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## **Ordinance on Mountain Guides and Organisers of other High-Risk Activities (High-Risk Activities Ordinance)**

of 30 January 2019 (Status as of 7 April 2020)

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*The Swiss Federal Council,*

on the basis of Articles 1 paragraph 3, 4 paragraph 2, 5 paragraph 2, 6 paragraph 2, 7 paragraph 4, 11 paragraph 2, 13 paragraph 2, 18 paragraph 2 and 19 paragraph 3 of the Federal Act of 17 December 2010<sup>1</sup> on Mountain Guides and Organisers of other High-Risk Activities (the Act),

*ordains:*

### **Chapter 1 General Provisions**

**Art. 1** Additional activities to which the Act applies

The Act applies to the following activities in addition to those named in Article 1 paragraph 2 thereof:

- a. the activities of aspiring mountain guides;
- b. the activities of climbing instructors;
- c.<sup>2</sup> the activities of mountain leaders.

**Art. 2** Commercial activity

<sup>1</sup> A person who earns a primary or secondary income by carrying on activities defined in Article 3 paragraph 1 on the territory of the Swiss Confederation is considered to be carrying on a commercial activity.

<sup>2</sup> A person who carries on activities defined in Article 3 paragraph 1 of this Ordinance exclusively under the supervision and responsibility of not-for-profit organisations whose internal structures and requirements guarantee the safety of the participants is not considered to be carrying on a commercial activity.

AS 2019 697

<sup>1</sup> SR 935.91

<sup>2</sup> The correction of 7 April 2020 concerns the Italian text only (AS 2020 1191).

## Chapter 2 Licensing

### Section 1 Activities for which a Licence is required

#### Art. 3

<sup>1</sup> A licence is required in order to offer the following activities:

- a. mountaineering;
- b. alpine hiking from difficulty level «T4» in accordance with Annex 2 number 1;
- c. touring with skis, snowboards and similar snow sports equipment;
- d. snowshoe tours from difficulty level «WT3» in accordance with Annex 2 number 3, with the exception of snowshoe tours on signposted, open winter hiking trails or snowshoe routes;
- e. off-piste skiing from difficulty level «WS» in accordance with Annex 2 number 2;
- f. use of vie ferrate;
- g. climbing frozen waterfalls and steep ice climbing;
- h. multi-pitch rock climbing;
- i. canyoning;
- j. river-rafting on flowing water from difficulty level «Whitewater III» in accordance with Annex 3 with a raft as defined in Article 2 paragraph 1 letter a number 12 of the Inland Navigation Ordinance of 8 November 1978<sup>3</sup>;
- k. whitewater sports on flowing water from difficulty level «Whitewater III» in accordance with Annex 3 with a boat or other sports equipment such as a canoe, kayak, riverboard (hydrospeed), funyak or tube;
- l. bungee jumping, with the exception of activities performed by exhibitors who are licensed in accordance with Article 25 paragraph 2 of the Ordinance of 4 September 2002<sup>4</sup> on Itinerant Trade.

<sup>2</sup> Off-piste skiing is considered to be downhill skiing using snow sports equipment in locations accessible by mountain railways but not within the area of responsibility of ski lift or cableway operators.

<sup>3</sup> Canyoning is defined as entering or travelling in streambeds or riverbeds with limited escape options for which swimming or climbing techniques are required.

<sup>4</sup> Bungee jumping is considered to be jumping from heights in a free fall while attached to an elastic cord, or a pendulum jump.

<sup>3</sup> SR 747.201.1

<sup>4</sup> SR 943.11

## Section 2 Licensing

### Art. 4 Mountain guides

<sup>1</sup> Licensed mountain guides are authorised to guide clients within the scope of the activities defined in Article 3 paragraph 1 letters a–h.

