



Queensland

This is a working draft provided for consultation purposes. It is subject to review and drafting changes will be made in the course of finalising the draft.

# Disaster Management and Other Legislation Amendment Bill 2024

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**2024**

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**A Bill**

for

***An Act to amend the *Disaster Management Act 2003*, the *Disaster Management Regulation 2014*, the *Fire and Emergency Services Act 1990*, the *Queensland Reconstruction Authority Act 2011* and the legislation mentioned in schedule 1 for particular purposes***

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[s 1]

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**The Parliament of Queensland enacts—**

## **Part 1 Preliminary**

### **1 Short title**

This Act may be cited as the *Disaster Management and Other Legislation Amendment Act 2024*.

### **2 Commencement**

This Act commences on a day to be fixed by proclamation.

## **Part 2 Amendment of Disaster Management Act 2003**

### **3 Act amended**

This part amends the *Disaster Management Act 2003*.

## **Part 3 Amendment of Disaster Management Regulation 2014**

### **4 Act amended**

This part amends the *Disaster Management Regulation 2014*.

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## Part 4                      **Amendment of Fire and Emergency Services Act 1990**

### 5            **Act amended**

This part amends the *Fire and Emergency Services Act 1990*.

*Note—*

See also the amendments in schedule 1.

### 6            **Amendment of long title**

Long title, ‘Queensland Fire and Emergency Service’—

*omit, insert—*

**Fire and Rescue Service and Rural Fire  
Service**

### 7            **Amendment of s 1 (Short title)**

Section 1, ‘*Fire and Emergency Services Act 1990*’—

*omit, insert—*

*Fire Services Act 1990*

### 8            **Amendment of s 2 (Objects of Act)**

Section 2(c)—

*omit, insert—*

(c) to establish a framework for the operation and management of the Fire and Rescue Service and the Rural Fire Service.

### 9            **Insertion of new s 2A**

After section 2—

*insert—*

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[s 10]

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## **2A How objects are to be achieved**

The objects of the Act are to be achieved by establishing processes to ensure—

- (a) on-going operational and strategic collaboration and coordination between the Fire and Rescue Service and the Rural Fire Service; and
- (b) recognition of the valuable role of volunteers in supporting the delivery of fire and emergency services in the State.

### **10 Amendment of ch 2, hdg (Commissioner)**

Chapter 2, heading, after ‘Commissioner’—  
*insert—*

**and chief fire officer**

### **11 Insertion of new ch 2, pt 1, hdg**

Chapter 2—  
*insert—*

## **Part 1 Commissioner**

### **12 Amendment of s 5 (Appointment of commissioner)**

(1) Section 5—

*insert—*

(1A) A person is eligible for appointment as commissioner only if the person has—

- (a) professional firefighting experience; and
- (b) incident control expertise; and
- (c) fire prevention expertise.

(2) Section 5(1A) and (2)—

---

*renumber* as section 5(2) and (3).

**13 Amendment of s 7A (Functions of commissioner)**

(1) Section 7A(1)—

*omit, insert—*

(1) The main functions of the commissioner are—

- (a) to manage the fire services in a way that ensures each fire service performs its functions under this Act effectively and efficiently; and
- (b) to make recommendations to the Minister about any matter that—
  - (i) relates to the performance of functions or exercise of powers by the commissioner or the fire services; or
  - (ii) may help the Minister in the proper administration of this Act.

(1A) Without limiting subsection (1), the commissioner also has the following functions—

- (a) to decide the appropriate organisational structure of the fire services;
- (b) to control and oversee the resources of the fire services;
- (c) to decide the number and deployment of fire service officers and rural fire brigade members;
- (d) to decide the qualifications for fire service officers and the duties of the officers;
- (e) to be responsible for organising training and development of fire service officers and rural fire brigade members;

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- (f) to facilitate integration of the fire services for the purpose of continuity of service delivery;
- (g) to decide the dress or appearance of fire service officers and rural fire brigade members;
- (h) to decide the number and location of the fire services' facilities;
- (i) to monitor the performance and management of the fire services;
- (j) to report regularly to the Minister on the capability of the fire services to perform their functions under this Act;
- (k) to report to the Minister on the functions performed by the chief fire officer in each reporting period under section 7J.

- (2) Section 7A(1A) and (2)—  
*renumber* as section 7A(2) and (3).

**14 Insertion of new 7AA**

After section 7A—

*insert*—

**7AA Commissioner's directions**

- (1) The commissioner may give a direction if the commissioner considers it necessary or convenient to give the direction to ensure the efficient and proper functioning of the fire services.
- (2) A direction under subsection (1)—
  - (a) may be written or oral; and
  - (b) may apply to all or any of the following persons—

- (i) the chief fire officer;
- (ii) the deputy commissioner;
- (iii) the chief officer;
- (iv) fire service officers;
- (v) rural fire brigade members.

**15 Insertion of new ch 2, pt 2**

Chapter 2—

*insert—*

**Part 2 Chief fire officer**

**Division 1 Appointment of chief fire officer**

**7C Appointment**

- (1) The commissioner is to appoint a chief fire officer.
- (2) A person is eligible for appointment as chief fire officer only if the person has—
  - (a) professional firefighting experience; and
  - (b) incident control expertise; and
  - (c) fire prevention expertise.
- (3) The chief fire officer is to be employed under this Act and not the *Public Sector Act 2022*.

**7D Conditions of appointment**

The chief fire officer holds office on any conditions stated in the person's contract of employment.

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### **7E Resignation**

The chief fire officer may, at any time, resign office as chief fire officer by signed notice given to the commissioner.

### **7F Acting chief fire officer**

The commissioner may appoint a person, who is eligible for appointment as chief fire officer, to act in the office of chief fire officer during—

- (a) any vacancy, or all vacancies, in the office; or
- (b) any period, or all periods, when the chief fire officer is absent from duty, or can not, for another reason, perform the functions of the office.

### **7G Functions**

- (1) The functions of the chief fire officer are—
  - (a) to provide advice to the commissioner about the fire services, including matters relating to service delivery, integration of the fire services, operational culture, best practice and innovation and research; and
  - (b) to perform a function given to the chief fire officer by the commissioner that is substantially the same as a function mentioned in paragraph (a); and
  - (c) to perform other functions given to the chief fire officer under this or another Act.
- (2) The chief fire officer is subject to the direction of the commissioner in performing the chief fire officer's functions under this Act.



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## 7H Preservation of rights

- (1) This section applies if a public service officer is appointed as the chief fire officer.
- (2) The person keeps all rights accrued or accruing to the person as a public service officer as if service as the chief fire officer were a continuation of service as a public service officer.
- (3) At the end of the person's term of office or resignation as the chief fire officer, the person's service as the chief fire officer is taken to be service of a like nature in the public service for deciding the person's rights as a public service officer.

## Division 2 General matters

### 7I Providing assistance to chief fire officer

- (1) The fire services must give the chief fire officer all reasonable assistance the chief fire officer requires to perform the chief fire officer's functions.
- (2) Without limiting subsection (1), if the chief fire officer asks for information held by a fire service that relates to the chief fire officer's functions, the fire service must give the information.

### 7J Reporting requirements

- (1) Within 30 days after the end of each reporting period, the chief fire officer must prepare a report on the functions performed by the chief fire officer during the reporting period and give the report to the commissioner.
- (2) In this section—  
*reporting period* means—

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- (a) the period prescribed by regulation for this definition; or
- (b) if no period is prescribed—each quarter in a financial year.

**16 Replacement of ch 3, hdg (Queensland Fire and Emergency Service)**

Chapter 3, heading—

*omit, insert—*

**Chapter 3 Fire services**

**17 Amendment of ch 3, pt 1, hdg (Establishment, membership and functions)**

Chapter 3, part 1, heading, ‘and functions’—

*omit, insert—*

**, functions and powers**

**18 Replacement of ss 8 and 8A**

Sections 8 and 8A—

*omit, insert—*

**8 Establishment**

- (1) Fire and Rescue Service (***FRS***) is established.
- (2) Rural Fire Service (***RFS***) is established.
- (3) Each of FRS and RFS is a ***fire service***.
- (4) FRS and RFS are collectively called ***the fire services***.

**8A Membership**

- (1) FRS consists of the following persons—

- 
- (a) the commissioner;
  - (b) the deputy commissioner;
  - (c) fire service officers assigned to FRS by the commissioner.
- (2) RFS consists of the following entities—
- (a) the commissioner;
  - (b) the chief officer;
  - (c) fire service officers assigned to RFS by the commissioner;
  - (d) rural fire brigades;
  - (e) rural fire brigade members.

**19 Amendment of s 8B (Functions of QFES)**

- (1) Section 8B, heading, after ‘Functions’—

*omit, insert—*

**and powers**

- (2) Section 8B, ‘QFES’—

*omit, insert—*

the fire services

- (3) Section 8B(b), ‘QFES’ s’—

*omit, insert—*

the fire services’

- (4) Section 8B—

*insert—*

- (da) to provide services, and give help reasonably requested, in an emergency or other situation, as required of a member of the fire services under any Act or law or the reasonable expectation of the community; and

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- (5) Section 8B(f), ‘its other functions’—  
*omit, insert—*  
the other functions of each of the fire services
- (6) Section 8B(da) to (g)—  
*renumber* as section 8B(e) to (h).
- (7) Section 8B—  
*insert—*
  - (2) The fire services have the power to do anything necessary or convenient to be done for the performance of the functions of the fire services.

*Note—*  
See also chapter 4 for additional functions of RFS.

**20 Insertion of new ch 3, pt 2**

Chapter 3—

*insert—*

**Part 2 Deputy commissioner**

**9 Appointment**

- (1) The commissioner is to appoint a deputy commissioner.
- (2) A person is eligible for appointment as deputy commissioner if the person has—
  - (a) professional firefighting experience; and
  - (b) incident control expertise; and
  - (c) fire prevention expertise.
- (3) The deputy commissioner is to be employed under this Act and not the *Public Sector Act 2022*.

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## 10 Conditions of appointment

The deputy commissioner holds office on any conditions stated in the person's contract of employment.

## 11 Resignation

The deputy commissioner may, at any time, resign office as deputy commissioner by signed notice given to the commissioner.

## 12 Acting deputy commissioner

The commissioner may appoint a person, who is eligible for appointment as deputy commissioner, to act in the office of deputy commissioner during—

- (a) any vacancy, or all vacancies, in the office; or
- (b) any period, or all periods, when the deputy commissioner is absent from duty, or can not, for another reason, perform the functions of the office.

## 13 Functions

- (1) The functions of the deputy commissioner are—
  - (a) to support the commissioner in the performance of the commissioner's functions; and
  - (b) to manage the service delivery of FRS to ensure the effectiveness and efficiency of FRS; and
  - (c) to ensure the development of the capability of FRS, including the systems, frameworks and resources required to support the delivery of services; and

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- (d) to ensure minimum standards and training for fire service officers assigned to FRS are in place to the satisfaction of the commissioner; and
  - (e) to perform any other function given to the deputy commissioner by the commissioner.
- (2) The deputy commissioner is subject to the direction of the commissioner in performing the deputy commissioner's functions under this Act.

#### **14 Preservation of rights**

- (1) This section applies if a public service officer is appointed as the deputy commissioner.
- (2) The person keeps all rights accrued or accruing to the person as a public service officer as if service as the deputy commissioner were a continuation of service as a public service officer.
- (3) At the end of the person's term of office or resignation as the deputy commissioner, the person's service as the deputy commissioner is taken to be service of a like nature in the public service for deciding the person's rights as a public service officer.

