

TASMANIA

**GENERAL FIRE AMENDMENT REGULATIONS
2024**

STATUTORY RULES 2024, No. 19

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GENERAL FIRE AMENDMENT REGULATIONS 2024

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 section 133 of the *Fire Service Act 1979*.

Dated 20 June 2024.

B. BAKER
Governor

By Her Excellency's Command,

FELIX ELLIS
Minister for Police, Fire and Emergency Management

1. Short title

These regulations may be cited as the *General Fire Amendment Regulations 2024*.

2. Commencement

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

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3. Principal Regulations

In these regulations, the *General Fire Regulations 2021** are referred to as the Principal Regulations.

4. Regulation 3 amended (Interpretation)

Regulation 3(1) of the Principal Regulations is amended as follows:

- (a) by inserting the following definition after the definition of *Building Regulations*:

deemed registration means an entitlement to automatic deemed registration, within the meaning of the *Mutual Recognition Act 1992* of the Commonwealth;

- (b) by omitting the definition of *permit* and substituting the following definition:

permit means a permit –

- (a) issued and in force in accordance with regulation 8; or
- (b) taken to be held by a person in accordance with regulation 7A;

*S.R. 2021, No. 56

5. Regulation 7A inserted

After regulation 7 of the Principal Regulations, the following regulation is inserted in Part 2:

7A. Deemed registration of person to install, routinely service or repair fire protection equipment

(1) In this regulation –

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 4(1) of the *Mutual Recognition Act 1992* of the Commonwealth.

(2) Subject to this regulation, a person is taken to hold a 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 Chief Officer that the person holds deemed registration at least 14 days before that person carries on the restricted activity, or combination of restricted activities, in this State.

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Penalty: Fine not exceeding 10 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 Chief Officer 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 within 14 days after the changes, in an approved form, notify the Chief Officer of those changes.

Penalty: Fine not exceeding 10 penalty units.

- (6) A person who is taken to hold a 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.

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Penalty: Fine not exceeding 10 penalty units.

- (7) If a person who is taken to hold a permit by virtue of holding deemed registration ceases to hold the deemed registration, the person is no longer taken to hold the 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 10 penalty units.

- (8) The Chief Officer may, at any time, request a person, who is taken to hold a permit by virtue of holding deemed registration, to provide the Chief Officer with any information that the Chief Officer 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 8, 9, 10 and 11 do not apply to a person who is taken to hold a permit by virtue of holding deemed registration.

6. Regulation 13 amended (Appeal)

Regulation 13 of the Principal Regulations is amended by omitting "regulation 8, 9, 11 or 12" and substituting "regulation 7A, 8, 9, 11 or 12".

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 26 June 2024.

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 amend the *General Fire Regulations 2021* to enable certain persons to be taken to hold a permit to install, routinely service or repair fire protection equipment by virtue of the person holding an entitlement to automatic deemed registration, within the meaning of the *Mutual Recognition Act 1992* of the Commonwealth.