<sup>2</sup> The following are considered to be equivalent to a Federal Professional Education and Training Diploma as a Mountain Guide (Federal PET Diploma):

- a. licences issued under previous laws in accordance with Annex 4 number 1, if the holder can demonstrate that he or she has pursued the activity regularly and has completed sufficient further training;
- b. foreign certificates of competence which are recognised by the State Secretariat for Education, Research and Innovation (SERI) as equivalent;
- c.<sup>5</sup> a diploma as an international mountain guide recognised by the International Federation of Mountain Guide Associations (IFMGA).

<sup>3</sup> Licensed mountain guides are authorised to conduct canyoning if the guide has completed additional training with the Swiss Mountain Guide Association (SBV) or holds a diploma recognised by the IFMGA.<sup>6</sup>

### Art. 5 Aspiring mountain guides

<sup>1</sup> Licensed aspiring mountain guides are authorised to guide clients within the scope of activities defined in Article 3 paragraph 1 letters a–h if they do so under the direct or indirect supervision of and in joint responsibility with a mountain guide licensed in accordance with Article 4.

<sup>2</sup> Aspiring mountain guides are granted a licence if they:

- a. have passed the aspirant course of the Swiss Mountain Guide Association, an aspirant course recognised by the IFMGA, or a foreign aspirant course recognised by the Federal Office of Sport (FOSPO) as equivalent;
- b. guarantee that they will comply with their obligations under the Act and this Ordinance.

<sup>3</sup> Licensed aspiring mountain guides are authorised to guide canyoning if the aspirant has completed additional training with the Swiss Mountain Guide Association or holds a diploma recognised by the IFMGA and conducts the activity under the direct or indirect supervision of and in joint responsibility with a mountain guide licensed in accordance with Article 4 paragraph 3.<sup>7</sup>

<sup>5</sup> Correction of 15 Oct. 2019 (AS 2019 3159).

<sup>6</sup> Correction of 15 Oct. 2019 (AS 2019 3159).

<sup>7</sup> Correction of 15 Oct. 2019 (AS 2019 3159).

**Art. 6** Climbing instructors

<sup>1</sup> Licensed climbing instructors are authorised to accompany clients within the scope of the activities defined in Article 3 paragraph 1 letter h on condition that a safe ascent or descent:

- a. does not require the use of short roping;
- b. does not require crossing glaciers; and
- c. does not require the use of technical aids such as ice axes or crampons.

<sup>2</sup> Climbing instructors are granted a licence if they:

- a. are a Climbing Instructor with Federal PET Diploma as defined in Article 43 of the Vocational and Professional Education and Training Act of 13 December 2002<sup>8</sup> (VPETA) or have earned a foreign certificate of competence recognised by SERI as equivalent;
- b. guarantee that they will comply with their obligations under the Act and this Ordinance.

<sup>3</sup> Licences issued under previous laws in accordance with Annex 4 section 2 are considered to be equivalent to a Climbing Instructor with Federal PET Diploma if the holder can demonstrate that he or she has pursued the activity regularly and has completed sufficient further training.

<sup>4</sup> Licensed climbing instructors are also authorised to accompany clients within the scope of the activities defined in Article 3 paragraph 1 letter f on condition that the climbing instructor has completed additional training provided by or recognised by the Swiss Rock Guides Association or the Swiss Mountain Guide Association which covers the areas of safety and risk management when using *via ferrate*.

<sup>5</sup> Trainee climbing instructors may conduct these activities under the direct supervision and responsibility of a person licensed for the activities defined in Article 3 paragraph 1 letter h if this is necessary for their further training.

**Art. 7** Snow sports instructors

<sup>1</sup> Licensed snow sports instructors are authorised to accompany clients within the scope of the activities defined in Article 3 paragraph 1 letters c–e on the following conditions:

- a. the tour corresponds at a maximum to the following difficulty levels:
  1. ski tours: «WS» as defined in Annex 2 section 2,
  2. snowshoe tours: «WT3» as defined in Annex 2 section 3,
  3. off-piste skiing: «S» as defined in Annex 2 section 2, provided there is no risk of falling;

<sup>8</sup> SR 412.10

- b. no glaciers are crossed;
- c. apart from snow sports equipment, skins, ski crampons and snowshoes, no other technical aids such as ice axes, crampons or ropes have to be used in order to ensure the safety of the clients.

