

TASMANIA

**TASMANIA FIRE AND EMERGENCY SERVICES
REGULATIONS 2026**

STATUTORY RULES 2026, No.

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TASMANIA FIRE AND EMERGENCY SERVICES REGULATIONS 2026

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Tasmania Fire and Emergency Services Act 2026*.

Dated 20 .

Governor

By Her Excellency's Command,

Minister for Police, Fire and Emergency Management

PART 1 – PRELIMINARY

1. Short title

These regulations may be cited as the *Tasmania Fire and Emergency Services Regulations 2026*.

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

3. Interpretation

- (1) In these regulations, unless the contrary intention appears –

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Act means the *Tasmania Fire and Emergency Services Act 2026*;

building controls means –

- (a) the *Building Act 2016* (including the Building Regulations); and
- (b) any other law of the State that imposes requirements relating to the fire safety of buildings; and
- (c) the NCC;

Building Regulations means regulations made under the *Building Act 2016*;

enclosed means –

- (a) having a ceiling or roof; and
- (b) being completely or substantially enclosed by walls or windows, except for doors and passageways;

essential service means a fire protection device or feature, including any fire protection device or feature listed in Schedule 1;

exit includes –

- (a) the path of travel to the exit; and
- (b) the path of travel from the exit to a public road or open space;

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fire evacuation plan means a fire evacuation plan that has in-principle or final approval under Division 6 of Part 4;

fire protection equipment means any of the following:

- (a) a fire extinguisher;
- (b) a fire hose reel;
- (c) a fire blanket;
- (d) a fire protection system;

fire protection system means a safety system that is implemented for the detection and suppression of fires;

Forestry corporation means the Forestry corporation continued by section 6 of the *Forest Management Act 2013*;

NCC means the National Construction Code series published by the Australian Building Codes Board, as amended or substituted from time to time;

notify means give notice in writing;

place of open-air public entertainment means a place or area that –

- (a) is used for –
 - (i) the entertainment of the public; or

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(ii) the assembly of members of the public for social, recreational, sporting or cultural purposes; and

(b) is not enclosed; and

(c) may –

(i) be partially or fully fenced; and

(ii) stand alone, or be within or adjacent to a building;

practice evacuation means a practice evacuation under Division 7 of Part 4;

public notice means a notice published by one or more of the following methods:

(a) in the *Gazette*;

(b) on a website maintained by, or on behalf of, the person or body giving the notice, for the duration of the period for which the notice is in effect;

(c) by electronic means, accessible to the public, that the person or body publishing the notice considers appropriate in the circumstances;

(d) in an approved manner;

relevant building means a Class 1b, Class 2, Class 3, Class 4, Class 5, Class 6, Class 7, Class 8 or Class 9 building;

relevant competence, in relation to a restricted activity, means qualifications, training, expertise or experience in that restricted activity;

required exit, of a building or a place of open-air public entertainment, means an exit –

- (a) that is required to be installed or maintained by any building controls; or
- (b) that is required by the FES Commissioner to be installed or maintained in respect of a place of open-air public entertainment under regulation 39(2);

restricted activity means the installation, routine service or repair of fire protection equipment;

restricted activity permit means a permit –

- (a) issued and in force in accordance with regulation 22; or
- (b) taken to be held by a person in accordance with regulation 30;

routine service has the same meaning as in AS 1851, and routinely service has a corresponding meaning;

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specified building – see regulation 4.

- (2) An expression used in these regulations and defined in the NCC has the same meaning in these regulations as in that code.
- (3) An expression used in these regulations and defined in the *Building Act 2016* or the Building Regulations has the same meaning in these regulations as in that Act, or in the Building Regulations, respectively.
- (4) For the purpose of subregulations (2) and (3), if there is any inconsistency between a definition in the NCC and a definition in the *Building Act 2016* or the Building Regulations, the definition in the NCC prevails.
- (5) A standard, rule, code or specification adopted by these regulations –
 - (a) forms part of these regulations subject to any modification expressed in the regulation adopting the standard, rule, code or specification; and
 - (b) applies only in respect of any regulation that refers to it, unless otherwise stated; and
 - (c) is to be interpreted so as to give effect to the intent of these regulations.
- (6) In these regulations –
 - (a) a reference to a standard as “AS” followed by a number is a reference to

the standard of that number published by Standards Australia, as set out in Schedule 2; and

- (b) a reference to a standard includes a reference to that standard as amended and in force for the time being and a standard published in substitution for that standard.

4. Meaning of *specified building*

- (1) For the purposes of these regulations, a specified building is any of the following:
 - (a) a building that is capable of accommodating more than 200 persons, as estimated or determined in accordance with Table D1.13 of the NCC;
 - (b) a building that, under an occupancy permit issued under the *Building Act 2016*, more than 200 persons are entitled to use at any one time;
 - (c) a building that is used to provide residential accommodation as part of an educational institution;
 - (d) a building that is used to provide residential accommodation for 2 or more unrelated persons requiring medical, psychiatric or geriatric care;
 - (e) a building that is used to provide supported accommodation for 2 or more

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- unrelated persons with physical, developmental or psychiatric disabilities;
- (f) a building that is used as a hostel, boarding house, guesthouse, lodging house or backpacker accommodation, being a building capable of accommodating 6 or more guests;
 - (g) a residential part of a hotel or motel, being a part capable of accommodating 6 or more guests;
 - (h) a child care centre within the meaning of the *Child Care Act 2001*;
 - (i) an education and care service premises for any education and care service other than a family day care service;
 - (j) a detention centre;
 - (k) a healthcare building;
 - (l) a residential aged care facility;
 - (m) a school;
 - (n) special fire hazard premises within the meaning of the Building Regulations;
 - (o) a building that is fitted with a fire protection system monitored by the TFES;
 - (p) a building in respect of which a declaration under subregulation (3)(a) is in effect.

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- (2) For the purposes of subregulation (1)(i), *education and care service, education and care service premises* and *family day care service* have the same meanings as in the Education and Care Services National Law (Tasmania).
- (3) The FES Commissioner, by notice in the *Gazette*, may –
- (a) declare that a building is a specified building for the purposes of these regulations if the FES Commissioner reasonably determines, in accordance with established risk analysis and fire engineering principles, that the building presents or contains a particular risk of an emergency event; and
 - (b) revoke any such declaration.
- (4) A declaration under subregulation (3)(a) may be in respect of an individual building or in respect of a building by reference to its kind or class.
- (5) A notice under subregulation (3) is not a statutory rule for the purposes of the *Rules Publication Act 1953*.

PART 2 – FIRE MANAGEMENT AREAS

5. Interpretation of Part

In this Part –

Committee means a Fire Management Area Committee established under regulation 7(1);

Council means the State Fire Management Council established under section 34(1)(a) of the Act.

6. Fire Management Areas

- (1) The Council, by public notice, may declare any area of the State to be a Fire Management Area.
- (2) The Council, by a notice published under subregulation (1), may –
 - (a) assign a name to the Fire Management Area declared by the notice; and
 - (b) publish a map of the Fire Management Area.
- (3) The boundaries of a Fire Management Area need not coincide with the boundaries of a municipal area.
- (4) A Fire Management Area takes effect on the day on which a notice under subregulation (1) is published.

- (5) A notice under subregulation (1) is not a statutory rule within the meaning of the *Rules Publication Act 1953*.

7. Fire Management Area Committees

- (1) If a Fire Management Area is declared under regulation 6, the Council must establish a committee in respect of each Fire Management Area to be responsible for providing effective fire management in that area.
- (2) A Committee is to consist of –
- (a) an authorised member; and
 - (b) a representative of each council whose municipal area lies wholly or partly within the Fire Management Area or a person jointly nominated by those councils; and
 - (c) if the Fire Management Area contains or is adjacent to permanent timber production zone land – a person nominated by the chief executive officer of the Forestry corporation; and
 - (d) if the Fire Management Area contains or is adjacent to any reserved land within the meaning of the *Nature Conservation Act 2002* – a person nominated by the Secretary of the responsible Department in relation to the *National Parks and Reserves Management Act 2002*; and

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- (e) if the Fire Management Area includes any part of Wellington Park – a person nominated by the Wellington Park Management Trust established by section 9 of the *Wellington Park Act 1993*.
- (3) The Council may appoint additional members to a Committee on the recommendation of that Committee.
- (4) A member elected by the members and approved by the Council is chairperson.
- (5) A Committee is to meet at least twice a year.
- (6) A meeting of a Committee may be convened by the chairperson or by any 2 members.
- (7) The Council may direct a Committee to meet at a particular place and the Committee must comply with that direction.
- (8) A Committee must keep accurate minutes of its meetings.
- (9) Except as provided in this section, a Committee may regulate its own proceedings.

8. Functions of Fire Management Area Committees

- (1) In this regulation –

fire protection plan means a plan that describes the prevention, preparation, response and recovery arrangements for one or more fire safety hazards.

