



Guidelines for School Trips

Introduction

The Travel Industry Council of Ontario (TICO) is responsible for administering the provincial legislation governing the travel industry in Ontario: the *Travel Industry Act, 2002 (Act)* and Ontario Regulation 26/05 (Regulation). TICO's mandate is to ensure that anyone involved with selling travel services in Ontario is doing so in accordance with the *Act*.

Many schools, elementary, and post secondary, conduct trips for students of the school from time to time (School Trips). Some of these trips are exempt under the *Act* and do not need to be booked through a travel agency registered under the *Act*.

These Guidelines are designed to assist those organizing School Trips and to provide a better understanding when registration is required under the *Act*.

Terms used in these Guidelines

The following definitions are found in the *Act*:

Section 1 - Interpretation

- **Travel Agent** is defined as a person who sells to consumers, travel services provided by another person.
- **Travel Services** are defined as transportation or sleeping accommodation for the use of a traveler, tourist or sightseer or other services combined with that transportation or sleeping accommodation.
- **Registrant** means a travel agent or travel wholesaler who is registered as a travel agent or travel wholesaler or both under the *Act*.

Section 4 – Must not sell unregistered

No person shall act or hold himself, herself or itself out as being available to act as a travel agent unless the person is registered as a travel agent under this *Act*.

How do the rules apply?

Section 2 (7) of the Regulation explains when School Trips must be booked through a registered travel agent and when they can be arranged by the teacher.

ARRANGED BY THE TEACHER

- The School Trip must be a ONE-DAY tour for the students of the school as part of the curriculum.
- The School Trip must be approved by the appropriate board, principal or governing body.
- The person arranging the trip cannot receive any personal gain or profit from arranging the trip, other than participating in the trip, tour or travel services.

Examples of what a teacher may arrange without using a registered travel agent:

- Class day trip to the Art Gallery of Ontario
- Class day trip to a play at the Royal Alexandra Theatre with lunch
- School day trip to Black Creek Pioneer Village
- Out-of-town school team day trip to another city to compete in an athletic game
- One day tour to any historic park or garden or similar point of interest

ARRANGED THROUGH A REGISTERED TRAVEL AGENT

- If the School Trip is for a period exceeding ONE DAY; or
- If the School Trip includes any other travel services, such as accommodations (hotel) and transportation (air, bus, etc.)

NOTE: In cases where a school board is collecting payment for a trip, all payments **MUST** be made to the order of the travel agency.

Example of School Trips that must be booked with a registered travel agent:

- 4 day trip to Quebec City which include hotel accommodations
- 5 day trip to New York City including hotel accommodations
- Week-long trip to any destination which includes airfare
- 3 day trip to Ottawa which includes hotel accommodations
- Trip to Cancun for March Break

The guidelines above provide some examples but are not exhaustive. If you are uncertain whether an activity would require registration or have questions related to these guidelines, please contact TICO for more information.

DISCLAIMER

These guidelines have been developed to assist registrants in complying with the requirements and prohibitions found in the Travel Industry Act, 2002 (the "Act") and Ontario Regulation 26/05 (the "Regulation"). The document contains information regarding TICO's interpretation of the legislative and regulatory provisions and suggested best practices. If you have any questions regarding the information in this document, you should contact TICO.

The information provided is for general informational and educational purposes only and is not intended to provide legal advice to any individual or entity. These guidelines are not exhaustive and cannot hope to address the complexities of every travel business in the province. Further, registrants are subject to other federal, provincial and municipal laws that impact their businesses. We urge you to consult with your own legal advisor regarding the specifics of your business and compliance with the Act and Regulation. You should not rely on information in this document as an alternative to legal advice.

The content in these guidelines is current as of the date of publication. While TICO strives to keep the information as timely and accurate as possible, it makes no claims, promises or guarantees about the accuracy, completeness or adequacy of the content. In the event of a conflict, the requirements in the Act and Regulation will prevail.

If you have any questions, please contact TICO's Compliance Department at 1-888-451-TICO (8426).