<sup>2</sup> The following are considered to be equivalent to a Snow Sports Instructor with Federal PET Diploma:

- a. licences issued under previous laws in accordance with Annex 4 section 3, if the holder can demonstrate that he or she has pursued the activity regularly and has completed sufficient further training;
- b. Swiss certificates of competence recognised by FOSPO as equivalent;
- c. foreign certificates of competence recognised by SERI as equivalent.

<sup>3</sup> Trainee snow sports instructors may conduct these activities under the direct supervision and responsibility of a person licensed for the activities defined in Article 3 paragraph 1 letters c–e if this is necessary for their further training.

#### **Art. 8** Mountain leaders

<sup>1</sup> Licensed mountain leaders are authorised to accompany clients within the scope of the activities defined in Article 3 paragraph 1 letter d on the following conditions:

- a. the tour corresponds at a maximum to difficulty level «WT3» in accordance with Annex 2 section 3;
- b. no glaciers are crossed;
- c. apart from snowshoes, no technical aids such as ice axes, crampons or ropes have to be used in order to ensure the safety of the clients.

<sup>2</sup> The licence shall be granted if the mountain leader:

- a. is a mountain leader with Federal PET Diploma as defined in Article 43 VPETA<sup>9</sup>;
- b. guarantees that he or she will comply with the obligations under the Act and this Ordinance.

<sup>3</sup> The following are considered to be equivalent to a mountain leader with Federal PET Diploma as defined in Article 43 VPETA:

- a. foreign certificates of competence recognised by SERI as equivalent;
- b. an International Mountain Leader (IML) qualification recognised by the Union of International Mountain Leader Associations (UIMLA).

<sup>4</sup> Licensed mountain leaders are also authorised to accompany clients within the scope of the activities defined in Article 3 paragraph 1 letter b on the following conditions:

- a. the alpine hike corresponds at a maximum to difficulty level «T4» in accordance with Annex 2 section 1;

<sup>9</sup> SR 412.10

- b. the mountain leader has completed additional training provided by or recognised by the Berufsverband Schweizer Wanderleiter (Association of Swiss mountain leaders) or the Swiss Mountain Guide Association (SBV) which covers the areas of safety and risk management when undertaking alpine hikes up to level «T4»;
- c. the provisions of paragraph 1 letters b and c are fulfilled.

<sup>5</sup> Trainee mountain leaders may conduct these activities under the direct supervision and responsibility of a person licensed for the activities defined in Article 3 paragraph 1 letter d if this is necessary for their further training.

#### **Art. 9** Whitewater sports guides

<sup>1</sup> Licensed whitewater sports guides are authorised to accompany clients within the scope of the activities defined in Article 3 paragraph 1 letter k.

<sup>2</sup> The licence shall be granted if the whitewater sports guide:

- a. is a Canoeing Instructor with Federal PET Diploma as defined in Article 43 VPETA<sup>10</sup> or has earned a foreign certificate of competence recognised by SERI as equivalent;
- b. guarantees that he or she will comply with the obligations under the Act and this Ordinance.

<sup>3</sup> Trainee whitewater sports guides may conduct these activities under the direct supervision and responsibility of a person licensed for the activities defined in Article 3 paragraph 1 letter k if this is necessary for their further training.

#### **Art. 10** Businesses under Article 6 of the Act

Under Article 6 of the Act, businesses are authorised to accompany clients within the scope of the activities defined in Article 3 paragraph 1 for which the business is certified.

### **Section 3** Certification

#### **Art. 11** Certification body

Certification of businesses providing the activities defined in Article 3 paragraph 1 must be undertaken by a certification body recognised by the Federal Department of Defence, Civil Protection and Sport (DDPS).