(2) A Committee has the following functions:

- (a) to coordinate fire management activities within its Fire Management Area, including –
 - (i) community education and information; and
 - (ii) fuel management;
- (b) to identify and assess community bushfire risks in its Fire Management Area and to prioritise strategic works in response to those risks;
- (c) to submit to the Council, on or before 30 September of each year, a fire protection plan for its Fire Management Area for the next 12 months commencing on 1 October of that year;
- (d) to ensure that its fire protection plan is consistent with –
 - (i) any fire protection plans or policies approved by the Commission that are applicable to its Fire Management Area; and
 - (ii) such instructions or guidelines as the Council may from time to time issue to the Committee regarding its fire protection plan;
- (e) to advise the Council on such matters relating to fire management and the

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Committee's other functions as the Council may refer to the Committee;

- (f) to advise the Council on such matters concerning fire management as, in the opinion of the Committee, should be brought to the Council's attention;
 - (g) to perform such other functions relating to the prevention or mitigation of vegetation fires as the Council may direct.
- (3) A Committee has power to do all things necessary or convenient to be done in connection with the performance of its functions.
- (4) A Committee is to perform its functions in respect of any reserved land, as defined in the *Nature Conservation Act 2002*, in a manner that is consistent with –
- (a) the purposes for which the reserved land is set aside under the *National Parks and Reserves Management Act 2002*; and
 - (b) any management plan in force in respect of the reserved land.

9. Directions in relation to Fire Management Areas

- (1) The Commission may give directions in writing to the Council in respect of the performance of the Council's functions in relation to the management of Fire Management Areas.

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- (2) The Council is to comply with directions given by the Commission under subregulation (1).
 - (3) The Council may give directions in writing to a Committee in respect of the performance of the Committee's functions in relation to the management of Fire Management Areas.
 - (4) The Committee is to comply with directions given by the Council under subregulation (3).

Consultation draft

PART 3 – FIRE PERMIT SYSTEM

Division 1 – Fire permit period and days of total fire ban

10. Declarations, orders, notices and directions by public notice

- (1) For the purposes of section 44(2)(a) of the Act, the manner in which a declaration of a fire permit period is to be made available to the public is by public notice.
- (2) For the purposes of section 45(2) of the Act, the manner in which orders, notices and directions made to reduce the risk of fire during a fire permit period are to be made or given is by public notice.
- (3) For the purposes of section 48(3) of the Act, the manner in which a declaration of a day of total fire ban is to be made available to the public is by public notice.

Division 2 – Appointment of fire permit officers

11. Nomination of fire permit officer

- (1) The following persons may nominate a person to be appointed as a fire permit officer:
 - (a) if the area in respect of which the person is nominated to be appointed is located within permanent timber production zone land – the chief executive officer of the Forestry corporation;

-
- (b) if the area in respect of which the person is nominated to be appointed is located within reserved land within the meaning of the *Nature Conservation Act 2002* –
- (i) the Secretary of the responsible Department in relation to the *National Parks and Reserves Management Act 2002*; or
 - (ii) the managing authority, within the meaning of that Act, for that reserved land;
- (c) if the area in respect of which the person is nominated to be appointed is located within future potential production forest land, within the meaning of the *Forestry (Rebuilding the Forest Industry) Act 2014* – the Director-General of Lands appointed under section 7 of the *Crown Lands Act 1976*;
- (d) if the area in respect of which the person is nominated to be appointed is located within a public reserve within the meaning of the *Crown Lands Act 1976* –
- (i) the Director-General of Lands appointed under section 7 of the *Crown Lands Act 1976*; or
 - (ii) the managing authority, within the meaning of section 12G of the *Crown Lands Act 1976*, for that public reserve;

(e) in the case of all other areas – an authorised member.

(2) A person nominated under subregulation (1)(b) is to be a member of the TFES.

12. Appointment of fire permit officer

For the purpose of section 47(1) of the Act, the FES Commissioner is to appoint a person nominated in accordance with regulation 11 –

- (a) only if the FES Commissioner is satisfied that the person has skills, qualifications or experience that would enable the person to carry out the duties of a fire permit officer competently; and
- (b) by written instrument, specifying the following matters:
 - (i) the area in respect of which the person is appointed as a fire permit officer;
 - (ii) any terms, conditions or requirements to which the appointment is subject;
 - (iii) the period for which the appointment is in effect.

13. Liability of fire permit officer

A fire permit officer is not liable for any loss, injury or damage resulting from a fire that was

lit and controlled under the authority of a fire permit issued by that fire permit officer unless it is proven that the fire permit officer acted maliciously or recklessly in issuing that fire permit.

Division 3 – Fire permits

14. Issue of fire permit

A fire permit officer –

- (a) must only issue a fire permit under section 47(2) of the Act, or regulation 60(2), if the officer is satisfied, having regard to the prevailing conditions and any advice, recommendations and reports provided to the fire permit officer by the FES Commissioner, that a fire lit under the authority of the proposed fire permit is unlikely to –
 - (i) spread beyond the area to which the proposed fire permit relates; or
 - (ii) present a risk of causing an emergency event;
- (b) may issue a permit subject to conditions determined by –
 - (i) the fire permit officer; or
 - (ii) the FES Commissioner.

15. Appeal in relation to fire permit application

- (1) If a fire permit officer refuses to grant a permit under section 47(2) of the Act, or regulation 60(2), to a person who applies for such a permit, that person may, within 14 days after being refused a permit, appeal to the FES Commissioner against the refusal.
- (2) The FES Commissioner may allow, or disallow, an appeal under subregulation (1) as the FES Commissioner thinks fit, and, if the FES Commissioner allows the appeal, may grant a permit to the appellant, either unconditionally or subject to such conditions (if any) as the FES Commissioner may, in the FES Commissioner's absolute discretion, impose and as are specified in the permit.
- (3) Subject to subregulations (1) and (2), an appeal under subregulation (1) is to be instituted, heard, and determined as the FES Commissioner determines.

16. Notification in respect of amendment or revocation

If a responsible officer for a protected area amends or revokes a fire permit in relation to that area, the responsible officer is to notify the TFES of the amendment or revocation as soon as practicable after the amendment or revocation takes place.

PART 4 – FIRE SAFETY

Division 1 – Fire protection equipment

17. Code of Practice (Fire Protection Equipment)

- (1) The FES Commissioner may approve –
 - (a) a Code of Practice in respect of the standards and maintenance of fire protection equipment; and
 - (b) amendments to a Code of Practice approved under paragraph (a).
- (2) Before approving a Code of Practice or an amendment to that Code under subregulation (1), the FES Commissioner is to –
 - (a) consult with –
 - (i) holders of a restricted activity permit; and
 - (ii) any persons or bodies responsible for the standards and maintenance of fire protection equipment that the FES Commissioner considers relevant in the circumstances; and
 - (b) take into consideration any submissions received in response to consultation under paragraph (a).

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- (3) If the FES Commissioner approves a Code of Practice or an amendment under subregulation (1), the FES Commissioner –
- (a) is to ensure that the Code of Practice as currently approved is published on a publicly available website maintained by or on behalf of the TFES; and
 - (b) may publish that Code of Practice in any other way the FES Commissioner considers appropriate.
- (4) A person must comply with a Code of Practice approved under subregulation (1).

Penalty: Fine not exceeding 50 penalty units.

18. Routine service of fire protection equipment in relevant buildings

- (1) This regulation applies to fire protection equipment installed in a relevant building pursuant to the requirements of any building controls.
- (2) The occupier of a relevant building must ensure that fire protection equipment is routinely serviced so as to be capable of operating to the standard to which it was designed.

Penalty: Fine not exceeding 50 penalty units.

19. Routine service and repair of fire protection equipment in buildings generally

(1) In this regulation –

qualified person, in relation to a routine service or repair, means a person who holds a permit under Division 2 that authorises its holder to do the routine service or repair;

suitable record, of any routine service or repair, means a record that sets out –

- (a) the nature of the routine service or repair; and
- (b) the date on which the routine service or repair was done; and
- (c) if, in the case of a routine service, a test was involved –
 - (i) the nature of the test; and
 - (ii) the date of the test; and
 - (iii) the result of the test; and
- (d) the name of the person who did the routine service or repair; and
- (e) a certification by that person as to the doing of the routine service or repair;

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test, of fire protection equipment, includes any inspection done in connection with the test.

- (2) This regulation applies to fire protection equipment installed in a building pursuant to the requirements of any building controls.
- (3) The occupier of a building must ensure that fire protection equipment is –
 - (a) routinely serviced; and
 - (b) repaired, if necessary –

by a qualified person.

Penalty: Fine not exceeding 26 penalty units.

- (4) As soon as practicable after any fire protection equipment is routinely serviced or repaired, the occupier of a building must ensure that a record of the routine service or repair is made.

Penalty: Fine not exceeding 26 penalty units.

- (5) The occupier of a building must ensure that a record made under subregulation (4) (or a copy of the record) –
 - (a) is kept in the building for at least 7 years; and
 - (b) is provided to an authorised member if required by the authorised member.

Penalty: Fine not exceeding 26 penalty units.

Division 2 – Restricted activity

20. Undertaking restricted activities

A person must not undertake a restricted activity unless –

- (a) the person holds a restricted activity permit in respect of that restricted activity; or
- (b) the person is undertaking the restricted activity in accordance with regulation 21.

Penalty: Fine not exceeding 26 penalty units.

