsibilities**.
5. **Stand up a seasonal fast-track with a named escalation contact and public service standards** for September–October hires; continue to promote the Job Seeker pathway for prospective staff.
6. **Calibrate cost settings:** make blue cards **free of charge for mandated paid roles** in newly captured tourism settings for an initial period; if not feasible, adopt a **50% fee reduction and extend card validity**. Volunteers and students remain fee-free when linked.
7. **Grace-period (fallback) option, subject to safeguarding:** where lawful, allow a **tightly scoped, time-limited start** for applicants who have lodged, been identity-verified and linked, with no adverse information to date (**30 days preferred; 14 days fallback**) under documented supervision and restricted duties. **If not feasible in law, publish expedited processing standards with guaranteed turnaround targets** for holiday-critical roles.
8. **Administrative relief:** enable **bulk applications and bulk linking**; publish a **one-page HR checklist** and **template Child and Youth Risk-Management Strategy** tailored to tourism; run short **webinars** and rolling **FAQs** that close recurring edge cases.
9. **Employment and supervision guidance:** publish **lawful pathways** for role redesign, redeployment or termination where a card is refused/cancelled; set **clear supervision rules** (whether a single card-holding supervisor can cover a team, presence and documentation requirements).
10. **International workforce clarity:** confirm eligibility and process expectations for **Working Holiday visa holders (subclasses 417/462)**, overseas police checks and indicative processing times; provide a contact point for complex cases.

Why a six-month deferral is necessary

- **Guidance runway:** two weeks to publish binding tourism guidance; a further 8–10 weeks to embed through webinars, FAQs, contracts and staff training.

- **Workforce reality:** seasonal recruitment, identity verification and linking require predictable turnaround times; a deferral avoids forced cancellations in the September–October peak.
- **Systems setup:** bulk application/linking tools and an escalation pathway must be stood up and tested across regions.
- **Compliance confidence:** a clear runway reduces inconsistent “in/out” calls and risk-averse cancellations while safeguarding children.

Introduction and purpose

Queensland’s tourism industry supports the intent of strengthening child safety. As presently communicated and timed, the implementation of the Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2024 (commencing 20 September 2025) is not yet workable for tourism settings without urgent, sector-specific clarification and transitional support. Operators are reporting unresolved scope questions, compressed preparation time and new administrative costs during the spring school-holiday peak.

Some consultation occurred in 2024, but it did not span the breadth of Queensland’s tourism operators. In the weeks before the 20 September commencement—and during a peak trading period—QTIC and industry partners have led engagement to clarify practical implications.

Current implementation settings (per Blue Card Services). BCS has advised that not all employees require a card; obligations turn on whether the work mainly involves children; transitional windows apply for existing workers in newly regulated categories; and new starters must hold a card and be linked before starting, supported by a Job Seeker pathway. We acknowledge that supervised work without a card is not permitted and that straightforward applications can be finalised quickly. The primary constraint is time to translate the reforms into binding, sector-ready guidance and to process seasonal hires before the holidays.

About QTIC and sector context

QTIC is the peak body for Queensland’s visitor economy, representing operators across accommodation, attractions, events, hospitality, transport, education and First Nations tourism. The visitor economy supports more than 220,000 direct jobs and contributes over \$30 billion annually to Queensland’s economy. The sector is overwhelmingly comprised of SMEs operating on thin margins, with highly seasonal, mixed-age demand profiles and lean HR capacity. Regulatory clarity, consistency and proportionate transitions are essential to implement new frameworks without avoidable disruption.

Problem statement: what industry is experiencing

- **Ambiguity in tourism contexts.** There is no usable, good-faith test for when mixed-age products (for example wildlife presentations, guided activities or photography) become “mainly involving children”, particularly when a school or camp books a standard product. Adjacent roles with intermittent contact—queue or venue hosts, retail/ticketing, housekeeping, maintenance and security—remain unclear, as does the status of third-party contractors on site.
- **Child accommodation and on-site residence.** Commercial accommodation providers lack a practical definition of “child accommodation services” and clarity on what constitutes “residing on-site” for staff and what extra obligations, if any, that triggers where children are accommodated.



- **Camps complexity.** Ordinary family-friendly activities become child-related work in a camp context, rapidly expanding the number of roles that need cards and creating roster risk if cards are not already held.
- **Timing and administration.** “No card, no link, no start” for new starters, plus the need to stand up employee registers, link staff and update risk-management strategies, is creating material pressure in the school-holiday window.
- **Costs and workforce.** Uncertainty over who bears card costs for paid roles, and difficulty sourcing card-holding seasonal staff, is constraining recruitment; volunteers and students are fee-free when linked, but most seasonal roles in tourism are paid.
- **Employment law uncertainty and supervision rules.** Operators need lawful pathways where a card is refused/cancelled to avoid open-ended redeployment, and clear guidance on whether a single card-holding supervisor can cover a team, and on presence and documentation requirements.
- **International workers.** Operators need clear, written guidance for 417/462 Working Holiday visa holders and other temporary migrants on eligibility, documentation (including overseas police checks) and expected timeframes.