<sup>10</sup> SR 412.10

**Art. 12** Recognition of certification bodies by the DDPS

<sup>1</sup> The DDPS recognises certification bodies if they:

- a. certify in accordance with standard EN ISO/IEC 17021-1:2015<sup>11</sup>;
- b. use ISO standards 21101:2014 «Adventure tourism – Safety management systems – Requirements»<sup>12</sup> and 21103:2014 «Adventure tourism – Information for participants»<sup>13</sup> and the associated technical report ISO/TR 21102:2013 «Adventure tourism – Leaders – Personnel competence»<sup>14</sup> for their safety management system;
- c. only use auditors who can demonstrate specialist knowledge of the activities defined in Article 3 paragraph 1;
- d. ensure that the practical implementation of safety standards is monitored on the spot.

<sup>2</sup> Recognition is valid for a maximum of five years. On application it may be extended for a maximum of five years at a time, following a reassessment of the requirements for recognition.

<sup>3</sup> Recognised certification bodies are required to notify the DDPS, immediately and without being asked, of any material changes relating to their recognition.

<sup>4</sup> If there are indications that a recognised certification body no longer meets the requirements for recognition, the DDPS will conduct the necessary investigations.

<sup>5</sup> The DDPS may suspend or withdraw recognition with immediate effect if the requirements for recognition are no longer met. In minor cases, the DDPS may impose restrictions or attach conditions to recognition until the deficiencies have been remedied.

**Art. 13** Certification requirements

<sup>1</sup> The minimum certification requirements as defined in Article 6 paragraph 1 letter a of the Act are met if:

- a. the safety management system of the business is based on the standards defined in Article 12 paragraph 1 letter b;
- b. the business takes the necessary steps to achieve the protection objective defined in paragraph 2, using the risk analysis templates in Annex 5;
- c. activities defined in Article 3 paragraph 1 are implemented only by leaders and assistants who hold a recognised certificate of competence as defined in Article 15.

<sup>11</sup> The standard may be viewed free of charge and obtained for a fee from the Swiss Association for Standardisation, Sulzerallee 70, 8404 Winterthur; [www.snv.ch](http://www.snv.ch).

<sup>12</sup> The standards may be viewed free of charge and obtained for a fee from the Swiss Association for Standardisation, Sulzerallee 70, 8404 Winterthur; [www.snv.ch](http://www.snv.ch).

<sup>13</sup> The standard may be viewed free of charge and obtained for a fee from the Swiss Association for Standardisation, Sulzerallee 70, 8404 Winterthur; [www.snv.ch](http://www.snv.ch).

<sup>14</sup> The technical report may be viewed free of charge or obtained for a fee from the Swiss Association for Standardisation, Sulzerallee 70, 8404 Winterthur; [www.snv.ch](http://www.snv.ch).

<sup>2</sup> The protection objective for the conduct of activities as defined in Article 3 paragraph 1 is fewer than five deaths per 10 million hours of activity.

<sup>3</sup> The Federal Department of Defence, Civil Protection and Sport (DDPS) shall amend Annex 5 whenever the risk analysis templates are revised.

#### **Art. 14** Recognition of certification obtained abroad

<sup>1</sup> FOSPO recognises certification obtained abroad provided that the requirements defined in Article 13 are met.

<sup>2</sup> Before reaching a decision, it shall obtain an expert opinion on the institution in accordance with Article 16 paragraph 1.

<sup>3</sup> It may suspend or withdraw recognition with immediate effect if the requirements for recognition are no longer met. In minor cases, FOSPO may impose restrictions or attach conditions to recognition until the deficiencies have been remedied.