21. Circumstances in which restricted activity permit not required

- (1) In this regulation –

plumber means a person who, under the *Occupational Licensing Act 2005*, is licensed to carry out plumbing work as a plumber practitioner (certifier) or plumber practitioner;

recognised training program means a training program that –

- (a) provides for a person to be trained in a restricted activity (or any combination of restricted activities); and

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- (b) is recognised by the FES Commissioner by an instrument in writing;

relevant qualifications, in respect of a plumber, means one or more units of competency approved in guidelines issued under subregulation (8)(a) for the purposes of this regulation.

- (2) A person does not require a restricted activity permit to install the following fire protection equipment in any building:
 - (a) a smoke alarm that, under the NCC, is not required to comply with AS 1670.1;
 - (b) a heat alarm that, under the NCC, is not required to comply with AS 1670.1;
 - (c) a combined smoke and heat alarm that, under the NCC, is not required to comply with AS 1670.1.
- (3) A person does not require a restricted activity permit to install a battery in any of the following fire protection equipment in any building:
 - (a) a smoke alarm;
 - (b) a heat alarm;
 - (c) a combined smoke and heat alarm.
- (4) A person does not require a restricted activity permit to install the following fire protection equipment in any building that is not a relevant building:

-
- (a) a fire blanket;
 - (b) a portable fire extinguisher.
- (5) A person does not require a restricted activity permit to install, routinely service or repair a mechanical smoke management system in any building.
- (6) A person does not require a restricted activity permit to install or routinely service a fire hydrant system or fire hose reel in any building if the person is –
- (a) a plumber who holds relevant qualifications; or
 - (b) an apprentice, or employee, of a plumber who holds relevant qualifications and the installation or routine service is done under the direct supervision of that plumber.
- (7) A person does not require a restricted activity permit to install, routinely service or repair fire protection equipment, other than a fire protection system, if –
- (a) the person does so as a trainee in a recognised training program, under the direct supervision of a person who holds a restricted activity permit that authorises its holder to do the relevant restricted activity; and
 - (b) at the relevant time, the person has not been engaging in restricted activities of

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any kind as such a trainee for a period exceeding 6 months (continuously or otherwise).

- (8) For the purposes of subregulation (6), the FES Commissioner is to –
- (a) prepare and issue guidelines approving one or more units of competency as required qualifications relating to the installation, routine servicing and repair of a fire hydrant system or fire hose reel that are in accordance with the installation and routine servicing requirements in AS 2419.1, AS 2441 and AS 1851; and
 - (b) publish those guidelines on a publicly available website maintained by or on behalf of the TFES, and make them available for viewing in other ways, if any, that the FES Commissioner considers appropriate.

22. Restricted activity permit

- (1) The FES Commissioner may issue a restricted activity permit authorising its holder to undertake a restricted activity or any combination of restricted activities.
- (2) A restricted activity permit may be issued to any person who, in the reasonable opinion of the FES Commissioner, has relevant competence in the restricted activity or activities to which the restricted activity permit relates.

-
- (3) A restricted activity permit may be issued unconditionally or on conditions.
- (4) A restricted activity permit may be issued –
- (a) on the FES Commissioner's own initiative, either for a specific undertaking or otherwise; or
 - (b) on application.
- (5) A restricted activity permit is to –
- (a) be in a form approved by the FES Commissioner; and
 - (b) specify –
 - (i) which restricted activity or activities it authorises its holder to do; and
 - (ii) the conditions, if any, of the restricted activity permit; and
 - (iii) if the FES Commissioner has issued the restricted activity permit on the FES Commissioner's own initiative for a specific undertaking, particulars of the undertaking.
- (6) A restricted activity permit is not transferable.

23. Application for restricted activity permit

- (1) An application under regulation 22(4)(b) is to be –
 - (a) in a form approved by the FES Commissioner; and
 - (b) supported by the evidence or information that the FES Commissioner requires.
- (2) The FES Commissioner may require further evidence or information in relation to an application under regulation 22(4)(b).
- (3) The FES Commissioner may –
 - (a) approve such an application; or
 - (b) refuse such an application.
- (4) If subregulation (3)(a) applies, the FES Commissioner is to issue the restricted activity permit.
- (5) If subregulation (3)(b) applies, the FES Commissioner is to notify the applicant of –
 - (a) the refusal; and
 - (b) the reason for the refusal; and
 - (c) the applicant's right of review under regulation 29.

24. Duration of restricted activity permit

- (1) Subject to subregulation (2), or renewal under regulation 25, a restricted activity permit remains in force for a period, specified in the permit, of not more than 5 years.
- (2) A restricted activity permit issued on the FES Commissioner's own initiative for a specific undertaking remains in force until the specific undertaking, as specified in the permit, is completed.

25. Renewal of restricted activity permit

- (1) On application by the holder of a restricted activity permit, the FES Commissioner may renew a restricted activity permit, issued under regulation 22(4)(b), for a period, specified in the renewal, of not more than 5 years.
- (2) A renewal under subregulation (1) may be made more than once.
- (3) Before renewing a restricted activity permit under subregulation (1), the FES Commissioner must be satisfied that –
 - (a) the applicant –
 - (i) remains a suitable person to be the holder of a restricted activity permit; and
 - (ii) has complied, during the period in which the previous restricted activity permit was in force, with

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the Act and any conditions to which the previous restricted activity permit was subject; and

- (iii) has provided evidence demonstrating that the applicant has maintained competence in the restricted activity or activities to which the restricted activity permit relates; and
- (b) the application does not request any change to the restricted activity or activities to which the restricted activity permit relates; and
- (c) no grounds exist for suspension or cancellation of the restricted activity permit.

26. Application for renewal of restricted activity permit

(1) An application made under regulation 25(1) is to –

- (a) be in a form approved by the FES Commissioner; and
- (b) be made in the period between 3 months before the day on which the restricted activity permit to which the application relates ceases to be in force and one month after that day; and

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- (c) include any request for a variation of permit conditions or personal details of the applicant; and
 - (d) be supported by the evidence or information that the FES Commissioner requires.
 - (2) The FES Commissioner may require further evidence or information in relation to an application under regulation 25(1).
 - (3) The FES Commissioner may –
 - (a) approve such an application; or
 - (b) approve such an application subject to new or amended conditions; or
 - (c) refuse such an application.
 - (4) If subregulation (3)(a) or (b) applies, the FES Commissioner is to issue the restricted activity permit.
 - (5) If subregulation (3)(c) applies, the FES Commissioner is to notify the applicant of –
 - (a) the refusal; and
 - (b) the reason for the refusal; and
 - (c) the applicant's right of review under regulation 29.

27. Variation of restricted activity permit

- (1) The FES Commissioner may, by notice to the restricted activity permit holder, vary a restricted activity permit at any time, including any condition of the restricted activity permit, if satisfied that there are reasonable grounds to do so.
- (2) The FES Commissioner may not vary a restricted activity permit by altering the specific undertaking to which the restricted activity permit relates.

28. Surrender and cancellation of restricted activity permit

- (1) The holder of a restricted activity permit may, by notice to the FES Commissioner, surrender it at any time, but it has no surrender value.
- (2) The FES Commissioner, by notice, may cancel a restricted activity permit if the FES Commissioner is satisfied, on reasonable grounds, that the restricted activity permit holder –
 - (a) has failed to comply with a condition of the restricted activity permit; or
 - (b) is, for any other reason, unsuitable to be the holder of a restricted activity permit; or
 - (c) no longer requires the restricted activity permit.

29. Review of decision

A person who is aggrieved by a decision of the FES Commissioner under this Division may apply to the Tasmanian Civil and Administrative Tribunal for a review of the decision.

30. Person with deemed registration taken to hold restricted activity permit

(1) In this regulation –

deemed registration has the same meaning as in the *Occupational Licensing Act 2005*;

occupation has the meaning it has in section 4(1) of the *Mutual Recognition Act 1992* of the Commonwealth;

participating jurisdiction has the meaning it has in section 5(4) of the *Mutual Recognition Act 1992* of the Commonwealth.

(2) Subject to this regulation, a person is taken to hold a restricted activity permit for the purposes of these regulations if the person holds deemed registration.

(3) A person who intends to carry on a restricted activity, or any combination of restricted activities, in this State by virtue of holding deemed registration must notify the FES Commissioner that the person holds deemed registration at least 14 days before that person

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carries on the restricted activity, or combination of restricted activities, in this State.

Penalty: Fine not exceeding 26 penalty units.

- (4) A notification under subregulation (3) –
- (a) must be in an approved manner; and
 - (b) must be in an approved form; and
 - (c) is to contain any information that the FES Commissioner considers necessary.
- (5) If there is any change in the information contained in a notification under subregulation (3), the person who made the notification must, as soon as is practicable, and in any case within 14 days after the change, in an approved form, notify the FES Commissioner of that change.

Penalty: Fine not exceeding 26 penalty units.

- (6) A person who is taken to hold a restricted activity permit by virtue of holding deemed registration must not carry on a restricted activity, or any combination of restricted activities, in this State unless the restricted activity, or the combination of restricted activities, is within the scope of the work that the person is authorised to carry on for that occupation in the relevant participating jurisdiction.

Penalty: Fine not exceeding 26 penalty units.