Clarifications sought (tourism-specific)

1. **Definition and test: “mainly involving children”.** Thresholds and worked examples for mixed-age products; when a general-admission product changes status if privately booked by a school or camp.
2. **Definition and scenarios: “child accommodation services”.** Tailored to hotels, resorts, caravan/holiday parks and island properties; include family stays with incidental contact, school-camp bookings using standard rooms/cabins/dormitories and shared facilities, after-hours supervision/incident response and the role of external activity providers.
3. **Definition: “residing on-site”.** What constitutes residence for staff; whether residence itself triggers additional obligations; whether those obligations are role-based or venue-wide.
4. **Attractions role matrix and FAQs.** Explicit “in/out” calls for mixed-age wildlife or science presentations, animal encounters and photography, roving entertainers and chaperones, queue/venue hosts, retail/ticketing, housekeeping, maintenance and security that only intermittently assist children.
5. **Operator vs teacher/parent duties.** A clear delineation of responsibilities and supervision expectations for excursions and camps, including documentation required of the operator.
6. **Contractors on site.** Which entity is responsible for linking and risk-management strategy ownership where a third party delivers child-directed services on an operator’s premises; provide model clauses.
7. **Supervision rule.** Whether one card-holding supervisor can cover a group of employees; physical-presence requirements; documentation and escalation obligations.
8. **International workforce.** Written process for 417/462 visa holders and others (eligibility, required documents, overseas checks, indicative processing).

Recommended actions

A. Guidance and certainty (within two weeks)

- Publish a binding, tourism-specific guidance package with safe-harbour examples and a simple decision framework operators can rely on in good faith.
- Include the child-accommodation definition, residing on-site guidance, the attractions role matrix, the “mainly involving children” test, supervision rules, contractor obligations and an operator–teacher/parent responsibility map.

B. Transitional measures (immediate)

- Defer sector commencement for tourism to 20 March 2026; alternatively, adopt a published education-first enforcement posture for the first twelve weeks after 20 September.
- Establish a seasonal fast-track for September–October hires with a named escalation contact and public service standards, alongside promotion of the Job Seeker pathway.

C. Cost and workforce relief

- Make blue cards free of charge for mandated paid roles in newly captured tourism settings for an initial period; if not feasible, reduce fees by 50% and extend validity to reduce churn. Volunteers and students remain fee-free when linked.
- If a lawful, risk-managed commencement option is feasible: permit a tightly scoped, time-limited start (30 days preferred; 14 days fallback) for applicants who have lodged, been identity-verified and linked, with no adverse information to date, subject to documented supervision, restricted duties and immediate cessation if adverse information emerges. If not feasible in law, adopt expedited processing with guaranteed turnaround targets for holiday-critical roles.

D. Employment, supervision and compliance support

- Publish lawful employment pathways for role redesign, redeployment or termination where a card is refused/cancelled.
- Provide a one-page HR checklist and template Child and Youth Risk-Management Strategy tailored for SMEs.
- Continue short webinars and rolling FAQs that close recurring edge cases.
- Outcomes and evaluation: publish an evaluation plan for the reforms in tourism settings, with quarterly reporting on processing times, FAQ closure rates and any measured safety outcomes, to ensure continuous improvement without unnecessary burden.

Illustrative case studies (summary)

- **Mixed-age wildlife presentation booked by a school:** standard show becomes school-only; uncertainty about capture of presenters, photographers and queue/venue hosts; risk of cancellations.
- **Commercial resort hosting school camps:** unclear when accommodation becomes child-directed; night duty and security coverage uncertain; housekeeping and reception have incidental contact.
- **Holiday park kids’ club and splash zone:** core child-facing roles are clear; intermittent roles (retail, maintenance attending first-aid) are not; high seasonal hiring needs.
- **Island resort with staff residing on-site:** no definition of on-site residence and implications where children are accommodated; after-hours expectations ambiguous.



- **Aquarium photography/chaperoning:** when does commercial photography become child-directed; status of sales staff who occasionally assist.
- **Family entertainment centre birthday parties:** dedicated hosts are clear; floor staff who occasionally cover hosting are not; queue marshals adjacent to children's attractions unclear.
- **Marine tour with junior-ranger add-on:** general tour becomes partly child-directed; which crew must hold cards when they occasionally assist.

(Full worked examples available; QTIC can co-draft safe-harbour "in/out" determinations for each.)

Annex A: scenarios requiring written determinations (non-exhaustive)

Food and beverage

1. Serving a pre-booked school group in a reserved area (no other duties).
2. Public counter service where interactions are brief and transactional.
3. Kitchen-only roles with no direct contact.
4. Cleaning/setting tables in shared public areas used by school groups.
5. Dedicated host for a school group; and a general-public product that occasionally runs with only a school group participating.

Wildlife keepers

1. Behind-barrier husbandry with no direct visitor contact.
2. Public feeding/commentary for mixed audiences—who is captured.
3. Private behind-the-scenes tour for a school group—who is captured.
4. Spontaneous brief answers to children—incidental or captured.
5. Hands-on encounters (for example holding a koala) as part of a structured tour—keeper responsibilities.

Tour guides (for example amphibious/"Army Duck")

1. Mixed-age tour where a school group fills most seats—percentage/threshold.
2. Standard mixed-age tour with commentary not directed at children.
3. School-only tour with teachers present—who needs cards.
4. School-only vehicle not open to the public—automatic capture?

Cultural performers/First Nations experiences

1. Mixed-age public performance—treatment and any specific considerations.
2. Private cultural lesson for a school group—who needs cards.
3. Volunteers/contractors, including Elders/mentors—requirements and any specific considerations.
4. Hands-on activities in public areas (for example boomerang/didgeridoo)—incidental vs regulated.

Operator–contractor–school interfaces

- Which entity is responsible for linking and RMS ownership; model clauses and documentation.

International workforce

- Eligibility and process for 417/462 visa holders; documents, overseas police checks, indicative timeframes.

Implementation partnership

QTIC can co-draft the tourism guidance and role matrices with BCS, convene rapid operator roundtables to test scenarios, host further webinars and coordinate a living FAQ. We will continue to channel consolidated evidence of impacts and progress from across Queensland's regions.

Conclusion

The reform intent is strongly supported. With precise guidance, proportionate transition settings and clear operational supports, including calibrated fee and grace-period options, government can secure child-safety outcomes while avoiding unnecessary disruption in a critical trading period for Queensland's visitor economy.