#### **21 Amendment, relocation and renumbering of s 20 (Fund)**

- (1) Section 20(3), 'financial-institution'—  
*omit, insert—*  
financial institution
- (2) Section 20(4)(a), 'part 10'—  
*omit, insert—*  
division 3
- (3) Section 20(5)(b), 'QFES'—

---

*omit, insert—*

the fire services

- (4) Section 20(7), definition *departmental financial-institution account*, ‘financial-institution’—

*omit, insert—*

***financial institution***

- (5) Section 20—

*relocate* to chapter 5, part 3A, division 2, as inserted by this Act, and *renumber* as section 152F.

## **22 Replacement of s 25 (Staff of QFES)**

Section 25—

*omit, insert—*

### **25 Staff**

- (1) The commissioner may employ the persons the commissioner considers necessary to perform the fire services’ functions.
- (2) Without limiting subsection (1), the commissioner may employ the number of executive officers as is necessary for the effective administration of the Act and the performance of the fire services’ functions.
- (3) However, the commissioner may employ a person as an executive officer under this section only if the commissioner is satisfied the person has—
  - (a) for a person to be employed as an executive officer in FRS—
    - (i) professional firefighting experience; and
    - (ii) incident control expertise; and
    - (iii) fire prevention expertise; or

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- (b) for a person to be employed as an executive officer in RFS—
  - (i) rural firefighting experience; or
  - (ii) rural incident control expertise; or
  - (iii) rural fire prevention expertise.
- (4) In this section—

*executive officer* means a person employed in a role equivalent to that of a senior executive under the *Public Sector Act 2022*, section 188.

**23 Omission of ch 3, pt 4A (Emergency Services Advisory Council)**

Chapter 3, part 4A—  
*omit.*

**24 Relocation and renumbering of ch 3, pt 6 (Powers of authorised fire officers)**

- (1) Chapter 3, part 6—  
*relocate* to chapter 4B, as inserted by this Act, and *renumber* as part 1 of that chapter.
- (2) Sections 52 to 60A—  
*renumber* as sections 149J to 149ZB.

**25 Relocation and renumbering of ch 3, pt 6A (Powers of investigation officers)**

- (1) Chapter 3, part 6A—  
*relocate* to chapter 4B, as inserted by this Act, and *renumber* as part 2 of that chapter.
- (2) Sections 60B to 60Q—  
*renumber* as sections 149ZC to 149ZR.



**26 Replacement of ch 3, pt 7, div 1, hdg (Powers of commissioner relating to fires)**

Chapter 3, part 7, division 1, heading—

*omit, insert—*

**Division 1 Control and prevention of fires**

**27 Relocation and renumbering of ch 3, pt 7, div 1 (Powers of commissioner relating to fires)**

(1) Chapter 3, part 7, division 1, as amended—

*relocate* to chapter 4A, as inserted by this Act, and *renumber* as part 1 of that chapter.

(2) Sections 61 to 74—

*renumber* as sections 145E to 145R.

**28 Amendment of s 75 (Chief fire wardens and fire wardens)**

(1) Section 75(2)—

*omit, insert—*

(2) The commissioner may appoint a person to be a chief fire warden or fire warden (each a ***relevant fire warden***) only if the commissioner is satisfied the person is appropriately qualified to perform the functions and exercise the powers of a relevant fire warden.

(2A) Subject to subsection (4)—

(a) a relevant fire warden holds office for the term and on the conditions stated in the relevant fire warden's instrument of appointment; and

(b) without limiting paragraph (a), the instrument of appointment must state the geographical area in which the relevant fire

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warden can perform the relevant fire warden's functions or exercise the relevant fire warden's powers.

- (2) Section 75(4), 'QFES'—

*omit, insert—*

the fire services

- (3) Section 75(6), 'subsection (3)(b)'—

*omit, insert—*

subsection (4)(b)

- (4) Section 75(2A) to (6)—

*renumber* as section 75(3) to (7).

**29 Amendment of s 76 (Powers and functions)**

Section 76(2)—

*omit, insert—*

- (2) Without limiting section 7AA, the commissioner may direct a chief fire warden or fire warden—
- (a) in the performance of the chief fire warden's or fire warden's functions; and
  - (b) to perform functions in addition to those conferred by this Act.

**30 Replacement of s 77 (Expenses)**

Section 77—

*omit, insert—*

**77 Resignation**

A chief fire warden or fire warden may, at any time, resign office as chief fire warden or fire warden by signed notice given to the commissioner.

**31 Relocation and renumbering of ch 3, pt 7, div 2 (Fire wardens)**

- (1) Chapter 3, part 7, division 2—  
*relocate* to chapter 4, as inserted by this Act, and *renumber* as part 4 of that chapter.
- (2) Sections 75 to 78—  
*renumber* as sections 137 to 140.

**32 Amendment of s 79 (Formation of rural fire brigade)**

- (1) Section 79, heading, ‘Formation’—  
*omit, insert—*

**Registration**

- (2) Section 79(1), ‘for registration’—  
*omit, insert—*

to register an entity

- (3) Section 79(2)—  
*insert—*

*Note—*

If an application for registration of an entity as a rural fire brigade is granted, each person in the group who applied for registration is not necessarily a member of the rural fire brigade.

**33 Replacement of s 80 (Rural fire brigade may make rules)**

Section 80—

*omit, insert—*

**80 Appointment of rural fire brigade members**

- (1) The commissioner may appoint a person as a member of a rural fire brigade.
- (2) A rural fire brigade member—

working draft for consultation

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- (a) is appointed on the terms stated in the instrument of appointment; and
- (b) may resign the appointment by signed notice given to the commissioner.

### **80A Rules for rural fire brigades**

- (1) The commissioner may make model rules for the proper management and operation of rural fire brigades.
- (2) A rural fire brigade may, with the written approval of the commissioner, make a rule that is additional to the model rules.
- (3) An additional rule under subsection (3) must not be inconsistent with this Act or the model rules.
- (4) A rural fire brigade's rules are the model rules and any additional rules approved by the commissioner.
- (5) A rural fire brigade and its members must comply with the rural fire brigade's rules.

### **34 Amendment of s 81 (Officers of rural fire brigade)**

- (1) Section 81, heading, after 'Officers'—

*insert—*

#### **and office bearers**

- (2) Section 81—

*insert—*

- (2A) A rural fire brigade may elect any member of the brigade to be the chairperson, secretary or treasurer of the brigade (each an *office bearer*).

- (3) Section 81(4), after 'office'—

*insert—*

, or is an office bearer,

(4) Section 81(5)—

*omit, insert—*

(5) The commissioner may do either or both of the following in relation to a person—

- (a) dismiss the person from an office held with, or as an office bearer of, a rural fire brigade;
- (b) disqualify the person from holding any office with, or being an office bearer of, a rural fire brigade.

(5) Section 81(2A) to (5)—

*renumber* as section 81(3) to (6).

### **35 Amendment of s 82 (Functions of a rural fire brigade)**

Section 82(1)—

*omit, insert—*

(1) The functions of a rural fire brigade are—

- (a) to carry out fire fighting and fire prevention; and
- (b) to use fire for hazard reduction; and
- (c) to perform other activities to help communities or other entities prepare for, respond to, and enhance resilience to, an event or a disaster; and
- (d) to perform activities to raise the profile of RFS, promote bushfire safety or raise funds to support rural fire brigades in the performance of the brigades' other functions; and
- (e) to provide services or assistance by a member of the brigade if required by any

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Act or the reasonable expectations of the community; and

- (f) to perform any other function given to the brigade by the commissioner.

**36 Insertion of new s 83A**

After section 83—

*insert—*

**83A Appointment of person in charge**

- (1) The commissioner may appoint a person as the person in charge of operations for controlling and extinguishing a fire, or for controlling another incident, if the commissioner considers it appropriate and necessary in the circumstances.
- (2) The appointment may be—
  - (a) written or oral; and
  - (b) for the duration of an event or for a stated or indefinite period.
- (3) The appointment of a person as the person in charge ends—
  - (a) for an appointment for the duration of an event—at the end of the event; or
  - (b) for an appointment for a stated period—at the end of the stated period; or
  - (c) for an appointment for an indefinite period—when the commissioner gives the person notice that the appointment has ended.
- (4) The person in charge of operations for controlling and extinguishing a fire has the powers of the first officer of a rural fire brigade under section 145A(1)(a) and (b).
- (5) Section 145A(2) applies to the person in charge as

if a reference in the subsection to the first officer of a rural fire brigade were a reference to the person in charge.

- (6) Any person performing a function or exercising a power under this section must comply with—
- (a) any relevant code of practice; and
  - (b) any direction given by the commissioner.

**37 Omission of s 85 (Commissioner’s role relating to rural fire brigades)**

Section 85—

*omit.*

**38 Relocation and renumbering of ch 3, pt 7, div 3 (Rural fire brigades)**

- (1) Chapter 3, part 7, division 3—

*relocate* to chapter 4, as inserted by this Act, and *renumber* as part 5 of that chapter.

- (2) Sections 79 to 86—

*renumber* as sections 141 to 145D.

**39 Relocation and renumbering of ch 3, pt 8 (Fire emergency)**

- (1) Chapter 3, part 8—

*relocate* to chapter 4A, as inserted by this Act, and *renumber* as part 2 of that chapter.

- (2) Sections 86A to 93—

*renumber* as sections 145S to 146E.

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**40 Relocation and renumbering of ch 3, pt 9 (Off-site plans for dangerous goods)**

- (1) Chapter 3, part 9—  
*relocate* to chapter 4A, as inserted by this Act, and *renumber* as part 3 of that chapter.
- (2) Sections 95 to 104—  
*renumber* as sections 146F to 146O.

**41 Amendment of s 104S (Regulations relating to this part)**

- (1) Section 104S, after ‘with respect to’—  
*insert—*  
any of the following
- (2) Section 104S(a) and (d)(i), after ‘building’—  
*insert—*  
or in a hazardous materials emergency
- (3) Section 104S(d)(ii), from ‘fire or’—  
*omit, insert—*  
fire or in a hazardous materials emergency or to take specified action in the event of fire threatening a building or in a hazardous materials emergency;
- (4) Section 104S(f), after ‘generally’—  
*insert—*  
or hazardous materials emergencies
- (5) Section 104S(g), after ‘building’—  
*insert—*  
or in a hazardous materials emergency



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- 42 Relocation and renumbering of ch 3, pt 9A (Building fire safety)**
- (1) Chapter 3, part 9A—  
*relocate* to chapter 4A, as inserted by this Act, and *renumber* as part 4 of that chapter.
- (2) Sections 104A to 104S—  
*renumber* as sections 146P to 148R.
- 43 Relocation and renumbering of ch 3, pt 9B (Review of notices)**
- (1) Chapter 3, part 9B—  
*relocate* to chapter 4A, as inserted by this Act, and *renumber* as part 5 of that chapter.
- (2) Sections 104SB to 104SK—  
*renumber* as sections 148S to 148Y.
- 44 Relocation and renumbering of ch 3, pt 10, div 1 (Interpretation)**
- (1) Chapter 3, part 10, division 1—  
*relocate* to chapter 5, part 3A, as inserted by this Act, and *renumber* as division 1 of that part.
- (2) Section 105—  
*renumber* as section 152E.
- 45 Amendment of s 107 (Liability to contribute)**
- (1) Section 107(1), (2), (3) and (5), ‘part’—  
*omit, insert*—  
division
- (2) Section 107(1)(b), ‘section 20(5)(b)’—  
*omit, insert*—

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section 152F(5)(b)

- (3) Section 107(3), ‘section 105(1)’—

*omit, insert*—

section 152E(1)

- (4) Section 107(5), ‘fire services’—

*omit, insert*—

a service consistent with the objects of this Act

**46 Relocation and renumbering of ch 3, pt 10, divs 2 and 3**

- (1) Chapter 3, part 10, divisions 2 and 3—

*relocate* to chapter 5, part 3A, as inserted by this Act, and *renumber* as divisions 3 and 4 of that part.