- (7) If a person who is taken to hold a restricted activity permit by virtue of holding deemed registration ceases to hold the deemed registration, the person is no longer taken to hold the restricted activity permit for the purposes of these regulations and must not carry on a restricted activity, or any combination of restricted activities, in this State.

Penalty: Fine not exceeding 26 penalty units.

- (8) The FES Commissioner may, at any time, request a person, who is taken to hold a restricted activity permit by virtue of holding deemed registration, to provide the FES Commissioner with any information that the FES Commissioner requires in relation to the maintenance of the person's skills and any continuing professional development undertaken by the person.
- (9) For the avoidance of doubt, regulations 22, 24 and 27 do not apply to a person who is taken to hold a restricted activity permit by virtue of holding deemed registration.

Division 3 – Access, isolation and resetting of fire protection equipment and systems

31. Interpretation

In this Division –

fire protection system includes any part of a fire protection system.

32. Access to fire protection equipment and essential services

(1) In this regulation –

building includes –

- (a) hazardous premises within the meaning of regulation 57; and
- (b) the curtilage of a building; and
- (c) any part of a building.

(2) The occupier of a building must ensure that the access of members of the TFES to the building's fire protection equipment and essential services for the purpose of fire-fighting operations is not obstructed except as may be reasonably necessary to secure the building.

Penalty: Fine not exceeding 50 penalty units.

33. Isolation of faulty fire protection system

(1) In this regulation –

isolation, of a fire protection system, includes causing the fire protection system to be isolated;

malfunction, of a fire protection system, includes the activation of a false alarm.

(2) If a fire protection system in a building malfunctions, an authorised member may isolate the fire protection system.

- (3) An authorised member who isolates a fire protection system in a building under subregulation (2) is, as soon as practicable, to inform the occupier of the building of the isolation of the fire protection system.

34. Resetting of fire protection system

- (1) If a fire protection system in a building is activated, an authorised member may reset the fire protection system in order to return that system to its normal operating capacity.
- (2) An authorised member who resets a fire protection system in a building under subregulation (1) is, as soon as practicable, to inform the occupier of the building of the resetting of the fire protection system.

Division 5 – Exits and emergency lighting

39. Accessibility of exits

- (1) In this regulation –

clear, in respect of a required exit, means –

- (a) clear of any obstruction or impediment to use as an exit if there is a fire; and
- (b) free of unlawful locks or unlawful locking devices; and
- (c) clear of flammable material;

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unlawful lock or locking device means a lock or locking device that –

- (a) has not been approved by a building surveyor in respect of the building or place to which it is affixed; and
 - (b) would obstruct a person from safely evacuating through a required exit.
- (2) The FES Commissioner may require that exits be installed or maintained in respect of a place of open-air public entertainment, or a class of places of open-air public entertainment.
- (3) The occupier of a relevant building or a place of open-air public entertainment must ensure that each of its required exits is kept clear at all times.

Penalty: Fine not exceeding 50 penalty units.

- (4) In any proceedings for an offence under subregulation (3) in respect of a relevant building, it is a defence if the defendant establishes that, at the relevant time –
- (a) lawful building works were being done in the relevant building; and
 - (b) those works were being done as quickly as practicable; and
 - (c) the obstruction of the relevant exit was an unavoidable consequence of those

works or had been approved by a building surveyor for the purposes of those works.

40. Visibility of exit signs

- (1) The occupier of a relevant building must ensure that each sign indicating a required exit in respect of that relevant building is clearly and fully visible at all times.

Penalty: Fine not exceeding 40 penalty units.

- (2) In any proceedings for an offence under subregulation (1), it is a defence if the defendant establishes that, at the relevant time –
- (a) lawful building or electrical works were being done in the relevant building; and
 - (b) those works were being done as quickly as practicable; and
 - (c) the invisibility of the relevant sign, whether full or partial, was an unavoidable consequence of those works or had been approved by a building surveyor for the purposes of those works.

41. Operability of emergency lighting

- (1) In this regulation –

required emergency lighting, of a relevant building, means the emergency lighting

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that, under any building controls, is required to be installed in the building.

- (2) The occupier of a relevant building must ensure that its required emergency lighting is operational at all times.

Penalty: Fine not exceeding 50 penalty units.

- (3) In any proceedings for an offence under subregulation (2), it is a defence if the defendant establishes that, at the relevant time –
- (a) lawful building or electrical works were being done in the relevant building; and
 - (b) those works were being done as quickly as practicable; and
 - (c) the inoperability of the relevant emergency lighting was an unavoidable consequence of those works or had been approved by a building surveyor for the purposes of those works.

Division 6 – Fire evacuation plans

42. Fire evacuation plans for specified buildings

- (1) The occupier of a specified building must ensure that the specified building has an approved fire evacuation plan.

Penalty: Fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 1

penalty unit for each day during which the offence continues.

- (2) For the purposes of subregulation (1), the approved fire evacuation plan must be an approved fire evacuation plan that –
 - (a) the occupier has had approved under this Division; or
 - (b) a previous occupier of the specified building has had approved under this Division.
- (3) In any proceedings for an offence under subregulation (1), it is a defence if the defendant establishes that, at the relevant time –
 - (a) the defendant or the immediately previous occupier of the relevant specified building had submitted a proposed fire evacuation plan to the FES Commissioner for in-principle approval under this Division; and
 - (b) the defendant had not been formally notified of the FES Commissioner's determination in respect of the proposed fire evacuation plan.
- (4) To avoid doubt, a fire evacuation plan that has in-principle approval under regulation 44 is an approved fire evacuation plan for the purposes of this regulation.

43. Fire evacuation plan guidelines

- (1) For the purposes of this Division, the FES Commissioner is to –
 - (a) prepare and issue guidelines for the preparation of fire evacuation plans; and
 - (b) publish those guidelines on a publicly available website maintained by or on behalf of the TFES, and make them available for viewing in other ways, if any, that the FES Commissioner considers appropriate.
- (2) The guidelines are to be in accordance with –
 - (a) AS 3745 (in so far as it is relevant to Tasmanian circumstances); and
 - (b) in their application to specified buildings that are used for or in connection with the provision of health care to any persons, AS 4083 (in so far as it is relevant to Tasmanian circumstances).

44. In-principle approval of fire evacuation plans

- (1) For the purposes of regulation 42(2)(a), the occupier of a specified building is to prepare a proposed fire evacuation plan for the specified building and submit it to the FES Commissioner for approval.
- (2) The proposed fire evacuation plan is to be in accordance with the guidelines published under regulation 43.

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- (3) The FES Commissioner may give the occupier advice and practical assistance with the preparation of the proposed fire evacuation plan.
 - (4) On receipt of the proposed fire evacuation plan, the FES Commissioner is to –
 - (a) give the plan in-principle approval; or
 - (b) require the plan to be amended.
 - (5) If subregulation (4)(a) applies, the FES Commissioner is to notify the occupier of –
 - (a) the in-principle approval; and
 - (b) the date of the in-principle approval.
 - (6) A plan to which in-principle approval has been given takes effect, for the purposes of this Division, on the date of the in-principle approval notified under subregulation (5)(b).
 - (7) If subregulation (4)(b) applies –
 - (a) the FES Commissioner is to –
 - (i) notify the occupier that the plan has not been given in-principle approval; and
 - (ii) specify or indicate the required amendments; and
 - (b) the occupier is to amend the plan accordingly and resubmit it to the FES Commissioner.

- (8) Subregulations (2), (3), (4), (5) and (7) have the same application to the resubmitted plan as to the plan requiring amendment.

45. Final approval of fire evacuation plans

- (1) This regulation applies to a specified building to which a fire evacuation plan with in-principle approval relates.
- (2) The occupier of the specified building must ensure that a practice evacuation of the specified building is carried out within –
- (a) 60 days after the fire evacuation plan takes effect; or
 - (b) a greater number of days after the fire evacuation plan takes effect as the FES Commissioner, by notice to the occupier within those 60 days, allows.

Penalty: Fine not exceeding 25 penalty units and, in the case of a continuing offence, a further fine not exceeding 1 penalty unit for each day during which the offence continues.

- (3) Without limiting the discretion of the FES Commissioner, the FES Commissioner may allow an extension of time under subregulation (2)(b) if, since the fire evacuation plan was given in-principle approval –
- (a) the specified building has had a change in occupancy; and

-
- (b) the required practice evacuation had not been carried out before the change in occupancy; and
 - (c) the FES Commissioner is satisfied in the circumstances that the current occupier has been left with insufficient time to ensure that the required practice evacuation is carried out within the time required by subregulation (2)(a).
- (4) For the purposes of subregulation (2), the occupier of the specified building must ensure that the practice evacuation is carried out –
- (a) at a time and date determined in consultation with the FES Commissioner; and
 - (b) in the presence of an authorised member; and
 - (c) in accordance with the fire evacuation plan.

Penalty: Fine not exceeding 40 penalty units.

- (5) Following the practice evacuation, the FES Commissioner is to give final approval to the fire evacuation plan if satisfied that –
- (a) the practice evacuation was successful; and
 - (b) the practice evacuation was carried out in accordance with the requirements of this regulation.