#### **Art. 15** Recognition of certificates of competence for leaders and assistants

<sup>1</sup> FOSPO recognises Swiss and foreign certificates of competence for leaders and assistants (Art. 13 para. 1 letter c) provided that the certificates were issued in compliance with the following requirements:

- a. The person has passed an examination and provided evidence of sufficient practical experience before the start of the examination.
- b. The examination was both theoretical and practical in nature and covered knowledge and skills relevant to safety.
- c. The examination lasted for at least one working day.
- d. The examination was conducted by at least two specialists, of whom at least one was neither the employer nor the person who provided training.
- e. The qualifications meet the requirements of a reputable Switzerland-wide industry association, or a government body.

<sup>2</sup> Before reaching a decision, FOSPO shall obtain an expert opinion on the institution in accordance with Article 16 paragraph 1.

<sup>3</sup> The granting of recognition is published on the Internet.

<sup>4</sup> FOSPO may suspend or withdraw recognition with immediate effect if the requirements for recognition are no longer met. In minor cases, FOSPO may impose restrictions or attach conditions to recognition until the deficiencies have been remedied.

#### **Art. 16** Safety plans and safety checks

<sup>1</sup> FOSPO shall designate an appropriate institution which draws up and develops safety plans and safety checks, especially in the area of risk analysis templates, evaluating qualifications, evaluating foreign certification and providing resources for the certification process.



<sup>2</sup> It may conclude a service agreement with the institution, setting out the objectives of the collaboration, the services to be provided, the reporting and controlling specifications, and compensation.

## **Section 4**

### **Compulsory Registration for Persons from the EU and EFTA states**

#### **Art. 17**

Nationals of a Member State of the European Union (EU) or the European Free Trade Association (EFTA) who did not obtain their professional qualification in Switzerland and who wish to work in Switzerland on a self-employed basis or as a posted worker for the purpose of providing a service must, before commencing their professional activities in Switzerland, fulfil a compulsory registration requirement in accordance with legislation governing the compulsory registration and verification of professional qualifications for service providers in regulated professions.

## **Section 5 Procedure**

#### **Art. 18 Granting a licence**

<sup>1</sup> The applicant for the licence must submit the application in writing to the cantonal authorities of the applicant's place of residence or registered office. If the person is resident or has a registered office abroad, the application must be submitted to the cantonal authorities at the primary place of business.

<sup>2</sup> The application must contain the information and documents set out in Annex 1.

<sup>3</sup> Cantons may require that their own application form be used.

<sup>4</sup> The authority shall review the application and the accompanying documents within 10 days of submission. If the application is deficient or incomplete, the authority shall reject it and set a deadline for its correction or completion. If this deadline is not met, the application is considered to be withdrawn.

<sup>5</sup> The authority shall decide on the application within 10 days of the point in time at which the application is available in a complete and correct form.

<sup>6</sup> Article 8 paragraph 2 and Article 9 paragraph 1 of the Ordinance also apply by analogy to aspirant mountain guides, rock climbing instructors, hiking guides and white-water sports guides.

<sup>7</sup> In all other respects the procedure is governed by cantonal procedural law.

#### **Art. 19 Renewing a licence**

<sup>1</sup> In order to renew a licence, holders of an individual licence for activities defined in Article 3 paragraph 1 letters a–h and k must:

- a. prove that since the granting or last renewal of the licence, they have participated in further training of at least two days' duration offered or recognised

by one of the professional organisations on the subject of safety and risk management and covering topics referred to in Article 2 of the Act;

- b. have professional indemnity insurance in accordance with Article 13 of the Act.

<sup>2</sup> In order to have their licences renewed in accordance with Article 6 of the Act, businesses must:

- a. prove they have valid certification; if the certification expires during the three-year certification cycle in accordance with the standard EN ISO/IEC 17021-1:2015<sup>15</sup>, the licence is extended to the end of the certification cycle free of charge, on presentation of a successful monitoring audit;
- b. have professional indemnity insurance in accordance with Article 13 of the Act.

<sup>3</sup> In all other respects Article 18 applies to the procedure.