- (2) Sections 106 to 128A—

*renumber* as sections 152G to 152ZD.

**47 Relocation and renumbering of ch 3, pt 11 (Charges for services)**

- (1) Chapter 3, part 11—

*relocate* to chapter 4A, as inserted by this Act, and *renumber* as part 6 of that chapter.

- (2) Sections 128B to 128L—

*renumber* as sections 148Z to 149I.

**48 Insertion of new ch 4**

After section 128L—

*insert*—

**Chapter 4 Rural fire service**

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## **Part 1                    Functions**

### **129 Additional functions of RFS**

RFS has the following functions, in addition to the functions for RFS mentioned in section 8B—

- (a) to control and prevent bushfires;
- (b) to investigate bushfires;
- (c) to manage chief fire wardens and fire wardens;
- (d) to manage the administration of the granting of notifications, notices and permits under this Act for the lighting of fires;
- (e) to manage rural fire brigades;
- (f) to support other entities providing emergency services to help communities respond to and recover from disasters;
- (g) to perform other functions given to RFS by the commissioner.

## **Part 2                    RFS advisory                                  committee**

### **130 Establishment and membership of RFS advisory committee**

- (1) The RFS advisory committee is established.
- (2) The Minister must appoint the members of the RFS advisory committee in consultation with the chief officer.
- (3) The RFS advisory committee has the function of advising the chief officer on matters relating to the performance of the functions of RFS,

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including the administration and management of rural fire brigades.

- (4) A member of the RFS advisory committee holds the member's appointment on the conditions decided by the Minister.
- (5) To remove any doubt, it is declared that the RFS advisory committee is not a decision-making body.

## **Part 3                    Chief officer**

### **131 Appointment**

- (1) The commissioner is to appoint a chief officer.
- (2) A person is eligible for appointment as chief officer only if the person has—
  - (a) rural firefighting experience; or
  - (b) rural incident control expertise; or
  - (c) rural fire prevention expertise.
- (3) The chief officer is to be employed under this Act and not the *Public Sector Act 2022*.

### **132 Conditions of appointment**

The chief officer holds office on any conditions stated in the person's contract of employment.

### **133 Resignation**

The chief officer may, at any time, resign office as chief officer by signed notice given to the commissioner.

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### **134 Acting chief officer**

The commissioner may appoint a person, who is eligible for appointment as chief officer, to act in the office of chief officer during—

- (a) any vacancy, or all vacancies, in the office; or
- (b) any period, or all periods, when the chief officer is absent from duty, or can not, for another reason, perform the functions of the office.

### **135 Functions**

- (1) The functions of the chief officer are—
  - (a) to support the commissioner in the performance of the commissioner's functions; and
  - (b) to manage the service delivery of RFS, including fire service officers assigned to RFS, to ensure the effectiveness and efficiency of RFS; and
  - (c) to ensure the development of the capability of RFS, including the systems, frameworks and resources required to support the delivery of services; and
  - (d) to ensure minimum standards and training for fire service officers assigned to RFS, and for rural fire brigade members, are in place to the satisfaction of the commissioner; and
  - (e) to perform any other function given to the chief officer by the commissioner.
- (2) The chief officer is subject to the direction of the commissioner in performing the chief officer's functions under this Act.

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### **136 Preservation of rights**

- (1) This section applies if a public service officer is appointed as the chief officer.
- (2) The person keeps all rights accrued or accruing to the person as a public service officer as if service as the chief officer were a continuation of service as a public service officer.
- (3) At the end of the person's term of office or resignation as the chief officer, the person's service as the chief officer is taken to be service of a like nature in the public service for deciding the person's rights as a public service officer.

#### **49 Insertion of new ch 4A, hdg**

After section 145D, as renumbered by this Act—

*insert—*

### **Chapter 4A Fire safety, emergencies and dangerous goods**

#### **50 Insertion of new ch 4B, hdg**

After section 149I, as renumbered by this Act—

*insert—*

### **Chapter 4B Investigation and enforcement**

#### **51 Amendment of s 150B (False calls)**

- (1) Section 150B(1)(a), 'QFES'—

*omit, insert—*

FRS

- 
- (2) Section 150B(1)(b), after ‘fire’—  
*insert—*  
or of a hazardous materials emergency
- (3) Section 150B(2), example, ‘QFES’—  
*omit, insert—*  
FRS
- (4) Section 150B(4), definition *fire and emergency service*, ‘QFES’—  
*omit, insert—*  
FRS
- (5) Section 150B(4), note—  
*omit.*

**52 Amendment of s 150G (Impersonating officer or member)**

- (1) Section 150G(1)—  
*insert—*
- (c) a fire officer; or
  - (d) an authorised fire officer; or
  - (e) an investigation officer.
- (2) Section 150G(2)—  
*omit.*

**53 Replacement of s 150H (Using restricted expressions)**

Section 150H—

*omit, insert—*

**150H Using restricted expressions etc.**

- (1) A person must not, unless the person has a reasonable excuse—

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- (a) use a restricted expression without the commissioner's written approval or in contravention of a condition imposed on the approval—
    - (i) in, or as, the name of a business carried on by the person; or
    - (ii) to advertise or otherwise promote goods or services provided by the person; or
    - (iii) to raise funds, whether for the fire services or another entity; or
  - (b) use the expression 'Fire and Rescue Service', 'Rural Fire Service', 'FRS' or 'RFS', or a similar expression, in a way that suggests the person is a fire service officer if the person is not a fire service officer; or
  - (c) use the expression 'rural fire brigade', or a similar expression, in a way that suggests the person is a rural fire brigade member if the person is not a rural fire brigade member.
- Maximum penalty—40 penalty units.
- (2) An approval to use a restricted expression may be—
    - (a) given on conditions the commissioner considers appropriate; and
    - (b) amended, suspended or cancelled by the commissioner.
  - (3) In this section—

***restricted expression*** means any of the following expressions—

    - (a) 'Fire and Rescue Service';
    - (b) 'Rural Fire Service';



- (c) 'FRS';
- (d) 'RFS';
- (e) 'rural fire brigade';
- (f) another expression that includes an expression mentioned in paragraph (a) to (e).

**54 Amendment of s 151I (Appointments and authority)**

- (1) Section 151I(1)—

*insert—*

- (aa) the chief fire officer;
- (ab) the deputy commissioner;
- (ac) the chief officer;

- (2) Section 151I(1)—

*insert—*

- (ea) a rural fire brigade member;

- (3) Section 151I(1)(aa) to (g)—

*renumber* as section 151I(1)(b) to (k).

- (4) Section 151I(2), note—

*omit.*

**55 Amendment of s 152D (Interstate assistance at QFES incident)**

- (1) Section 152D, heading, 'QFES incident'—

*omit, insert—*

**fire services incident**

- (2) Section 152D(1)(b), (2)(a) and (3), 'QFES incident'—

*omit, insert—*

fire services incident

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- (3) Section 152D(4), definition *person in charge*, ‘QFES incident’—

*omit, insert—*

fire services incident

- (4) Section 152D(4), definition *QFES incident*—

*omit.*

- (5) Section 152D(4)—

*insert—*

***fire services incident*** means an incident for which the fire services are performing a function mentioned in section 8B or 129.

**56 Insertion of new ch 5, pt 3A, hdg**

Chapter 5—

*insert—*

**Part 3A Financial provisions**

**57 Insertion of new ch 5, pt 3A, div 2, hdg**

Chapter 5, part 3A, as inserted by this Act—

*insert—*

**Division 2 Emergency management fund**

**58 Amendment of s 154E (Regulation-making power)**

- (1) Section 154E(2), ‘Without limiting subsection (1), a regulation’—

*omit, insert—*

A regulation

- (2) Section 154E(2)—

*insert—*

(aa) matters relating to the management and administration of the fire services;

(3) Section 154E(2)(aa) to (f)—

*renumber* as section 154E(2)(b) to (g).

**59 Replacement of ch 5, pt 5, hdg (Savings and transitional provisions)**

Chapter 5, part 5, heading—

*omit, insert—*

**Chapter 6 Transitional provisions**

**60 Omission of ch 5, pt 5, divs 1–7**

Chapter 5, part 5, divisions 1 to 7—

*omit.*

**61 Replacement of ch 5, pt 5, div 8, hdg (Transitional provisions for Crime and Corruption and Other Legislation Amendment Act 2018)**

Chapter 5, part 5, division 8, heading—

*omit, insert—*

**Part 1 Transitional provisions for Crime and Corruption and Other Legislation Amendment Act 2018**

working draft for consultation

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**62 Replacement of ch 5, pt 5, div 9, hdg and ch 5, pt 5, div 9, sdiv 1, hdg**

Chapter 5, part 5, division 9, heading and chapter 5, part 5, division 9, subdivision 1, heading—

*omit, insert—*

**Part 2 Transitional provisions  
for Police Service  
Administration and  
Other Legislation  
Amendment Act 2023**

**Division 1 Amendments commencing  
on assent**

**63 Replacement of ch 5, pt 5, div 9, sdiv 2, hdg  
(Amendments commencing by proclamation)**

Chapter 5, part 5, division 9, subdivision 2, heading—

*omit, insert—*

**Division 2 Amendments commencing  
by proclamation**

**64 Replacement of ch 5, pt 5, div 10, hdg (Transitional  
provisions for Public Sector Act 2022)**

Chapter 5, part 5, division 10, heading—

*omit, insert—*

**Part 3 Transitional provisions  
for Public Sector Act  
2022**

**65 Amendment of s 211 and 212**

Sections 211 and 212, ‘division’—

*omit, insert*—

part

**66 Insertion of new ch 6, pt 4**

Chapter 6, as inserted by this Act—

*insert*—

**Part 4 Transitional provisions  
for Disaster  
Management and Other  
Legislation  
Amendment Act 2024**

**221 Definitions for part**

In this part—

*amending Act* means the *Disaster Management and Other Legislation Amendment Act 2024*.

*previous*, in relation to a provision of this Act, means the provision as in force immediately before the commencement.

**222 Eligibility requirements for existing commissioner**

(1) Previous section 5 continues to apply to the existing commissioner, while the existing commissioner remains in office, as if this Act had not been amended by the amending Act.

(2) In this section—

*existing commissioner* means the person who was in office as the commissioner immediately

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before the commencement.

### **223 Deputy commissioner**

- (1) This section applies to the person appointed as the deputy commissioner if the person was employed in an equivalent role under this Act immediately before the commencement on a contract of employment (the *current contract of employment*).
- (2) The person continues to be employed under this Act on the same terms of appointment that applied to the person immediately before the commencement.
- (3) Section 9(2) does not apply to the person until the person's current contract of employment ends.