- (6) The final approval may be given subject to any final amendments that the FES Commissioner considers necessary or expedient in light of the experience with the practice evacuation.
- (7) The FES Commissioner is to notify the occupier of –
 - (a) the final approval; and
 - (b) any final amendments; and
 - (c) the date of the final approval.
- (8) A plan to which a final approval has been given takes effect, for the purposes of this Division, on the date of the final approval notified under subregulation (7)(c).

46. Implementation of fire evacuation plans with in-principle approval

- (1) This regulation applies to a specified building to which a fire evacuation plan with in-principle approval relates.
- (2) The occupier of the specified building must –
 - (a) keep at least one copy of the fire evacuation plan in the occupier's own immediate possession; and
 - (b) ensure that at least one other copy of the fire evacuation plan is kept in the specified building.

Penalty: Fine not exceeding 26 penalty units.

- (3) The occupier of a specified building must, if there is a fire or fire alarm in the specified building, provide a copy of the fire evacuation plan to an authorised member if the authorised member so requires.

Penalty: Fine not exceeding 26 penalty units.

- (4) The occupier of the specified building must ensure that, if there is a fire or fire alarm in the specified building, the specified building is evacuated in accordance with the fire evacuation plan.

Penalty: Fine not exceeding 50 penalty units.

- (5) In any proceedings for an offence under subregulation (4), it is a defence if the defendant establishes that, in the circumstances, it was physically impossible or impracticable for the relevant specified building to be evacuated strictly in accordance with the relevant fire evacuation plan.

47. Implementation of fire evacuation plans with final approval

- (1) In this regulation –

basic education and training means training and education, other than a practice evacuation, that meets, at a minimum, the education and training requirements of AS 3745;

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permanent work or residence means work or residence that is to last, or is expected to last, longer than 30 days.

- (2) This regulation applies to a specified building to which a fire evacuation plan with final approval relates.
- (3) The occupier of the specified building must –
 - (a) keep at least one copy of the fire evacuation plan in the occupier's own immediate possession; and
 - (b) ensure that at least one other copy of the fire evacuation plan is kept in the specified building.

Penalty: Fine not exceeding 26 penalty units.

- (4) The occupier of the specified building must, in the specified building, post and keep posted the directions and notices about the fire evacuation plan at the locations that –
 - (a) the fire evacuation plan requires; and
 - (b) the FES Commissioner, by notice to the occupier, requires.

Penalty: Fine not exceeding 26 penalty units.

- (5) The occupier of the specified building must ensure that a person taking up permanent work or residence in the specified building is, within 30 days of so doing, given basic education and training in what to do if there is a fire or fire alarm in the specified building.

Penalty: Fine not exceeding 50 penalty units.

- (6) The occupier of the specified building must, if there is a fire or fire alarm in the specified building, provide a copy of the fire evacuation plan to an authorised member provide a copy of the fire evacuation plan to an authorised member if the authorised member so requires.

Penalty: Fine not exceeding 26 penalty units.

- (7) The occupier of the specified building must ensure that, if there is a fire or fire alarm in the specified building, the specified building is evacuated in accordance with the fire evacuation plan.

Penalty: Fine not exceeding 50 penalty units.

- (8) In any proceedings for an offence under subregulation (7), it is a defence if the defendant establishes that, in the circumstances, it was physically impossible or impracticable for the relevant specified building to be evacuated strictly in accordance with the relevant fire evacuation plan.

48. Expiry of fire evacuation plans

Subject to regulation 49 –

- (a) a fire evacuation plan that has only in-principle approval expires after it has been in effect for 3 months if, within that period, a final approval of that plan has not been given under regulation 45; and

- (b) a fire evacuation plan that has final approval expires after it has been in effect for 5 years as a fire evacuation plan with final approval.

49. Revision of fire evacuation plans

(1) This regulation applies if –

- (a) a specified building has a fire evacuation plan with final approval; and
- (b) the FES Commissioner reasonably apprehends that the plan has been rendered obsolete or less effective by –
 - (i) a change in the use of the specified building; or
 - (ii) a change in the number of occupants in the specified building; or
 - (iii) building works done to the specified building; or
 - (iv) building works done to premises adjoining the specified building; or
 - (v) municipal or other public works done to roads or land adjoining the specified building; or
 - (vi) new fire safety knowledge or technologies; or

(vii) other relevant factors.

- (2) The FES Commissioner, by notice, may direct the occupier of the specified building to submit a revised fire evacuation plan to the FES Commissioner for approval.
- (3) The occupier of the specified building must comply with the FES Commissioner's direction within the period, of at least 60 days, that the FES Commissioner specifies in the direction.

Penalty: Fine not exceeding 26 penalty units.

- (4) Regulations 44 and 45 apply to the revised fire evacuation plan as if it were a new proposed fire evacuation plan.

Division 7 – Practice evacuations

50. Annual practice evacuations

- (1) This regulation applies to a specified building to which a fire evacuation plan with final approval relates.
- (2) The occupier of the specified building must ensure that a practice evacuation of the specified building is carried out at least once in each 12-month period after the fire evacuation plan takes effect.

Penalty: Fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 1 penalty unit for each day during which the offence continues.

- (3) For the purposes of subregulation (2), the occupier of the specified building must ensure that –
- (a) the FES Commissioner is given at least 5 days' advance notice, in writing, of a practice evacuation; and
 - (b) a practice evacuation is carried out in accordance with the fire evacuation plan.

Penalty: Fine not exceeding 40 penalty units.

51. Repetition of practice evacuations

- (1) This regulation applies if an authorised member attending a practice evacuation of a specified building is not satisfied that it has been carried out in accordance with the relevant fire evacuation plan.
- (2) The authorised member may require the occupier of the specified building to repeat the practice evacuation at a date and time determined by the authorised member.
- (3) The occupier of the specified building must comply with a requirement imposed by the authorised member under subregulation (2).

Penalty: Fine not exceeding 40 penalty units and, in the case of a continuing offence, a further fine not exceeding 1 penalty unit for each day during which the offence continues.

52. Exempting persons from taking part in practice evacuations

- (1) The occupier of a specified building, acting in consultation with an authorised member, or an authorised member acting alone, may exempt a person from taking part in a particular practice evacuation if reasonably satisfied that the associated stoppage or interruption of the person's work or activity would –
 - (a) cause commercial loss; or
 - (b) endanger life or property.
- (2) The FES Commissioner, by notice to a person, may grant the person a standing exemption from taking part in practice evacuations of a specified building generally if the FES Commissioner is reasonably satisfied that the associated stoppages or interruptions of the person's work or activity would routinely –
 - (a) cause commercial loss; or
 - (b) endanger life or property.

Division 8 – Emergency evacuations

53. Evacuation of buildings in event of fire or fire alarm, &c.

- (1) In this regulation –

emergency control organization has the same meaning as in AS 3745.

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- (2) A person who is in a specified building must, if there is a fire or fire alarm in the specified building –
- (a) act in accordance with the fire evacuation plan for the specified building; or
 - (b) follow the directions that the person is given by –
 - (i) an authorised member; or
 - (ii) a member of the specified building's emergency control organization.

Penalty: Fine not exceeding 10 penalty units.

- (3) A person who is required to evacuate a specified building or part of a specified building in a practice evacuation must –
- (a) act in accordance with the fire evacuation plan for the building; or
 - (b) follow the directions that the person is given by –
 - (i) an authorised member; or
 - (ii) a member of the building's emergency control organization.

Penalty: Fine not exceeding 10 penalty units.

54. Occupiers not to contravene own fire evacuation plans, &c.

- (1) The occupier of a specified building must not, if there is a fire or fire alarm in the specified building –
 - (a) contravene the fire evacuation plan for the specified building; or
 - (b) do anything to compromise the execution or effectiveness of the fire evacuation plan for the specified building; or
 - (c) fail to follow directions that are given to the occupier by an authorised member or other member of the TFES.

Penalty: Fine not exceeding 50 penalty units.

- (2) Except as provided by regulation 52, the occupier of a specified building must not, if there is a fire or fire alarm in the specified building, cause or allow any person to contravene the fire evacuation plan for the specified building.

Penalty: Fine not exceeding 50 penalty units.

55. Defence to prosecution for occupier left insufficient time in which to discharge duty

- (1) In any proceedings for an offence under this Division involving the contravention of a duty by the occupier of a specified building, it is a defence if the defendant establishes that –

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- (a) in the period leading up to the time of the alleged offence there was a change in the occupancy of the specified building; and
 - (b) the duty arose in respect of the previous occupier of the specified building; and
 - (c) that previous occupier had not, by the time of the change in occupancy, discharged the duty fully or at all; and
 - (d) in the circumstances, the defendant was left with insufficient time in which to discharge the duty; and
 - (e) by the time of the alleged offence, the defendant had nevertheless taken reasonable steps towards discharging the duty.
- (2) Nothing in subregulation (1) limits any other defence available to the defendant under these regulations.