#### **Art. 20** Reporting of changes

Licence holders are obliged to inform the competent cantonal authority within 30 days of the following changes:

- a. changes to the information in Annex 1;
- b. non-extension/non-renewal of certification;
- c. changes in conjunction with the holder's professional indemnity insurance in accordance with Article 13 of the Act and Article 24.

#### **Art. 21** List of licences

<sup>1</sup> A list of the licences awarded under Articles 4–10 is published on the Internet by the Federal Office of Sport (FOSPO).

<sup>2</sup> This list contains the following data:

- a. last name and first name or company name of the licence holder;
- b. postal address;
- c. type of licence;
- d. date of expiry of licence;
- e. website of licence holder if the holder has made this information available voluntarily.

<sup>3</sup> Data is entered in this list by the responsible cantonal authority.

<sup>4</sup> FOSPO and the responsible cantonal authority may edit the data.

<sup>5</sup> The data may be used only for the purpose foreseen in Article 12 of the Act.

<sup>15</sup> The standard may be viewed free of charge and obtained for a fee from the Swiss Association for Standardisation, Sulzerallee 70, 8404 Winterthur; [www.snv.ch](http://www.snv.ch).

**Art. 22** Measures in the event of a failure to observe provisions

<sup>1</sup> The cantonal authority responsible for granting the licence shall take the necessary measures if it determines that the provisions of the Act or this Ordinance are not being observed, i.e. if:

- a. the conditions for granting the licence are no longer met;
- b. the licence holder no longer has professional indemnity insurance;
- c. the duty to provide information has been violated.

<sup>2</sup> If it is expected that the deficiency can be remedied, the authority shall set an appropriate deadline for remedying it. This deadline may be extended in justifiable cases.

<sup>3</sup> If there is no prospect of remedying the deficiency and it would be irresponsible to continue to offer the activity, the authority shall prohibit the licence holder from offering the activity and shall withdraw the licence.

<sup>4</sup> Cantonal law enforcement authorities which determine that the provisions of the Act or this Ordinance have not been observed are required to report this to the cantonal authority responsible for the licence.

**Art. 23** Fees

<sup>1</sup> The following fees are charged:

- a. for granting and renewing a licence: maximum CHF 100;
- b. for withdrawing a licence: maximum CHF 200.

<sup>2</sup> If the review of documents or the withdrawal of a licence necessitates an extraordinary amount of work, a fee of up to CHF 100 per hour shall be charged. Every half hour commenced is charged as a full half hour.

<sup>3</sup> Expenses, in particular the costs of expert opinions, and fees charged by SERI for the recognition of foreign qualifications shall be calculated separately and invoiced in addition to the basic fee schedule.

<sup>4</sup> In all other respects, the provisions of the General Fees Ordinance of 8 September 2004<sup>16</sup> apply.

**Chapter 3 Insurance and Duty to provide Information****Art. 24** Compulsory insurance

<sup>1</sup> The minimum cover provided by the licence holder's professional indemnity insurance as outlined in Article 13 of the Act must amount to CHF 5 million annually.

<sup>2</sup> The following security is considered to be equivalent to professional indemnity insurance:

- a. a surety or bank guarantee declaration for the sum of CHF 5 million;

<sup>16</sup> SR 172.041.1

b. a blocked bank account holding CHF 5 million.

<sup>3</sup> The insurance company or bank must be licensed by or registered with the responsible supervisory authority.

<sup>4</sup> Article 13 of the Act also applies to aspirant mountain guides, rock climbing instructors, mountain leaders and whitewater sports guides.

#### **Art. 25** Duty to provide information

Persons who hold licences under the Act must inform their clients of their insurance cover or the equivalent surety or guarantee:

- a. in their contracts and their General Terms and Conditions;
- b. in booking confirmations and on tickets;
- c. on their websites or in their online information.