### **224 Chief officer**

- (1) This section applies to the person appointed as the chief officer if the person was employed in an equivalent role under this Act immediately before the commencement on a contract of employment (the *current contract of employment*).
- (2) The person continues to be employed under this Act on the same terms of appointment that applied to the person immediately before the commencement.
- (3) Section 131(2) does not apply to the person until the person's current contract of employment ends.

### **225 Continued application of previous s 25 in particular circumstances**

- (1) This section applies to a person employed under this Act immediately before the commencement in a role equivalent to that of a senior executive under the *Public Sector Act 2022*, section 188.

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- (2) Previous section 25 continues to apply to the person while the person is employed in that role under the person's contract of employment in effect on the commencement as if this Act had not been amended by the amending Act.

### **226 Existing chief fire wardens and fire wardens**

- (1) This section applies to a person who holds office as a chief fire warden or fire warden immediately before the commencement.
- (2) The person continues to hold office as chief fire warden or fire warden for the term and on the conditions stated in the person's instrument of appointment.
- (3) Subsection (2) does not affect the power of the commissioner under this Act to change the person's term or conditions of appointment.
- (4) If the commissioner changes the person's term or conditions of appointment by amending the person's instrument of appointment, section 137(3) applies to the person as if a reference in section 137(3) to the instrument of appointment were a reference to the amended instrument of appointment.

### **227 Existing rural fire brigades**

A rural fire brigade in existence immediately before the commencement continues as a rural fire brigade and is a part of RFS.

### **228 Existing members of rural fire brigades**

A person who was a member of a rural fire brigade immediately before the commencement continues as a member of the rural fire brigade until the first of the following happens—

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- (a) the commissioner terminates the appointment of the person as a member of the rural fire brigade;
- (b) the person resigns by signed notice given to the commissioner.

### **229 Existing rules for rural fire brigades**

- (1) This section applies if a rural fire brigade has made rules under previous section 80.
- (2) The rules continue to have effect until the first of the following happens—
  - (a) the rural fire brigade adopts the model rules;
  - (b) the rural fire brigade amends the model rules to add any additional rules under section 143(3);
  - (c) the day that is 6 months after the commencement.
- (3) If the rural fire brigade fails to adopt or amend the model rules by the day that is 6 months after the commencement, the brigade is taken to have adopted the model rules on that day.

### **230 Particular elected officers of rural fire brigade continue in office**

- (1) This section applies if a rural fire brigade elected an officer under previous section 81(2) to be the chairperson, secretary or treasurer of the brigade (however the office is called) and the officer holds the office immediately before the commencement.
- (2) On the commencement, the person is taken to have been elected under section 144(3) to hold the equivalent office for the rural fire brigade.



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**231 Delayed commencement in relation to prohibition on particular use of restricted expressions**

- (1) On the commencement, section 150H(1)(a) does not apply to the use of a restricted expression mentioned in subsection (3) of that section.
- (2) However, section 150H(1)(a) starts applying to the use of a restricted expression on the day that is 1 year after the commencement.
- (3) In this section—  
*restricted expression* see section 150H(3).

**232 Continued application of applicable transitional provisions**

- (1) An applicable transitional provision continues to apply despite its repeal by the amending Act.
- (2) This section does not limit the *Acts Interpretation Act 1954*, section 20.
- (3) In this section—  
*applicable transitional provision* means any of the following provisions—
  - (a) previous section 155;
  - (b) previous section 159;
  - (c) previous section 172;
  - (d) previous section 177;
  - (e) previous section 202.

**233 References to former QFES**

A reference in an Act or a document to QFES, whether it is referred to as QFES or Queensland Fire and Emergency Services, may, if the context permits, be taken to be a reference to FRS, RFS or

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the fire services.

**67 Amendment of sch 5 (Uses of buildings)**

Schedule 5—

*renumber* as schedule 1.

**68 Amendment of sch 6 (Dictionary)**

(1) Schedule 6, definitions *building* and *QFES*—

*omit*.

(2) Schedule 6—

*insert*—

***building***—

(a) generally, includes any wall, fence, bridge, dam, reservoir, wharf, jetty or other structure, whether temporary or permanent; and

(b) for chapter 4A, part 4 (other than division 5A) and schedule 1, see section 146P.

***chief fire officer*** means the person appointed as the chief fire officer under section 7C.

***chief fire warden*** means a person appointed by the commissioner as a chief fire warden under section 137.

***chief officer*** means the person appointed by the commissioner as the chief officer under section 131.

***deputy commissioner*** means the person appointed by the commissioner as the deputy commissioner under section 9.

***direction*** includes a doctrine, policy and procedure.

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**disaster** see the *Disaster Management Act 2003*, section 13.

**fire prevention expertise** means significant knowledge of and practical experience in fire prevention, including in relation to—

- (a) building fire safety; and
- (b) community education and enforcement; and
- (c) mitigation and prevention strategies in the built environment and rural environments that are susceptible to bushfires.

**fire service** see section 8(3).

**fire warden** means a person appointed by the commissioner as a fire warden under section 137.

**FRS** see section 8(1).

**incident control expertise** means significant knowledge of and practical experience in the control of—

- (a) incidents of large-scale structural fires and bushfires; and
- (b) incidents involving hazardous materials; and
- (c) specialist and technical rescues; and
- (d) responses to disasters.

**large-scale structural fire** means a fire that threatens the structural integrity of a commercial or industrial building or hazard storage facility.

**professional firefighting experience** means significant knowledge of and practical experience in—

- (a) responding to, combating and managing structural fires, bushfires, and incidents involving hazardous materials; and

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- (b) carrying out specialist and technical rescues;  
and
- (c) responding to and managing disasters.

**RFS** see section 8(2).

**rural fire brigade** means an entity registered as a rural fire brigade under section 141.

**rural fire brigade member** means a person appointed as a member of a rural fire brigade under section 142.

**rural firefighting experience** means significant knowledge of and practical experience in responding to, combating and managing bushfires.

**rural fire prevention expertise** means significant knowledge of and practical experience in mitigation and prevention of bushfires in rural environments that are susceptible to bushfires, including in relation to—

- (a) land management practices; and
- (b) community education and engagement.

**rural incident control expertise** means significant knowledge of and practical experience in the control of bushfires and disaster-related events.

**structural fire** means a fire that threatens the structural integrity of a building.

**the fire services** see section 8(4).

- (3) Schedule 6, definition *fire officer*, ‘the service’—  
*omit, insert—*  
a fire service
- (4) Schedule 6—  
*renumber* as schedule 2.

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**Part 5**                      **Amendment of Queensland  
Reconstruction Authority Act  
2011**

**69**      **Act amended**

This part amends the *Queensland Reconstruction Authority Act 2011*.

**Part 6**                      **Other amendments**

**70**      **Legislation amended**

Schedule 1 amends the legislation it mentions.

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## Schedule 1      Other amendments

section 70

### Ambulance Service Act 1991

- 1      **Section 53A—**  
*omit.*

### Anti-Discrimination Act 1991

- 1      **Section 106A(1)(h), ‘*Fire and Emergency Services Act 1990*’—**  
*omit, insert—*  
*Fire Services Act 1990*

### Body Corporate and Community Management (Accommodation Module) Regulation 2020

- 1      **Section 86(1)(g), ‘*Fire and Emergency Services Act 1990*’—**  
*omit, insert—*  
*Fire Services Act 1990*

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**Body Corporate and Community Management  
(Commercial Module) Regulation 2020**

**1 Section 54(1)(g), ‘Fire and Emergency Services Act  
1990’—**

*omit, insert—*

*Fire Services Act 1990*

**Body Corporate and Community Management (Small  
Schemes Module) Regulation 2020**

**1 Section 44(1)(g), ‘Fire and Emergency Services Act  
1990’—**

*omit, insert—*

*Fire Services Act 1990*

**Body Corporate and Community Management  
(Specified Two-lot Schemes Module) Regulation 2011**

**1 Section 67(2)(f), ‘Fire and Emergency Services Act  
1990’—**

*omit, insert—*

*Fire Services Act 1990*

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**Body Corporate and Community Management  
(Standard Module) Regulation 2020**

**1 Section 96(1)(g), ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

**Building Act 1975**

**1 Sections 27 and 63(a), ‘Fire and Emergency Services Act 1990, section 104FC’—**

*omit, insert—*

*Fire Services Act 1990, section 146Y*

**2 Sections 64(2), 74(2)(a) and (b) and (3), 79(3), 107(2)(c), 112(4) and 231AL(3)(a), ‘QFES’—**

*omit, insert—*

*Fire and Rescue Service*

**3 Section 229(4), definition *fire safety management plan guidelines*, ‘Fire and Emergency Services Act 1990, section 104FD’—**

*omit, insert—*

*Fire Services Act 1990, section 146Z*

**4 Schedule 2, definition *QFES*—**

*omit.*



**5 Schedule 2—**

*insert—*

*Fire and Rescue Service* means Fire and Rescue Service established under the *Fire Services Act 1990*, section 8.

**6 Schedule 2, definition *authorised officer*, paragraph (a), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**7 Schedule 2, definition *fire safety management plan*, ‘*Fire and Emergency Services Act 1990*, section 104FC’—**

*omit, insert—*

*Fire Services Act 1990*, section 146Y

## **Building Fire Safety Regulation 2008**

**1 Section 14(2), definition *clear floor surface area*, ‘*schedule 6 of the Fire Service Act*’—**

*omit, insert—*

the *Fire Services Act 1990*, schedule 2

**2 Section 20(a), ‘*section 104FA of the Fire Service Act*’—**

*omit, insert—*

the *Fire Services Act 1990*, section 146W

**3 Part 4, division 4, heading, ‘*Fire Service Act, s 104E*’—**

*omit, insert—*

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**Fire Services Act 1990, section 146U**

**4 Section 31, ‘section 104E of the Fire Service Act’—**

*omit, insert—*

the *Fire Services Act 1990*, section 146U

**5 Section 55B(1)(a), ‘Fire Service Act, section 104FA’—**

*omit, insert—*

*Fire Services Act 1990*, section 146W

**6 Section 71(1)(a), ‘section 104FA of the Fire Service Act’—**

*omit, insert—*

the *Fire Services Act 1990*, section 146W

**7 Section 71(1)(c)(i), ‘section 104E(1)(a) of the Fire Service Act’—**

*omit, insert—*

the *Fire Services Act 1990*, section 104U(1)(a)

**8 Section 75(3), definition *fire safety report*, paragraph (a), ‘section 69 of the Fire Service Act’—**

*omit, insert—*

the *Fire Services Act 1990*, section 145M

**9 Section 75(3), definition *fire safety report*, paragraph (b), ‘section 104G(1) of the Fire Service Act’—**

*omit, insert—*

the *Fire Services Act 1990*, section 147D(1)

- 
- 10 **Schedule 3, definition *building*, ‘section 104A of the Fire Service Act’—**  
*omit, insert—*  
the *Fire Services Act 1990*, section 146P
- 11 **Schedule 3, definition *fire safety system*, ‘schedule 6 of the Fire Service Act’—**  
*omit, insert—*  
the *Fire Services Act 1990*, schedule 2
- 12 **Schedule 3, definition *Fire Service Act*—**  
*omit.*
- 13 **Schedule 3, definition *high occupancy building*, paragraph (c), ‘section 104KD of the Fire Service Act’—**  
*omit, insert—*  
the *Fire Services Act 1990*, section 147L
- 14 **Schedule 3, definition *prescribed fire safety installation*, ‘104A of the Fire Service Act’—**  
*omit, insert—*  
the *Fire Services Act 1990*, section 146P

## Building Regulation 2021

- 1 **Section 88(2), ‘QFES’—**  
*omit, insert—*  
Fire and Rescue Service

## Civil Liability Regulation 2014

- 1 **Schedule 1, entries for Queensland Fire and Emergency Service and A rural fire brigade—**  
*omit.*
  
- 2 **Schedule 1—**  
*insert—*  

Fire and Rescue Service established under the *Fire Services Act 1990*

Rural Fire Service established under the *Fire Services Act 1990*
  
- 3 **Schedule 2, entries for Queensland Fire and Emergency Service and A rural fire brigade—**  
*omit.*
  
- 4 **Schedule 2—**  
*insert—*  

Fire and Rescue Service established under the *Fire Services Act 1990*

Rural Fire Service established under the *Fire Services Act 1990*

## Corrective Services Act 2006

- 1 **Section 132A(4), definition *emergency service*, paragraph (c)—**  
*omit, insert—*

- (c) Fire and Rescue Service established under the *Fire Services Act 1990*, section 8(1); and
- (ca) Rural Fire Service established under the *Fire Services Act 1990*, section 8(2); and

**2 Section 132A(4), definition *emergency service*, paragraphs (ca) to (e)—**

*renumber* as paragraphs (d) to (f).