Division 9 – Specific fire safety requirements

56. Interpretation

In this Division, unless the contrary intention appears –

prescribed period means the period commencing on 1 October in any year and ending at midnight on the following 30 April;

reticulated water area means an area that is serviced by a reticulated water system that complies with AS 2419;

standard air/water extinguisher means an air/water extinguisher that –

- (a) has a capacity of at least 9 litres; and
- (b) is filled with water; and
- (c) is charged; and
- (d) is in good operating condition; and
- (e) complies with the requirements of AS 1841;

standard fire hydrant means a fire hydrant that is equipped with a forged 65 millimetre Storz coupling that has been approved by the FES Commissioner;

standard fittings mean fittings that are capable of connecting standard fire hydrants, standard pumps, standard hoses and standard nozzles together so as to produce a fire-fighting stream of fire retardant materials;

standard hose means –

- (a) a hose that complies with AS 2792; or

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- (b) a rubber hose rated at 2100kPa or higher;

standard knapsack pump means a pump designed to be worn on a person's back that –

- (a) has a capacity of at least 9 litres; and
- (b) is filled with water; and
- (c) is in good operating condition;

standard nozzle means a nozzle that has a shut-off valve and is capable of producing a variable fire-fighting stream of fire retardant materials;

standard pump means a self-priming centrifugal pump that is capable of producing a pressure of not less than 400kPa at shut-off.

57. Fire-fighting water supplies for timber, storage and freight yards

- (1) In this regulation –

hazardous premises means –

- (a) a timber yard; or
- (b) a yard, or unfenced area of land, within a city or town boundary, that is used for the storage of

more than 10 cubic metres of flammable material; or

- (c) a wharf or wharf area that is used for the storage of flammable goods in transit; or
- (d) land that is used for the storage of more than 10 cubic metres of flammable material, other than fodder or grain stored for use on the same land where the fodder or grain was produced;

on-site emergency personnel means persons who –

- (a) work at hazardous premises; and
- (b) have, whether on a voluntary basis or under the terms of their employment or engagement, any fire-safety responsibilities at those hazardous premises.

(2) The occupier of hazardous premises must ensure that –

- (a) the hazardous premises are provided with an approved water supply for fire-fighting; and
- (b) the approved water supply is at all times ready for use if there is a fire or fire alarm; and

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- (c) members of the TFES and on-site emergency personnel are able to gain unobstructed access to the approved water supply for the purposes of paragraph (b).

Penalty: Fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 1 penalty unit for each day during which the offence continues.

- (3) In any proceedings for an offence under subregulation (2)(a) or (b), it is a defence if the defendant establishes that, at the relevant time –
 - (a) the relevant approved water supply required mains water; and
 - (b) mains water was not available at the hazardous premises for reasons beyond the defendant's control.
- (4) The FES Commissioner is not to approve a water supply for the purposes of this regulation unless the FES Commissioner is satisfied that –
 - (a) the water supply is in accordance with AS 2419; or
 - (b) the water supply is operationally suitable in the circumstances.

58. Fire-fighting equipment at sawmills, wood-fuel mills or timber landings

- (1) If premises in a reticulated water area are being used as a sawmill or wood-fuel mill, the occupier of the premises must ensure that the following kinds of fire-fighting equipment are located on the premises in sufficient numbers to cover the entire area of the mill's operation:

- (a) standard fire hydrants;
- (b) standard hoses;
- (c) standard nozzles;
- (d) standard fittings.

Penalty: Fine not exceeding 26 penalty units.

- (2) If premises outside a reticulated water area are being used as a sawmill or wood-fuel mill, the occupier of the premises must ensure that the following fire-fighting equipment, at a minimum, is located on the premises:

- (a) a mobile tank, containing not less than 300 litres of water, and the means to move it;
- (b) a standard pump;
- (c) a standard hose;
- (d) a standard nozzle;
- (e) standard fittings;

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- (f) 2 pulaskis, fire rakes or grubbing hoes.

Penalty: Fine not exceeding 26 penalty units.

- (3) If premises are being used as a landing for timber harvesting operations during the prescribed period, the occupier of the premises must ensure that the following fire-fighting equipment, at a minimum, is located on the premises:

- (a) a mobile tank, containing not less than 300 litres of water, and the means to move it;
- (b) a standard pump;
- (c) a standard hose;
- (d) a standard nozzle;
- (e) standard fittings;
- (f) 2 pulaskis, fire rakes or grubbing hoes.

Penalty: Fine not exceeding 26 penalty units.

- (4) If premises are being used as a sawmill, wood-fuel mill or landing for timber harvesting operations during the prescribed period, the occupier of the premises must not cause or allow a person to operate a chainsaw on, or in connection with, the premises unless, within 100 metres of where the chainsaw is to operate, there is –

- (a) a standard knapsack pump; or

- (b) a standard air/water extinguisher.

Penalty: Fine not exceeding 26 penalty units.

59. Firebreaks for sawmills and wood-fuel mills

If premises are being used as a sawmill or wood-fuel mill during the prescribed period, the occupier of the premises must ensure that the premises are surrounded by a firebreak that is –

- (a) cleared to bare earth; and
- (b) wide enough to isolate the premises from all surrounding vegetation.

Penalty: Fine not exceeding 26 penalty units.

60. Fires for burning, &c., wood waste, &., from sawmills and factories

- (1) A person must not light, or maintain or use, in the open air, a fire to burn or destroy any wood waste or other flammable material produced on premises used as a sawmill or factory unless –
 - (a) the fire is only lit, maintained and used during a period that is not a fire permit period; or
 - (b) a permit has been granted by a fire permit officer under subregulation (2) authorising the fire.

Penalty: Fine not exceeding 26 penalty units.

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- (2) Subject to subregulation (3), a fire permit officer may grant, to a person, a permit that authorises the person to light, or maintain or use, in the open air, a fire to burn or destroy any wood waste or other flammable material produced on premises used as a sawmill or factory.
- (3) A fire permit officer may only grant a permit under subregulation (2) with the consent of, and on such conditions as may be determined by –
 - (a) the responsible officer for the land within which the premises for which the permit was granted is located, if any; and
 - (b) the FES Commissioner.
- (4) Without limiting subregulation (3), the responsible officer referred to in that subregulation, or the FES Commissioner, may determine under that subregulation that a permit is to contain a condition that –
 - (a) if the burning or destruction of the wood waste or flammable material is to be done in a pit, the surface of the burning materials is to be at least 1.5 metres below the level of the top of the pit; or
 - (b) if the burning or destruction of the wood waste or flammable material is to be done on the surface of the ground, the site of the fire is to be entirely surrounded by a fence, made of solid non-flammable material, at least 2 metres high.

-
- (5) A permit granted under subregulation (2) is to be in the approved form.
- (6) A permit granted under subregulation (2) may be revoked or amended, by notice to the permit holder, by a fire permit officer –
- (a) on the permit officer's own initiative; or
 - (b) at the direction of –
 - (i) the FES Commissioner; or
 - (ii) the responsible officer for the land within which the premises for which the permit was granted is located; or
 - (iii) the fire permit officer who granted the permit.
- (7) A person may appeal to the FES Commissioner against the refusal of a fire permit officer to grant a permit to the person under subregulation (2).
- (8) An appeal under subregulation (7) is to –
- (a) be in writing; and
 - (b) set out the grounds for the appeal; and
 - (c) be supported by such evidence, or information, as the FES Commissioner may request for the purposes of determining the appeal.

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- (9) As soon as practicable after receiving an appeal under subregulation (7), the FES Commissioner is to –
- (a) investigate the appeal in such a manner as the FES Commissioner considers appropriate; and
 - (b) determine the appeal by –
 - (i) upholding the appeal and requiring the permit to be granted, subject to any conditions that the FES Commissioner considers appropriate in the circumstances; or
 - (ii) dismissing the appeal; and
 - (c) give the appellant written notice of the determination under paragraph (b) in respect of the appeal.

Division 10 – Inspection of land, premises and things

61. Inspection of engines and appliances

- (1) In this regulation –

forest officer means an employee of the Forestry corporation.

- (2) This regulation applies to –

- (a) a burner, incinerator, furnace or other engine or appliance used for the burning of wood waste or other flammable

materials that is used, or installed, in or on premises used as a sawmill or factory; and

- (b) a chimney, smoke-stack, exhaust-pipe or other outlet used in connection with such a burner, incinerator, furnace, engine or appliance.
- (3) A burner, incinerator, furnace or other engine or appliance to which this regulation applies may be inspected by –
 - (a) the FES Commissioner; or
 - (b) an authorised member; or
 - (c) if the burner, incinerator, furnace or other engine or appliance is in a protected area, a forest officer.

62. Routine inspection of fire hydrants and fire plugs

An authorised member may –

- (a) cause fire hydrants and fire plugs to be inspected as often as the authorised member considers necessary; and
- (b) report any fault, or damage, found as a result of such an inspection to the owner or occupier of the land, building or premises on or in which the fault or damage is found.

63. Hindering inspections

A person must not hinder, or obstruct, an inspection performed under this Division.

Penalty: Fine not exceeding 26 penalty units.

Division 11 – Miscellaneous

64. Non-interference with essential services

- (1) In this regulation –

place includes affix, assemble, display, erect, hang and leave.

- (2) The occupier of a relevant building must not place in it –

- (a) any machine, equipment or article; or
- (b) any material or substance –

that, by its nature, quantity, location, use or method of operation, could reasonably be expected to prevent or interfere with the effective operation of any essential service in the relevant building.