### **Chapter 4 Cantonal Variant Inventory**

#### **Art. 26**

Cantons may list tours and downhill ski runs on their territory in an inventory which describes the training necessary for offering the respective tour or downhill ski run.

### **Chapter 5 Applicability of Criminal Provisions of the Act**

#### **Art. 27**

Article 15 of the Act also applies to aspirant mountain guides, rock climbing instructors, mountain leaders and whitewater sports guides.

### **Chapter 6 Final Provisions**

#### **Art. 28** Revocation of another decree

The High-Risk Activities Ordinance of 30 November 2012<sup>17</sup> is revoked.

#### **Art. 29** Transitional provisions

<sup>1</sup> Licences issued under previous laws remain valid until the expiry of their period of validity.

<sup>17</sup> [AS 2013 447, 2014 2767]

<sup>2</sup> Providers who are certified in accordance with Article 6 of the Act at the time when the Ordinance comes into force may apply for a licence under the previous law until the end of the certification cycle.

<sup>3</sup> Certificates of competence obtained under previous laws and entered by the «Safety in adventures» foundation on the list of training courses of 30 November 2018<sup>18</sup> meet the requirements of Article 13 paragraph 1 letter c.

**Art. 30** Commencement

This Ordinance comes into force on 1 May 2019.

<sup>18</sup> The list of training courses (in German, French and Italian only) may be viewed free of charge at: [www.baspo.admin.ch](http://www.baspo.admin.ch) > Aktuell > Themen (Dossiers) > Gesetz über Risikoaktivitäten > Merkblätter und Links.

*Annex I*<sup>19</sup>  
(Art. 18 para. 2 and 20 letter a)

## Information and documents required in the licence procedure

### 1. Information and documents required of natural persons

<sup>1</sup> The application must contain the following information:

- a. Last name, first name(s);
- b. Date of birth;
- c. Home town, or in the case of foreigners: place of birth;
- d. Residential and business addresses.

<sup>2</sup> The application must be accompanied by the following documents:

- a. Copy of the permanent residence permit, residence permit or current travel document, together with a visa where applicable;
- b. An extract from the commercial register which is no older than two months if the person has an entry in the commercial register; in the case of persons resident abroad, a certificate of registration in the corresponding foreign register should be submitted;
- c. For mountain guides, climbing instructors, snow sports instructors, mountain leaders and whitewater sports guides: a copy of the professional diploma or proof of training recognised as equivalent;
- d. For aspiring mountain guides: a copy of the diploma or certificate from the Swiss Mountain Guide Association aspirant course, an IFMGA aspirant course or a foreign aspirant course recognised as equivalent by FOSPO;
- e. For mountain guides and aspiring mountain guides who are applying for a canyoning licence under Article 4 paragraph 3 and Article 5 paragraph 3: a copy of the certificate of additional training recognised by the Swiss Mountain Guide Association or the IFMGA;
- f. For climbing instructors who are applying for a licence for the use of *via ferrata* under Article 6 paragraph 4: a copy of the certificate of additional training issued by or recognised by the Swiss Rock Guides Association;
- g. For mountain leaders who are applying for a licence for alpine hikes under Article 8 paragraph 4: a copy of the certificate of additional training recognised by the Berufsverband Schweizer Wanderleiter (Association of Swiss mountain leaders).

<sup>19</sup> The correction of 7 April 2020 concerns the Italian text only (AS 2020 1191).

**2. Information and documents required of private legal entities and sole proprietorships**

<sup>1</sup> The application must contain the following information:

- a. Name;
- b. Headquarters and registered office of any branches in Switzerland;
- c. Business address;
- d. Name of responsible person.

<sup>2</sup> The application must be accompanied by the following documents:

- a. In the case of private legal entities with a registered office in Switzerland: an extract from the commercial register which is not older than two months;
- b. In the case of private legal entities with a registered office abroad: a certificate of registration in the corresponding foreign register;
- c. Valid certification in accordance with Article 13.