**3 Section 132A(4), definition *rural fire brigade*, ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**4 Section 271B(5)(a)(ii)—**

*omit, insert—*

- (ii) the commissioner under the *Fire Services Act 1990*; and

## **Disaster Management Act 2003**

**1 Section 8(1), examples, second dot point, ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**2 Schedule, definition *government fire officer*, ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**3 Schedule, definition *non-government fire officer*, ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service or Rural Fire Service

**Disaster Management Regulation 2014**

**1 Section 3(1)(e)—**

*omit, insert—*

(e) the commissioner under the *Fire Services Act 1990*.

**Electrical Safety Regulation 2013**

**1 Schedule 8A, ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**Environmental Protection Act 1994**

**1 Section 23(2), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**2 Section 316GA, definition *emergency situation*, paragraph (d)—**

*omit, insert—*

(d) the following under the *Fire Services Act 1990*—

(i) a state of fire emergency declared under section 145Z of that Act;

(ii) a situation in relation to which an authorised fire officer may take measures under section 149K of that Act; or

**Environmental Protection Regulation 2019**

**1 Section 111(c), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**2 Schedule 2, section 61(2), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**Explosives Regulation 2017**

**1 Section 170(a), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

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Fire and Rescue Service or Rural Fire Service  
under the *Fire Services Act 1990*

**Fire and Emergency Services Act 1990**

- 1 **Section 3, ‘schedule 6’—**  
*omit, insert—*  
schedule 2
- 2 **Chapter 3, part 3, heading—**  
*omit.*
- 3 **Section 28, ‘QFES’—**  
*omit, insert—*  
the fire services
- 4 **Sections 29A(3) and 29B(3), note—**  
*omit.*
- 5 **Section 54(1), ‘pursuant to section 53(2)(m)’—**  
*omit, insert—*  
under section 149K(2)(m)
- 6 **Section 55(1)(b), ‘part 9A’—**  
*omit, insert—*  
chapter 4A, part 4



- 
- 7 Section 56, ‘section 53(2)(a) or 55’—**  
*omit, insert—*  
section 149K(2)(a) or 149M
- 8 Section 56A, ‘section 55’—**  
*omit, insert—*  
section 149M
- 9 Section 58B(1)(b), ‘section 55’—**  
*omit, insert—*  
section 149M
- 10 Section 60G(3), ‘section 60I(1)(b) or (2)’—**  
*omit, insert—*  
section 149ZJ(1)(b) or (2)
- 11 Section 60K(6) and (7), ‘part 6’—**  
*omit, insert—*  
part 1
- 12 Section 60L(1), ‘section 60K(3)(b)’—**  
*omit, insert—*  
section 149ZL(3)(b)
- 13 Section 60M(1), ‘section 60K(3)(c)’—**  
*omit, insert—*  
section 149ZL(3)(c)

- 14 Section 60O(3), definition *personal details requirement*, ‘section 60N(2) or (4)’—**  
*omit, insert—*  
section 149ZO(2) or (4)
- 15 Chapter 3, part 7, heading—**  
*omit.*
- 16 Sections 61, 62, 66(1), 71, 72(1)(a) and (c) and 73, ‘division’—**  
*omit, insert—*  
part
- 17 Section 64(1), ‘section 63’—**  
*omit, insert—*  
section 145G
- 18 Section 65(6), definition *occupier of adjoining land*, ‘section 64(5)’—**  
*omit, insert—*  
section 145H(5)
- 19 Section 72(1)(e) and (f), ‘section 65’—**  
*omit, insert—*  
section 145I
- 20 Section 74(1)(a), ‘section 63 or by a permit granted under section 65’—**  
*omit, insert—*  
section 145G or by a permit granted under section 145I

- 
- 21 Section 74(1)(b), ‘section 69’—**  
*omit, insert—*  
section 145M
- 22 Section 78(1), ‘section 64 or 69 or to determine applications for permits under section 65’—**  
*omit, insert—*  
section 145H or 145M or to determine applications for permits under section 145I
- 23 Section 83(1), ‘section 82(2)’—**  
*omit, insert—*  
section 145(2)
- 24 Section 86A(1), ‘section 86B’—**  
*omit, insert—*  
section 145T
- 25 Section 86D(1), ‘section 86B’—**  
*omit, insert—*  
section 145T
- 26 Section 86D(2), ‘section 86C’—**  
*omit, insert—*  
section 145U
- 27 Section 86G, ‘section 86F’—**  
*omit, insert—*  
section 145X

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- 28 Section 87(2)(d), ‘section 65’—**  
*omit, insert—*  
section 145I
- 29 Section 92, ‘pursuant to section 91(2)’—**  
*omit, insert—*  
under section 146C(2)
- 30 Section 93(a), ‘section 92’—**  
*omit, insert—*  
section 146D
- 31 Section 93, ‘section 87’—**  
*omit, insert—*  
section 145Z
- 32 Section 97(2), ‘section 96’—**  
*omit, insert—*  
section 146G
- 33 Section 104(a), ‘section 101(2)’—**  
*omit, insert—*  
section 146L(2)
- 34 Section 104(b), ‘section 102(1)’—**  
*omit, insert—*  
section 146M(1)

- 
- 35 Section 104A, ‘schedule 5’—**  
*omit, insert—*  
schedule 1
- 36 Section 104A, definition *prescribed fire safety installation*, ‘section 104D’—**  
*omit, insert—*  
section 146S
- 37 Section 104B, ‘sections 55 to 58C’—**  
*omit, insert—*  
sections 149M to 149X
- 38 Section 104DA(6), definition *monitored system*, paragraph (b), ‘QFES’—**  
*omit, insert—*  
FRS
- 39 Section 104DA(6), definition *unwanted alarm*, ‘QFES’—**  
*omit, insert—*  
FRS
- 40 Section 104F(1), ‘pursuant to section 104E(1)(a)’—**  
*omit, insert—*  
under section 146U(1)(a)
- 41 Section 104FB(1), ‘section 104FA’—**  
*omit, insert—*  
section 146W

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Schedule 1

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- 42 Section 104FGA(1), ‘sections 104C, 104D, 104E, 104FA and 104FB’—**  
*omit, insert—*  
sections 146R, 146S, 146U, 146W and 146X
- 43 Section 104FH(4), definition *fire safety management plan guidelines*, ‘section 104FD’—**  
*omit, insert—*  
section 146Z
- 44 Section 104H(1) and (5), ‘section 104I’—**  
*omit, insert—*  
section 147F
- 45 Section 104H(2)(a), ‘schedule 5’—**  
*omit, insert—*  
schedule 1
- 46 Section 104I(1), ‘section 104H(1)’—**  
*omit, insert—*  
section 147E(1)
- 47 Section 104I(6)(a), ‘sections 104C, 104D and 104E’—**  
*omit, insert—*  
sections 146R, 146S and 146U
- 48 Section 104I(10), ‘part 9B’—**  
*omit, insert—*  
part 5

- 49 Section 104K, ‘section 104I’—**  
*omit, insert—*  
section 147F
- 50 Section 104K(a), ‘pursuant to section 104D’—**  
*omit, insert—*  
under section 146S
- 51 Section 104KA, definition *occupancy notice*, ‘section 104KF’—**  
*omit, insert—*  
section 147N
- 52 Section 104KC, example, ‘section 104KD(1)’—**  
*omit, insert—*  
section 147L(1)
- 53 Section 104KC, example, ‘section 104KD(2)’—**  
*omit, insert—*  
section 147L(2)
- 54 Section 104KE(2), ‘section 104KD(2)’—**  
*omit, insert—*  
section 147L(2)
- 55 Section 104KF, ‘section 104KD’—**  
*omit, insert—*  
section 147L

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- 56 Section 104KF(b), ‘section 104KE’—**  
*omit, insert—*  
section 147M
- 57 Section 104KI(3)(a), ‘section 104KD(2)’—**  
*omit, insert—*  
section 147L(2)
- 58 Section 104KP(1), ‘section 104KD(2)’—**  
*omit, insert—*  
section 147L(2)
- 59 Section 104KS, ‘QFES’s’—**  
*omit, insert—*  
FRS’s
- 60 Section 104RA(1), definition *operates when tested*, ‘section 104RAA’—**  
*omit, insert—*  
section 148C
- 61 Section 104RA(1), definition *smoke alarm information*, ‘section 104RL’—**  
*omit, insert—*  
section 148P
- 62 Section 104RA(1), definition *smoke alarm requirement provision*, paragraph (a), ‘section 104RB’—**  
*omit, insert—*  
section 148D



- 
- 63 Section 104RA(1), definition *smoke alarm requirement provision*, paragraph (b), ‘section 104RBA’—**  
*omit, insert—*  
section 148E
- 64 Section 104RB, ‘section 104RBA’—**  
*omit, insert—*  
section 148E
- 65 Section 104RC(4)(a) and (b)—**  
*omit, insert—*
- (a) if section 148D applies to the domestic dwelling—comply with section 148E(5)(b) to (d); or
  - (b) if section 148E applies to the domestic dwelling—comply with section 148E(5).
- 66 Section 104RD(1) and (2), ‘section 104RAA(3)’—**  
*omit, insert—*  
section 148C
- 67 Section 104RH(2)(a), ‘section 104RC’—**  
*omit, insert—*  
section 148G
- 68 Section 104RH(2)(c), ‘section 104RE’—**  
*omit, insert—*  
section 148I

**69 Section 104SB, ‘section 69(2)(a) or part 9A’—**

*omit, insert—*

section 145M(2)(a) or part 4

**70 Section 104SF(1) and (2)(a), ‘section 104G’—**

*omit, insert—*

section 147D

**71 Section 104SF(1) and (2)(b), ‘104I(8)’—**

*omit, insert—*

147F(8)

**72 Section 104SG(1)—**

*omit, insert—*

(1) In conducting a proceeding that is a review of a notice given under section 145M(2)(a) or part 4 or the terms of a notice, QCAT must be helped by all of the following chosen by the principal registrar from the list mentioned in section 148W(3)—

- (a) at least 1 assessor nominated under section 148W(2)(b)(i);
- (b) at least 1 assessor nominated under section 148W(2)(b)(ii);
- (c) if the notice is an occupancy notice or a decision notice under section 147Q—at least 1 assessor nominated under section 148W(2)(b)(iii).