Penalty: Fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 1 penalty unit for each day during which the offence continues.

-
- (3) In any proceedings for an offence under subregulation (2), it is a defence if the defendant establishes that, at the relevant time –
- (a) lawful building works were being done in the relevant building; and
 - (b) those works were being done as quickly as practicable; and
 - (c) the placement in the relevant building of the relevant machine, equipment or article, or relevant material or substance, was an unavoidable consequence of those works or had been approved by a building surveyor for the purposes of those works.

65. Hot work precautions

- (1) In this regulation –

hot work has the same meaning as in AS 1674.

- (2) A person must comply with AS 1674 in doing either of the following:
- (a) hot work in a building;
 - (b) hot work that could directly affect a building.

Penalty: Fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 1

penalty unit for each day during which the offence continues.

- (3) Before a person does any hot work in a building, or any hot work that could reasonably be expected to directly affect a building, the person must inform the owner or occupier of the building of the person's intention to do the hot work.

Penalty: Fine not exceeding 26 penalty units.

66. Building owners and occupiers not to compromise discharge of respective fire safety obligations

- (1) If –

- (a) these regulations impose an obligation on the occupier of any building or other premises; and
- (b) the occupier is not also the owner of the building or premises –

the owner of the building or premises must not do anything that compromises, or could reasonably be taken to compromise, the ability of the occupier to comply with that obligation.

Penalty: Fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 1 penalty unit for each day during which the offence continues.

- (2) If –

- (a) these regulations impose an obligation on the owner of any building or other premises; and
- (b) the owner is not also the occupier of the building or premises –

the occupier of the building or premises must not do anything that compromises, or could reasonably be taken to compromise, the ability of the owner to comply with that obligation.

Penalty: Fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 1 penalty unit for each day during which the offence continues.

67. Open-air operation of solid-fuel engines

- (1) In this regulation –

solid-fuel engine means an engine that is being powered by solid fuel.

- (2) A person must not operate a solid-fuel engine outside an enclosed building unless –
 - (a) the dumping of coals or ash from the engine is confined to an area specified by an authorised member; and
 - (b) the ash box of the engine is constructed so that burning material cannot escape from it except when coals or ash are being cleared out for dumping in the area referred to in paragraph (a); and

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- (c) a spark arrestor is fitted to the smoke stack of the engine; and
- (d) any other requirements, specified by an authorised member, in respect of the engine are met.

Penalty: Fine not exceeding 26 penalty units.

- (3) On a day of total fire ban, a person must not operate a solid-fuel engine outside an enclosed building in any part of the State to which the total fire ban applies.

Penalty: Fine not exceeding 26 penalty units.

PART 5 – FINANCE

68. Prescribed percentages – insurance company contributions

For the purposes of section 66(2) of the Act, the prescribed contribution is –

- (a) in the case of aviation hull insurance, 14%; and
- (b) in the case of marine cargo insurance, 2%; and
- (c) in the case of any other class of insurance, 28%.

69. Prescribed body

For the purposes of section 66(3)(b) of the Act, the Commission for the Conservation of Antarctic Marine Living Resources, established under Article VII of the Convention on the Conservation of Antarctic Marine Living Resources, is a prescribed body.

70. Prescribed pensioner rebate

For the purposes of section 82 of the Act, the prescribed amount of property contribution is 20% of the property contribution that the person would ordinarily be required to pay under the Act.

71. Prescribed council collection fee

For the purposes of section 83(1) of the Act, 4% of a property contribution is prescribed as the fee which the council responsible for making that contribution is entitled to retain for collecting the contribution.

72. Reimbursement of fire permit officer expenses

- (1) A fire permit officer who incurs out-of-pocket expenses in the performance of the officer's duties is entitled to be reimbursed by the Commission.
- (2) The amount, if any, to be reimbursed under subregulation (1) is, in each case, at the discretion of the Commission.

73. Special gratuities

- (1) On the recommendation of the FES Commissioner, the Commission may grant a special gratuity to a person in respect of voluntary or special services that the person has rendered to the TFES.
- (2) A special gratuity granted under subregulation (1) is not to exceed the sum of \$1 000 unless the Commission is satisfied that there are exceptional circumstances.
- (3) For the avoidance of doubt, the payment of a special gratuity under subregulation (1) to a volunteer member does not constitute

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appointment, employment or engagement of the
volunteer member as a permanent member.

Consultation draft

PART 6 – VOLUNTEER MEMBERS

74. FES Commissioner may regulate volunteer membership

(1) The FES Commissioner may –

(a) determine –

- (i) eligibility requirements in respect of volunteer members; and
- (ii) conditions applicable to the registration, suspension or deregistration of a volunteer member, a class of volunteer members or volunteer members in general; and
- (iii) ongoing compliance requirements in respect of volunteer members; and
- (iv) procedures for the promotion of volunteer members; and
- (v) procedures in respect of the demotion, suspension and deregistration of volunteer members; and
- (vi) requirements in respect of any other matters relating to the training, support, management and coordination of volunteer members; and

- (b) approve –
 - (i) codes of conduct applicable to volunteer members, or a class of volunteer members; and
 - (ii) procedures in respect of the matters determined under in paragraph (a); and
- (c) in accordance with the matters determined under paragraph (a) –
 - (i) register a person as a volunteer member; and
 - (ii) promote a volunteer member; and
 - (iii) demote a volunteer member; and
 - (iv) suspend the registration of a volunteer member; and
 - (v) deregister a volunteer member.

- (2) The FES Commissioner is to ensure that a code of conduct or procedure approved under subregulation (1)(b) is published on a publicly available website maintained by or on behalf of the TFES.

75. Reimbursement of volunteer expenses

- (1) The Commission may, on the recommendation of the FES Commissioner, reimburse a volunteer member, who is not on probation, who incurs

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out-of-pocket expenses in the performance of the volunteer member's duties.

- (2) The amount, if any, to be reimbursed under subregulation (1) is, in each case, at the discretion of the Commission.
- (3) For the avoidance of doubt, the payment of a reimbursement under subregulation (1) does not constitute appointment, employment or engagement of the volunteer member as a permanent member.

76. Retainer of volunteer

- (1) On the recommendation of the FES Commissioner, the Commission may pay a volunteer member, who is not on probation, a retainer in respect of ongoing firefighting availability or duties.
- (2) The amount, if any, of the retainer under subregulation (1) is, in each case, at the discretion of the Commission.
- (3) For the avoidance of doubt, the payment of a retainer under subregulation (1) does not constitute appointment, employment or engagement of the volunteer member as a permanent member.

PART 7 – PRESCRIBED MATTERS

77. Prescribed risks

For the purposes of section 39(2)(a)(ii) and (b)(ii) of the Act, the following risks are prescribed:

- (a) a building or structure that –
 - (i) by reason of its defective construction or condition, inadequate insulation or proximity to flammable materials – is likely to catch fire and endanger the life of any person; or
 - (ii) by reason of its age, condition or the combustible nature of its materials – is likely in the event of a fire to endanger life, property, premises or the environment; or
 - (iii) by reason of the absence of means of escape or adequate means of escape – is likely in the event of a fire to endanger the life of any person; or
 - (iv) by reason of neglect or damage – is in a structural condition likely to endanger life, property, premises or the environment;

- (b) an accumulation of flammable material or material liable to spontaneous combustion constituting a fire danger to life, property, premises or the environment;
- (c) an escape of a flammable liquid or vapour constituting a fire danger to life, property, premises or the environment;
- (d) a hedge, scrub, bush, grass, weeds or other growth that is likely, then or after drying off, to constitute a fire danger to life, property, premises or the environment.

78. Prescribed manner of publication

For the purposes of section 43(1) of the Act, the prescribed manner of publication of a declaration of an area of extreme fire hazard or extreme emergency hazard is by public notice.

79. Prescribed classes of insurance

For the purposes of the definition of *prescribed classes of insurance* in section 65 of the Act, the following classes of general insurance are prescribed:

- (a) fire insurance;
- (b) loss of profits insurance;
- (c) contractors' risk insurance;

- (d) marine cargo insurance;
- (e) boiler explosion insurance;
- (f) any other class of commercial and industrial insurance having a fire insurance component, other than an exempted class of general insurance within the meaning of section 65 of the Act.

80. Prescribed exempt land

- (1) In this regulation –

exempt tenant, of land in a municipal area, means a tenant that the Commission, in its discretion and on the written application of the council of the municipal area, has certified is occupying the land for –

- (a) a benevolent, charitable or philanthropic purpose; or
- (b) a non-profit community or non-profit sporting purpose;

fire protection services agreement means an agreement between the Commission and the Commonwealth under which the Commission undertakes to provide fire protection services in respect of specified Commonwealth land in this State in consideration of the Commonwealth

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Part 7 – Prescribed Matters

making a contribution towards the operating costs of the TFES;

GBE means a Government Business Enterprise within the meaning of the *Government Business Enterprises Act 1995*;

private tenant, of land in a municipal area, means a tenant, including a State-owned company, other than –

- (a) the Crown in right of the Commonwealth or in right of any State or Territory; or
- (b) a council; or
- (c) a single authority or joint authority within the meaning of the *Local Government Act 1993*; or
- (d) a State authority specified in Part 2 of Schedule 1 to the *State Service Act 2000*; or
- (e) an exempt tenant;

State-owned company means a company incorporated under the Corporations Act that is controlled by the Crown in right of this State, by a GBE or statutory authority, or by another company that is so controlled;

statutory authority means a body or authority, whether incorporated or not, that is established or constituted by or under an Act or under the Royal Prerogative, being a body or authority which, or of which the governing authority, wholly or partly comprises a person or persons appointed by the Governor, a Minister or another statutory authority.