*Annex 2*

(Art. 3 para. 1 letters b–e, 7 para. 1 letter a, 8 para. 1 letter a and 4 letter a)

**Difficulty levels for ski tours and snowshoe tours, off-piste skiing and alpine hiking**

The difficulty levels in the following scales<sup>20</sup> apply with respect to this Ordinance:

1. Swiss Alpine Club (SAC) alpine tour and hiking scale of 5 September 2012;
2. Swiss Alpine Club (SAC) ski tour scale of September 2012;
3. Swiss Alpine Club (SAC) snowshoe tour scale of September 2012.

<sup>20</sup> The scales may be viewed free of charge on the FOSPO website (in German, French and Italian only) at: [www.baspo.admin.ch](http://www.baspo.admin.ch) > Aktuell > Themen (Dossiers) > Gesetz über Risikoaktivitäten > Merkblätter und Links.



*Annex 3*  
(Art. 3 para. 1 letters j and k)

## Whitewater difficulty levels

### Whitewater I: Easy

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View	Clear
Water	Regular currents, regular waves, small swells
Riverbed	No serious obstacles

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### Whitewater II: Moderately difficult

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View	Passage clear
Water	Irregular currents, irregular waves, mid-sized swells, weak breaking waves, eddies and reversals
Riverbed	Simple obstacles in the current, small drops

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### Whitewater III: Difficult

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View	Passage easy to recognise
Water	High, irregular waves, larger swells, breaking waves, eddies and reversals
Riverbed	Single exposed boulders, drops, other obstacles in current

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### Whitewater IV: Very difficult

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View	Passage not obviously recognisable; scouting is generally necessary
Water	High, long-lasting swells, strong breaking waves, eddies and reversals
Riverbed	Current obstructed by offset boulders, higher drops with backflow

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### Whitewater V: Extremely difficult

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View	Scouting is absolutely essential
Water	Extreme swells, extreme breaking waves, eddies and reversals
Riverbed	Extreme obstructions, high drops with difficult approaches or exits

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### Whitewater VI: Practically impassable

Generally not passable, possibly passable at specific water levels

*Annex 4*

(Art. 4 para. 2 letter a, 6 para. 3 and 7 para. 2 letter a)

## **Licences issued under previous laws**

### **1. Mountain guides**

1. Graubünden mountain guide licence acquired before 26 November 2000;
2. Bern mountain guide licence acquired before 1 January 2001;
3. Valais mountain guide licence acquired before 1 January 2001.

### **2. Climbing instructors**

Swiss Mountain Guide Association Climbing Instructor diploma acquired before 31 December 2011.

### **3. Snow sports instructors**

1. Graubünden ski instructor licence acquired before 26 November 2000;
2. Graubünden snowboard instructor licence acquired before 26 November 2000;
3. Graubünden cross-country ski instructor licence acquired before 26 November 2000;
4. Bern ski instructor licence acquired before 1 July 1999;
5. Valais ski instructor diploma acquired before 31 December 2003;
6. Vaud ski instructor licence acquired before 25 September 1996.

*Annex 5*  
(Art. 13 para. 1 letter b)

## **Risk analysis templates**

1. In relation to certification, reference should be made to the following risk analysis templates of the institution as defined in Article 16<sup>21</sup> (available in German and French only):

- a. Mountaineering, dated 31 August 2018;
- b. Canyoning, dated 31 August 2018;
- c. River rafting, dated 31 August 2018;
- d. Whitewater sports , dated 31 August 2018;
- e. Bungee jumping, dated 31 August 2018.

2. Certification may be based on a different risk analysis, provided that an equivalent standard of safety is guaranteed.

<sup>21</sup> The risk analysis templates may be viewed (in German and French only) free of charge at: [www.baspo.admin.ch](http://www.baspo.admin.ch) > Aktuell > Themen (Dossiers) > Gesetz über Risikoaktivitäten > Merkblätter und Links.