**73 Section 104SG(4), ‘section 69(2)(a)’—**

*omit, insert—*

section 145M(2)(a)

- 
- 74 Section 104SI(1), ‘section 104SG(1)’—**  
*omit, insert—*  
section 148U(1)
- 75 Section 104SJ, ‘section 104SI(2)’—**  
*omit, insert—*  
section 148W(2)
- 76 Chapter 3, part 10, heading—**  
*omit.*
- 77 Sections 110(2), 111, 116, 117(1), 118(1), 123(4) and 128(b), ‘part’—**  
*omit, insert—*  
division
- 78 Sections 112(1)(b) and 113(1)(c), ‘section 108’—**  
*omit, insert—*  
section 152I
- 79 Section 118(2), ‘pursuant to section 117’—**  
*omit, insert—*  
under section 152R
- 80 Sections 119(1), ‘section 118’—**  
*omit, insert—*  
section 152S

- 81 Section 120, ‘pursuant to section 118 and all interest payable by a local government pursuant to section 119’—**  
*omit, insert—*  
under section 152S and all interest payable by a local government under section 152T
- 82 Section 123(1), ‘pursuant to section 122’—**  
*omit, insert—*  
under section 152W
- 83 Section 123(3)(a), ‘section 115(3)’—**  
*omit, insert—*  
section 152P(3)
- 84 Section 128(a), ‘section 117’—**  
*omit, insert—*  
section 152R
- 85 Section 128B, heading, ‘pt 11’—**  
*omit, insert—*  
**part**
- 86 Section 128B, definition *service*, ‘chapter’—**  
*omit, insert—*  
chapter 4, part 1, this chapter or chapter 4B, part 1
- 87 Section 128B, note—**  
*omit.*

- 
- 88 Section 128H(3), definition *prescribed property*, ‘section 105(1)’—**  
*omit, insert—*  
section 152E(1)
- 89 Section 128H(3), definition *unwanted alarm*, ‘section 104DA(6)’—**  
*omit, insert—*  
section 146T(6)
- 90 Sections 150 and 150A, note—**  
*omit.*
- 91 Section 150D, ‘section 53(2)(j)’—**  
*omit, insert—*  
section 149K(2)(j)
- 92 Sections 150E and 150F, note—**  
*omit.*
- 93 Section 150J(5), definition *executive liability provision*—**  
*omit, insert—*  
*executive liability provision* means any of the following provisions—
- section 145M(3)
  - section 146R
  - section 146S(1).

Schedule 1

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- 94 Sections 150J(5), 150K(3), 151(4), 151A(2), 151B, 151C, 151D, 151E(4), 151F(2), 151G and 151H(4), note—**  
*omit.*
- 95 Section 151G, ‘section 62’—**  
*omit, insert—*  
section 145F
- 96 Section 151H(1) and (3), ‘QFES’—**  
*omit, insert—*  
FRS
- 97 Sections 151J, 151K, 152A(3), 152B(2) and 152C(5), note—**  
*omit.*
- 98 Section 153B, ‘chapter 3’—**  
*omit, insert—*  
this Act
- 99 Sections 153B(4), 153D, 154, 154A(3), 154B and 154D, note—**  
*omit.*
- 100 Section 153D(b), ‘QFES’—**  
*omit, insert—*  
the fire services
- 101 Schedule 5, authorising provision, ‘section 104H’—**  
*omit, insert—*

section 147E

**102 Schedule 6—**

*insert—*

*attend to*, for a fire of other incident, for chapter 4A, part 6, see section 148Z.

*fire safety installation* see section 146P.

*ground level*, for chapter 4A, part 4 (other than division 5A) and schedule 1, see section 146P.

*maintain*, for chapter 4A, part 4 (other than division 5A) and schedule 1, see section 146P.

*prescribed fire safety installation*, for chapter 4A, part 4 (other than division 5A) and schedule 1, see section 146P.

*service*, for chapter 4A, part 6, see section 148Z.

*smoke alarm information*, for chapter 4A, part 4, division 5A, see section 148P.

*smoke alarm requirement provision*, for chapter 4A, part 4, division 5A, see section 148B.

*tenancy*, for chapter 4A, part 4, division 5A, see section 148B.

**103 Schedule 6, definition *assessor*, ‘section 104SI’—**

*omit, insert—*

section 148W

**104 Schedule 6, definition *authorised fire officer*, ‘section 52’—**

*omit, insert—*

section 149J

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Schedule 1

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- 105** Schedule 6, definition *class 1a building*, ‘chapter 3, part 9A, division 5A, see section 104RA’—  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 106** Schedule 6, definition *clear floor surface area*, ‘chapter 3, part 9A, division 3A, see section 104KA’—  
*omit, insert—*  
chapter 4A, part 4, division 3A, see section 147I
- 107** Schedule 6, definition *date of possession*, ‘chapter 3, part 9A, division 5A, see section 104RA’—  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 108** Schedule 6, definition *domestic dwelling*, ‘chapter 3, part 9A, division 5A, see section 104RA’—  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 109** Schedule 6, definition *fire and evacuation plan*, ‘section 104E(1)(a)’—  
*omit, insert—*  
section 146U(1)(a)
- 110** Schedule 6, definition *fire ban area*, ‘section 86A’—  
*omit, insert—*  
section 145S



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- 111 **Schedule 6, definition *fire safety management plan*, ‘section 104FC’—**  
*omit, insert—*  
section 146Y
- 112 **Schedule 6, definition *fire safety system*, ‘section 104KA’—**  
*omit, insert—*  
section 147I
- 113 **Schedule 6, definition *fund*, ‘section 20(1)’—**  
*omit, insert—*  
section 152F(1)
- 114 **Schedule 6, definition *information statement*, ‘chapter 3, part 9A, division 5A, see section 104RA’—**  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 115 **Schedule 6, definition *lessor*, ‘chapter 3, part 9A, division 5A, see section 104RA’—**  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 116 **Schedule 6, definition *levy district*, ‘section 106(1)(a)’—**  
*omit, insert—*  
section 152G(1)(a)
- 117 **Schedule 6, definition *licensed building*, ‘chapter 3, part 9A, division 3A, see section 104KA’—**  
*omit, insert—*
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Schedule 1

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chapter 4A, part 4, division 3A, see section 147I

**118 Schedule 6, definition *local fire ban*, ‘section 86A’—**

*omit, insert—*

section 145S

**119 Schedule 6, definition *manufacturer’s instructions*, ‘chapter 3, part 9A, division 5A, see section 104RA’—**

*omit, insert—*

chapter 4A, part 4, division 5A, see section 148B

**120 Schedule 6, definition *occupancy notice*, ‘section 104KF’—**

*omit, insert—*

section 147N

**121 Schedule 6, definition *occupancy number*, ‘chapter 3, part 9A, division 3A, see section 104KA’—**

*omit, insert—*

chapter 4A, part 4, division 3A, see section 147I

**122 Schedule 6, definition *owner*, paragraph (b)—**

*omit, insert—*

(b) for chapter 5, part 3A—see section 152E(1).

**123 Schedule 6, definition *operates when tested*, ‘section 104RAA(1) and (2)’—**

*omit, insert—*

section 148C(1) and (2)

- 
- 124 **Schedule 6, definition *premises*, paragraph (b), ‘chapter 3, part 6’—**  
*omit, insert—*  
chapter 4B, part 1
- 125 **Schedule 6, definition *premises of seizure*, ‘section 56B’—**  
*omit, insert—*  
section 149P
- 126 **Schedule 6, definition *prescribed property*, ‘section 105’—**  
*omit, insert—*  
section 152E
- 127 **Schedule 6, definition *presiding member*, ‘section 104SG’—**  
*omit, insert—*  
section 148U
- 128 **Schedule 6, definition *principal registrar*, ‘section 104SG’—**  
*omit, insert—*  
section 148U
- 129 **Schedule 6, definition *proceeding*, ‘section 104SG’—**  
*omit, insert—*  
section 148U

Schedule 1

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- 130** Schedule 6, definition *residential land*, ‘chapter 3, part 9A, division 5A, see section 104RA’—  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 131** Schedule 6, definition *risk of overcrowding*, ‘chapter 3, part 9A, division 3A, see section 104KA’—  
*omit, insert—*  
chapter 4A, part 4, division 3A, see section 147I
- 132** Schedule 6, definition *sole-occupancy unit in a class 2 building*, ‘chapter 3, part 9A, division 5A, see section 104RA’—  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 133** Schedule 6, definition *tenant*, ‘chapter 3, part 9A, division 5A, see section 104RA’—  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 134** Schedule 6, definition *transfer date*, ‘chapter 3, part 9A, division 5A, see section 104RA’—  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B
- 135** Schedule 6, definition *transferee*, ‘chapter 3, part 9A, division 5A, see section 104RA’—  
*omit, insert—*  
chapter 4A, part 4, division 5A, see section 148B

**136 Schedule 6, definition *transferor*, ‘chapter 3, part 9A, division 5A, see section 104RA’—**

*omit, insert—*

chapter 4A, part 4, division 5A, see section 148B

**Fire and Emergency Services Regulation 2011**

**1 Section 1, ‘Fire and Emergency Services Regulation 2011’—**

*omit, insert—*

*Fire Services Regulation 2011*

**2 Section 4, heading, ‘—Act, s 64’—**

*omit, insert—*

—Act, s 145H

**3 Section 4(1), ‘the Act, section 64(2)’—**

*omit, insert—*

section 145H(2) of the Act

**4 Section 5, heading, ‘—Act, s 65’—**

*omit, insert—*

—Act, s 145I

**5 Section 5, ‘the Act, section 65(1)’—**

*omit, insert—*

section 145I(1) of the Act

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- 6 Section 6, heading, ‘—Act, s 117(4)’—**  
*omit, insert—*  
—Act, s 152R
- 7 Section 6(1), ‘the Act, section 117(4)’—**  
*omit, insert—*  
section 152R(4) of the Act
- 8 Section 7, heading, ‘—Act, s 106’—**  
*omit, insert—*  
—Act, s 152G
- 9 Section 7(1), ‘section 106(1)(a)’—**  
*omit, insert—*  
section 152G(1)(a)
- 10 Section 7(2), ‘section 106(1)(b)’—**  
*omit, insert—*  
section 152G(1)(b)
- 11 Section 7A, heading, ‘—Act, s 105’—**  
*omit, insert—*  
—Act, s 152E
- 12 Section 7A(1), ‘section 105’—**  
*omit, insert—*  
section 152E

- 
- 13 Section 8, heading, ‘—Act, s 108’—**  
*omit, insert—*  
—Act, s 152I
- 14 Section 9, heading, ‘—Act, s 108(3)’—**  
*omit, insert—*  
—Act, s 152I(3)
- 15 Section 10, heading, ‘—Act, s 108’—**  
*omit, insert—*  
—Act, s 152I
- 16 Section 11, heading, ‘—Act, s 108’—**  
*omit, insert—*  
—Act, s 152I
- 17 Section 13, heading, ‘—Act, s 109(1)’—**  
*omit, insert—*  
—Act, s 152J
- 18 Section 13, ‘the Act, section 109(1)’—**  
*omit, insert—*  
section 152J(1) of the Act
- 19 Section 14, heading, ‘—Act, s 110’—**  
*omit, insert—*  
—Act, s 152K