- (2) For the purposes of section 73(1) of the Act, the following land and classes of land are those to which Division 4 of Part 4 of the Act does not apply:
- (a) land owned by a council;
 - (b) land owned by the Crown in right of this State;
 - (c) Aboriginal land, within the meaning of the *Aboriginal Lands Act 1995*, which is unoccupied or occupied principally for Aboriginal cultural purposes;
 - (d) land owned, vested in or occupied by a GBE that is not specified in Schedule 8 to the *Government Business Enterprises Act 1995*;
 - (e) permanent timber production zone land;
 - (f) Commonwealth land to which a fire protection services agreement applies;
 - (g) the town of Savage River;

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- (h) unimproved land, in any ownership, not exceeding 10 square metres in area;
 - (i) a jetty that is –
 - (i) separately valued in the valuation list prepared under the *Valuation of Land Act 2001*; and
 - (ii) made entirely or mainly from non-combustible material; and
 - (iii) no more than 10 metres long;
 - (j) a slipway that is separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.
- (3) For the purposes of section 73(2) of the Act, circumstances where land to which subsection section 73(1) applies ceases to be exempt land are where land referred to in subregulation (2)(a), (b) or (d), or any part of that land, is let or sublet to a private tenant.

81. Prescribed domestic refuse fire

For the purposes of section 100(1)(a)(iii) of the Act, the prescribed manner of burning domestic refuse is a fire –

- (a) that is lit, maintained and used to burn domestic garden refuse; and
- (b) where the burning is done –

- (i) in heaps that do not exceed one cubic metre in volume; or
- (ii) in an incinerator.

82. Prescribed offences

For the purposes of section 124 of the Act, offences under the following provisions are offences in relation to which a police officer may arrest a person without a warrant:

- (a) the following section of the Act;
 - (i) section 43(4);
 - (ii) section 46;
 - (iii) section 52;
 - (iv) section 88(3);
 - (v) section 93(1);
 - (vi) section 94(1);
 - (vii) section 98;
 - (viii) section 100;
- (b) section 60 of the *Emergency Management Act 2006*.

PART 8 – MISCELLANEOUS

83. Infringement notices

For the purposes of section 104 of the Act –

- (a) an offence against a provision of the Act or these regulations specified in Column 1 of the tables in Schedule 3 is prescribed to be an infringement offence for which an infringement notice may be issued; and
- (b) a penalty specified in Column 2 of the tables in Schedule 3 is prescribed as the penalty for a body corporate for the infringement offence specified in Column 1 of the tables; and
- (c) a penalty specified in Column 3 of the tables in Schedule 3 is prescribed as the penalty for an individual for the infringement offence specified in Column 1 of the tables.

**SCHEDULE 1 – FIRE PROTECTION DEVICES AND
FEATURES CONSTITUTING ESSENTIAL SERVICES**
Regulation 3(1)

1. Emergency lifts
2. Emergency lighting
3. Emergency power supply
4. Exit doors
5. Exit signs
6. Fire brigade connections
7. Fire control centres
8. Fire curtains
9. Fire dampers
10. Fire doors
11. Fire indicator panels
12. Fire-isolated lift shafts

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- 13.** Fire-isolated passageways
- 14.** Fire-isolated ramps
- 15.** Fire-isolated stairs
- 16.** Fire mains
- 17.** Fire protection equipment
- 18.** Fire-protective coverings
- 19.** Fire-rated access panels
- 20.** Fire-resisting shafts
- 21.** Fire shutters
- 22.** Fire windows
- 23.** Paths of travel to and from exits
- 24.** Safety systems
- 25.** Smoke doors
- 26.** Smoke hazard management systems

- 27.** Smoke vents
- 28.** Sound systems and intercom systems for emergency purposes
- 29.** Stairwell pressurisation systems
- 30.** Static water storage
- 31.** Vehicular access for large, isolated buildings
- 32.** Warning systems associated with lifts

SCHEDULE 2 – AUSTRALIAN STANDARDS

Regulation 3(6)

1. AS 1670.1 – Fire detection, warning, control and intercom systems – system design, installation and commissioning; Part 1: Fire
2. AS 1674 – Safety in welding and allied processes – fire precautions; Parts 1 and 2
3. AS 1841 – Portable fire extinguishers – general requirements
4. AS 1851 – Routine service of fire protection systems and equipment
5. AS 2419 – Fire hydrant installations; Part 1: system design, installation and commissioning
6. AS 2441 – Installation of fire hose reels
7. AS 2792 – Fire hose – delivery layflat
8. AS 3745 – Planning for emergencies in facilities
9. AS 4083 – Planning for emergencies – health care facilities

**SCHEDULE 3 – INFRINGEMENT NOTICE OFFENCES
AND PENALTIES**

Regulation 83

PART 1 – INTERPRETATION

1. Interpretation

In this Schedule –

state of alert has the same meaning as in the
Emergency Management Act 2006;

state of emergency has the same meaning as
in the *Emergency Management Act 2006*.

PART 2 – OFFENCES UNDER THE ACT

	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
1.	Section 18(2) (a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	48	12

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	40	10
	(c) in any other case	32	8
2.	Section 21(3)	20	5
3.	Section 38(4)		
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	-	5

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	-	3
	(c) in any other case	-	2
4.	Section 39(3)		
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	32	8
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	24	6

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
5.	(c) in any other case Section 43(3)	20	5
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	32	8
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	24	6
6.	(c) in any other case Section 43(4)	20	5

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	-	8
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	-	6
	(c) in any other case	-	5
7.	Section 45(3)	40	10
8.	Section 46(1)	40	10
9.	Section 57(2)	40	10
10.	Section 58(3)	20	5
11.	Section 86(2)	-	1

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
12.	Section 87(2)	8	2
13.	Section 93(1)	20	5
14.	Section 93(3)	20	5
15.	Section 93(5)	-	5
16.	Section 93(6)		
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	20	5
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	12	3
	(c) in any other case	8	2

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
17.	Section 94(2)	8	2
18.	Section 96(3)	40	10
19.	Section 97(1)		
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	20	5
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	12	3
	(c) in any other case	8	2
20.	Section 97(2)		

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	32	8
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	24	6
	(c) in any other case	20	5
21.	Section 98		
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	20	5

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	12	3
	(c) in any other case	8	2
22.	Section 99	40	10
23.	Section 100(2)		
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	32	8

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	24	6
	(c) in any other case	20	5
24.	Section 100(3)		
	(a) if the offence occurred on a day of total fire ban or during a state of emergency where the risk of fire is increased	32	8
	(b) if the offence occurred during a fire permit period or during a state of alert where the risk of fire is increased	24	6

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
	(c) in any other case	20	5
25.	Section 101(1)	20	5

PART 3 – OFFENCES UNDER THE REGULATIONS

	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
1.	Regulation 18(2)	12	3
2.	Regulation 19(3)	8	2
3.	Regulation 19(4)	4	1
4.	Regulation 19(5)	4	1
5.	Regulation 20	32	8
6.	Regulation 32(2)	8	2
7.	Regulation 39(3)	12	3
8.	Regulation 40(1)	8	2

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
9.	Regulation 41(2)	12	3
10.	Regulation 42(1)	8	2
11.	Regulation 45(2)	4	1
12.	Regulation 46(2)	8	2
13.	Regulation 46(3)	8	2
14.	Regulation 46(4)	4	1
15.	Regulation 47(3)	12	3
16.	Regulation 47(4)	8	2
17.	Regulation 47(5)	4	1
18.	Regulation 47(6)	4	1
19.	Regulation 47(7)	4	1
20.	Regulation 49(3)	4	1
21.	Regulation 50(2)	8	2
22.	Regulation 50(3)	4	1
23.	Regulation 51(3)	8	2
24.	Regulation 53(2)	12	3

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	Column 1	Column 2	Column 3
	Offence	Penalty (body corporate) (penalty units)	Penalty (individual) (penalty units)
25.	Regulation 53(3)	12	3
26.	Regulation 54(1)	8	2
27.	Regulation 54(2)	8	2
28.	Regulation 65(2)	12	3
29.	Regulation 65(3)	12	3

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Notified in the *Gazette* on 20 .

These regulations are administered in the Department of Police, Fire and Emergency Management.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations, for the purposes of the *Tasmania Fire and Emergency Services Act 2026* –

- (a) make provision in respect of fire management areas, fire protection equipment, safety systems, fire exits, fire evacuation plans and various other matters relating to the fire safety of certain premises; and
- (b) prescribe certain finance matters; and
- (c) provide for the FES Commissioner to establish requirements in respect of volunteer members of the TFES; and
- (d) prescribe certain offences as offences for which an infringement notice may be issued; and
- (e) prescribe various other miscellaneous matters for the purposes of that Act.