- 20 Section 14(1), ‘the Act, section 110’—**  
*omit, insert—*  
section 152K of the Act
- 21 Section 14(2), ‘the Act, section 110(2)’—**  
*omit, insert—*  
section 152K(2) of the Act
- 22 Section 14(2), ‘the Act, part 10’—**  
*omit, insert—*  
chapter 5, part 3A of the Act
- 23 Section 15, heading, ‘—Act, s 115(2)’—**  
*omit, insert—*  
—Act, s 152P
- 24 Section 15, ‘the Act, section 115(2)’—**  
*omit, insert—*  
section 152P(2) of the Act
- 25 Section 16, heading, ‘—Act, s 118(5)’—**  
*omit, insert—*  
—Act, s 152S
- 26 Section 16, ‘the Act, section 118(5)’—**  
*omit, insert—*  
section 152S(5) of the Act



**27 Section 21, ‘section 112(2)’—**

*omit, insert—*

section 152M(2)

**Forestry Act 1959**

**1 Section 39(1)(b), ‘Fire and Emergency Services Act 1990, section 65’—**

*omit, insert—*

*Fire Services Act 1990*, section 145I

**2 Section 58(1), ‘Fire and Emergency Services Act 1990, chapter 3, part 7’—**

*omit, insert—*

*Fire Services Act 1990*, chapter 4A, part 1

**3 Section 61U(a), ‘Fire and Rescue Service Act 1990, part 7’—**

*omit, insert—*

*Fire Services Act 1990*, chapter 4A, part 1

**4 Section 61U, note 2, ‘Fire and Rescue Service Act 1990, sections 65 and 66’—**

*omit, insert—*

*Fire Services Act 1990*, sections 145I and 145J

**5 Sections 63(1)(b), 64(1), 65(2), 65A(1)(b)(iii), 65B(1)(b)(iii), 68 and 69(1) and (3), ‘Fire and Emergency Services Act 1990, chapter 3, part 7’—**

*omit, insert—*

*Fire Services Act 1990*, chapter 4A, part 1

**6 Section 65(4), ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

**7 Section 102(1)(c), ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

**8 Schedule 3, definition *fire commissioner*, ‘commissioner of the Queensland Fire and Emergency Service’—**

*omit, insert—*

commissioner under the *Fire Services Act 1990*

**Gaming Machine Regulation 2002**

**1 Section 14(b), ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

**Industrial Relations Act 2016**

**1 Section 297(1)(b)(ii), ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

**Invasion of Privacy Act 1971**

**1 Section 43(7), definition *public safety entity*, paragraphs (c) and (d)—**

*omit, insert—*

- (c) either of the following entities established under the *Fire Services Act 1990*—
  - (i) Fire and Rescue Service;
  - (ii) Rural Fire Service; or
- (d) either of the following entities established under the *State Emergency Service Act 2024*—
  - (i) the State Emergency Service;
  - (ii) an SES unit; or
- (e) either of the following entities established under the *Marine Rescue Queensland Act 2024*—
  - (i) Marine Rescue Queensland;
  - (ii) an MRQ unit.

**Labour Hire Licensing Regulation 2018**

**1 Section 12(b)(iv), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

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## Major Events Act 2014

**1 Section 37(4)(c), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service or Rural Fire Service  
under the *Fire Services Act 1990*

## Major Events (Motor Racing Events) Regulation 2015

**1 Section 20(2)(a) and (b), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service

## Manufactured Homes (Residential Parks) Act 2003

**1 Section 86A(3), definition *emergency service organisation*, paragraph (b), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service

**2 Section 87(2), definition *emergency worker*, paragraph (b), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service

**3 Schedule 2, definition *Queensland Fire and Emergency Service*—**

*omit.*

**4 Schedule 2—**

*insert—*

*Fire and Rescue Service* means Fire and Rescue Service under the *Fire Services Act 1990*.

### **Mixed Use Development Act 1993**

**1 Section 165(4), definition *authorised person*, paragraph (d)—**

*omit, insert—*

(d) a fire officer under the *Fire Services Act 1990*.

**2 Section 214, '*Fire and Emergency Services Act 1990*'—**

*omit, insert—*

*Fire Services Act 1990*

### **National Injury Insurance Scheme (Queensland) Act 2016**

**1 Section 9(1)(f), '*or the Queensland Fire and Emergency Service*'—**

*omit, insert—*

, Fire and Rescue Service or Rural Fire Service

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**2 Section 94(1)(a), ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

**Nature Conservation (Animals) Regulation 2020**

**1 Section 30(2), definition *emergency service*, paragraph (b)—**

*omit, insert—*

(b) Fire and Rescue Service;

(ba) Rural Fire Service;

**2 Section 30(2), definition *emergency service*, paragraphs (ba) to (d)—**

*renumber* as paragraphs (c) to (e).

**Nature Conservation (Plants) Regulation 2020**

**1 Section 24—**

*omit, insert—*

**24 Particular persons acting under Fire Services Act 1990**

An exemption applies to a person who takes a protected plant that is in the wild if—

(a) the taking is, or is a necessary part of, a measure that is—

- (i) authorised under the *Fire Services Act 1990*, section 145L(1)(c), 145M(3) or 149K(1); or
- (ii) required under section 145M(1) or 149K(2)(j) of that Act; or
- (b) the taking is by a person lighting a fire that is—
  - (i) authorised under a notification under the *Fire Services Act 1990*, section 145G or a permit granted under section 145I of that Act; and
  - (ii) necessary as a means of fire hazard reduction.

## Payroll Tax Act 1971

- 1 **Section 14(2)(k)(i), ‘volunteer member of a rural fire brigade under the *Fire and Emergency Services Act 1990*’—**

*omit, insert—*

rural fire brigade member under the *Fire Services Act 1990*

## Planning Regulation 2017

- 1 **Schedule 6, section 16(c), ‘Fire and Emergency Services Act’—**

*omit, insert—*

*Fire Services Act 1990*

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Schedule 1

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**2 Schedule 9, part 3, division 3, table 1, item 2, column 2, 'The Queensland Fire and Emergency Service'—**

*omit, insert—*

Fire and Rescue Service

**3 Schedule 9, part 3, division 3, table 1, item 4, column 2, 'Fire and Emergency Services Act'—**

*omit, insert—*

*Fire Services Act 1990*

**4 Schedule 9, part 3, division 3, table 2, item 2, column 2, 'The Queensland Fire and Emergency Service'—**

*omit, insert—*

Fire and Rescue Service

**5 Schedule 9, part 3, division 3, table 3, item 2, column 2, 'The Queensland Fire and Emergency Service'—**

*omit, insert—*

Fire and Rescue Service

**6 Schedule 10, part 17, division 3, table 4, item 2, column 2, 'The Queensland Fire and Emergency Service'—**

*omit, insert—*

Fire and Rescue Service

**7 Schedule 10, part 17, division 3, table 4, item 4, column 2, 'the Queensland Fire and Emergency Service'—**

*omit, insert—*

Fire and Rescue Service



- 
- 8 **Schedule 21, section 1(9), ‘Fire and Emergency Services Act, section 53, 68 or 69’—**  
*omit, insert—*  
*Fire Services Act 1990, section 145L, 145M, 149K or 149M(3)(a)*
- 9 **Schedule 21, section 5(d), ‘Fire and Emergency Services Act’—**  
*omit, insert—*  
*Fire Services Act 1990*
- 10 **Schedule 24, definition *essential management*, paragraph (d), ‘Fire and Emergency Services Act’—**  
*omit, insert—*  
*Fire Services Act 1990*
- 11 **Schedule 24, definition *Fire and Emergency Services Act*—**  
*omit.*
- 12 **Schedule 24, definition *fire safety management plan*, ‘Fire and Emergency Services Act, section 104FC’—**  
*omit, insert—*  
*Fire Services Act 1990, section 146Y*
- 13 **Schedule 24, definition *high impact earthworks*, paragraph (b)(xiii), ‘Fire and Emergency Services Act, section 53, 68 or 69’—**  
*omit, insert—*  
*Fire Services Act 1990, section 145L, 145M or 149K*

## Police Powers and Responsibilities Act 2000

**1 Section 754(9), definition *emergency vehicle*, paragraphs (c) and (d)—**

*omit, insert—*

- (c) Fire and Rescue Service under the *Fire Services Act 1990*;
- (d) Rural Fire Service under the *Fire Services Act 1990*;
- (e) a fire brigade or service of another State.

**2 Section 793(1), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**3 Section 793(2), definitions *fire officer* and *hazardous materials emergency*, ‘*Fire and Emergency Services Act 1990*, schedule 6’—**

*omit, insert—*

*Fire Services Act 1990*, schedule 2

## Police Service Administration Act 1990

**1 Section 2.3A, heading, ‘chemical incident’—**

*omit, insert—*

**hazardous materials emergency**

**2 Section 2.3A(1), ‘authority’—**

*omit, insert—*

service

- 3 **Section 2.3A(2), definition *fire authority officer*—**  
*omit.*
- 4 **Section 2.3A(2), definition *incident*, paragraph (b)—**  
*omit, insert—*
  - (b) a hazardous materials emergency under the *Fire Services Act 1990*.
- 5 **Section 4.10(1)(d), ‘commissioner of the Queensland Fire and Emergency Service’—**  
*omit, insert—*  
commissioner under the *Fire Services Act 1990*
- 6 **Section 4.10(1)(e)(ii)—**  
*omit, insert—*
  - (ii) the Fire and Rescue Service or Rural Fire Service under the *Fire Services Act 1990*.
- 7 **Section 10.24(2)(b), ‘*Fire and Emergency Services Act 1990*’—**  
*omit, insert—*  
*Fire Services Act 1990*
- 8 **Section 10.24(3), definition *fire service officer*—**  
*omit.*
- 9 **Schedule 2—**  
*insert—*

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*fire service officer* see the *Fire Services Act 1990*, schedule 2.

## Public Health Act 2005

- 1 **Section 316(2), examples, first dot point, ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

- 2 **Section 317(a), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

## Public Health Regulation 2018

- 1 **Section 61(c), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

## Public Safety Preservation Act 1986

- 1 **Schedule, definition *fire controller*, ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service or Rural Fire Service

- 
- 2** Schedule, definition *government fire officer*, ‘, means a fire officer under the *Fire and Emergency Services Act 1990*—
- omit, insert—*
- means a fire officer under the *Fire Services Act 1990*
- 3** Schedule, definition *non-government fire officer*, ‘the Queensland Fire and Emergency Service’—
- omit, insert—*
- Fire and Rescue Service or Rural Fire Service

## Public Sector Act 2022

- 1** Section 91(5), definition *relevant standard of conduct*, paragraph (c), ‘*Fire and Emergency Services Act 1990*’—
- omit, insert—*
- Fire Services Act 1990*
- 2** Section 112(2)(b), ‘*Fire and Emergency Services Act 1990*’—
- omit, insert—*
- Fire Services Act 1990*

## Public Sector Regulation 2023

- 1** Section 4(1), from ‘either’—
- omit, insert—*

any of the following public sector entities—

- (a) the Queensland Ambulance Service;
- (b) Fire and Rescue Service;
- (c) Rural Fire Service.

**2 Section 4(3)(b)—**

*omit, insert—*

- (b) for Fire and Rescue Service or Rural Fire Service—
  - (i) the fire services; and
  - (ii) the commissioner under the *Fire Services Act 1990*; and
  - (iii) persons employed in the fire services under the *Fire Services Act 1990*, section 25.

**3 Section 5(1)(d)—**

*omit, insert—*

- (d) Fire and Rescue Service;
- (da) Rural Fire Service;

**4 Section 5(1)(da) to (i)—**

*renumber* as section 5(1)(e) to (j).

**5 Section 5(6)(d)—**

*omit, insert—*

- (d) for Fire and Rescue Service or Rural Fire Service—
  - (i) the fire services; and

- (ii) the commissioner under the *Fire Services Act 1990*; and
- (iii) persons employed in the fire services under the *Fire Services Act 1990*, section 25.

**6 Section 17(1)(b), from ‘*Fire and Emergency Services Act 1990*’ to ‘*Queensland Fire and Emergency Service*’—**

*omit, insert—*

*Fire Services Act 1990* proposes, under that Act, to employ as the chief fire officer or to employ in, or second to, Fire and Rescue Service or Rural Fire Service

**7 Section 17(2)(c), ‘*Fire and Emergency Services Act 1990*, section 25’—**

*omit, insert—*

*Fire Services Act 1990*, section 25

**8 Schedule 1, item 4, ‘an employee of the Queensland Fire and Emergency Service’—**

*omit, insert—*

a person employed under the *Fire Services Act 1990*, section 25

**9 Schedule 2, definition *Queensland Fire and Emergency Service*—**

*omit.*

**10 Schedule 2—**

*insert—*

*Fire and Rescue Service* means Fire and Rescue Service established under the *Fire Services Act*

*1990*, section 8(1).

***Rural Fire Service*** means Rural Fire Service established under the *Fire Services Act 1990*, section 8(2).

### **Rail Safety National Law (Queensland)**

- 1 **Section 4, definition *emergency service*, paragraph (b), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service

### **Rail Safety National Law (Queensland) Act 2017**

- 1 **Section 5, definition *emergency service*, paragraph (b), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service

### **Residential Services (Accreditation) Act 2002**

- 1 **Schedule 2, definition *fire safety management plan*, paragraph (a), ‘*Fire and Emergency Services Act 1990*, section 104FC’—**

*omit, insert—*

*Fire Services Act 1990*, section 146Y



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## Residential Services (Accreditation) Regulation 2018

- 1 **Section 10(2), note, ‘Fire and Emergency Services Act 1990, chapter 3, part 9A, division 2’—**

*omit, insert—*

*Fire Services Act 1990, chapter 4A, part 4, division 2*

## Residential Tenancies and Rooming Accommodation Act 2008

- 1 **Section 192(1)(d), ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

## Residential Tenancies and Rooming Accommodation Regulation 2009

- 1 **Schedule 3A, part 2, section 46(2), note, ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

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**Security Providers (Crowd Controller Code of Practice) Regulation 2008**

**1 Schedule, section 4(t)(iv), ‘Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service, Rural Fire Service

**2 Schedule, schedule, definition *Queensland Fire and Emergency Service*—**

*omit.*

**3 Schedule, schedule—**

*insert—*

*Fire and Rescue Service* means Fire and Rescue Service established under the *Fire Services Act 1990*.

*Rural Fire Service* means Rural Fire Service established under the *Fire Services Act 1990*.

**Security Providers (Security Officer—Licensed Premises—Code of Practice) Regulation 2008**

**1 Schedule, section 5(p)(iv), ‘Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service, Rural Fire Service

**2 Schedule, schedule, definition *Queensland Fire and Emergency Service*—**

*omit.*

**3 Schedule, schedule—**

*insert—*

***Fire and Rescue Service*** means Fire and Rescue Service established under the *Fire Services Act 1990*.

***Rural Fire Service*** means the Rural Fire Service established under the *Fire Services Act 1990*.

**State Penalties Enforcement Regulation 2014**

**1 Schedule 1, entry for the *Building Act 1975*, administering authority for an infringement notice offence entry, paragraph (e), '*Fire and Emergency Services Act 1990*'—**

*omit, insert—*

*Fire Services Act 1990*

**2 Schedule 1, entry for the *Building Act 1975*, authorised person for service of infringement notices entry, paragraph (b)(iii), '*Fire and Emergency Services Act 1990*'—**

*omit, insert—*

*Fire Services Act 1990*

**3 Schedule 1, entry for the *Building Fire Safety Regulation 2008*, authorised person for service of infringement notices entry, '*Fire and Emergency Services Act 1990*'—**

*omit, insert—*

Schedule 1

*Fire Services Act 1990*

**4** Schedule 1, entry for the *Fire and Emergency Services Act 1990*—

*omit.*

**5** Schedule 1—

*insert—*

**Fire Services Act 1990**

	Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
		Individual	Corporation
	s 145F	5	-
	s 145K	5	-
	s 145M(3)	5	25
	s 145P(1)(a)	5	25
	s 145P(1)(b) leave fire unattended	5	-
	s 145P(1)(b) fail to take reasonable measures to extinguish a fire	5	-
	s 145P(1)(d)	5	-
	s 145P(1)(e)	5	-
	s 145X	5	-
	s 146D	20	-
	s 146R in the circumstances in paragraph (d) of the penalty	10	25

	Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
		Individual	Corporation
s 146S(1)	in the circumstances in paragraph (e) of the penalty	10	50
s 146U(1)	in the circumstances in paragraph (d) of the penalty	10	50
s 146W(2)	in the circumstances in paragraph (d) of the penalty	10	50
s 146X(1)	in the circumstances in paragraph (d) of the penalty	10	50
s 146X(3)	in the circumstances in paragraph (d) of the penalty	10	50
s 147A		5	25
s 147D(3)		5	25
s 147S	for a first offence	10	25
s 147T(1)		5	25
s 147U(2)		5	25
s 147V(2)		5	25
s 147W		5	25
s 147X(1)		5	25
s 147X(2)		5	25
s 147Y(6)		10	25
s 148D(1)		2	2
s 148G(2)		2	2
s 148G(3)		2	2
s 148I(2)		2	2

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Schedule 1

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	Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
		Individual	Corporation
s 148I(3)		2	2
s 148J(2)		2	2
s 148L(1)		2	2
s 148O(1)		2	2
s 148O(3)		2	2
s 148P(1)		2	2
s 148Q(2)		2	2
s 148Q(4)		2	2
s 149ZI	for a failure to return an identity card	1	-
s 149ZM(1)	for a failure to help an investigation officer	1	-
s 149ZP(1)	for a failure to comply with a personal details requirement	1	-
s 150A(a)		5	-
s 150A(b)	in relation to wilfully and unlawfully enclosing a fire plug	5	-
s 150A(c)	in relation to wilfully and unlawfully obliterating or covering any mark or sign used for locating a fire plug	5	-
s 150B(1)(a)	for a false call for a fire and rescue service—		
	<ul style="list-style-type: none"> <li>in the circumstances in paragraph (a) of the penalty</li> </ul>	25	-

Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
	Individual	Corporation
<ul style="list-style-type: none"> <li>in the circumstances in paragraph (b) of the penalty</li> </ul>	10	-
s 150B(1)(b) for a false alarm of a fire—		
<ul style="list-style-type: none"> <li>in the circumstances in paragraph (a) of the penalty</li> </ul>	25	-
<ul style="list-style-type: none"> <li>in the circumstances in paragraph (b) of the penalty</li> </ul>	10	-
s 150E	5	25

**Authorised person for service of infringement notices—**

- (a) for an offence against section 149ZI, 149ZM(1), 149ZP(1), 150B(1)(a) or (b)—an investigation officer appointed under the *Fire Services Act 1990*, section 149ZC; or
- (b) for an offence against another provision—an authorised fire officer under the *Fire Services Act 1990*

**Statutory Instruments Regulation 2022**

**1 Schedule 3, entry for ‘Fire and Emergency Services Regulation 2011’—**

*omit, insert—*

*Fire Services Regulation 2011*

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**Superannuation (State Public Sector) Notice 2021**

- 1 Section 7(a), third dot point, ‘Fire and Emergency Services Act 1990’—**

*omit, insert—*

*Fire Services Act 1990*

- 2 Schedule 2, part 1, table, entry for Queensland Fire and Emergency Service—**

*omit.*

- 3 Schedule 2, part 1, table—**

*insert—*

Fire and Rescue Service under the <i>Fire Services Act 1990</i>	Any employee	SDBC AC
Rural Fire Service under the <i>Fire Services Act 1990</i>	Any employee	SDBC AC

**Superannuation (State Public Sector) Regulation 2023**

- 1 Schedule 2, definition *fire service officer*, ‘Fire and Emergency Services Act 1990, schedule 6’—**

*omit, insert—*



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*Fire Services Act 1990, schedule 2*

**Transport Operations (Marine Safety) Regulation 2016**

- 1 **Schedule 9, definition *emergency services department*, ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**Transport Operations (Passenger Transport) Regulation 2018**

- 1 **Section 241(6), definition *emergency service*, paragraph (b)—**

*omit, insert—*

(b) Fire and Rescue Service; or

(ba) Rural Fire Service, other than a rural fire brigade under the *Fire Services Act 1990*; or

- 2 **Section 241(6), definition *emergency service*, paragraphs (ba) to (d)—**

*renumber* as paragraphs (c) to (e).

- 3 **Section 266(1)(a), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service, Rural Fire Service (other than rural fire brigades under the *Fire Services*

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*Act 1990)*

**Transport Operations (Road Use Management—Driver Licensing) Regulation 2021**

- 1 **Schedule 9, definition *emergency service worker*, paragraph (a), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**Transport Operations (Road Use Management—Road Rules) Regulation 2009**

- 1 **Schedule 5, definition *emergency response vehicle*, paragraph (a)(iii)—**

*omit, insert—*

(iii) Fire and Rescue Service established under the *Fire Services Act 1990*; or

- 2 **Schedule 5, definition *emergency response vehicle*, paragraph (a)(v)—**

*omit, insert—*

(v) Rural Fire Service established under the *Fire Services Act 1990*; or

- 3 **Schedule 5, definition *emergency worker*, paragraph (b), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

---

*Fire Services Act 1990*

**Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021**

- 1 **Schedule 8, definition *fire and emergency appliance*, paragraph (b), ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*

**Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021**

- 1 **Schedule 1, section 3, definition *emergency vehicle*, paragraph (b)(ii), ‘the Queensland Fire and Emergency Service’—**

*omit, insert—*

Fire and Rescue Service or Rural Fire Service  
(other than a rural fire brigade under the *Fire Services Act 1990*)

**Water Act 2000**

- 1 **Section 814(2AA)(a), ‘*Fire and Emergency Services Act 1990*, section 69’—**

*omit, insert—*

*Fire Services Act 1990*, section 145M

## **Water Supply (Safety and Reliability) Act 2008**

- 1 Section 145(1), note, ‘*Fire and Emergency Services Act 1990*, section 53(2)(h), the Queensland Fire and Emergency Service’—**

*omit, insert—*

*Fire Services Act 1990*, section 149K(2)(h), an authorised fire officer under that Act

## **Weapons Regulation 2016**

- 1 Schedule 3, section 4, heading, ‘Queensland Fire and Emergency Service’—**

*omit, insert—*

**Fire and Rescue Service and Rural Fire Service**

- 2 Schedule 3, section 4(1), ‘Queensland Fire and Emergency Service (QFES)’ is—**

*omit, insert—*

Fire and Rescue Service and Rural Fire Service under the *Fire Services Act 1990* are

- 3 Schedule 3, section 4(2) and (3)—**

*omit, insert—*

- (2) Fire and Rescue Service’s prescribed functions for section 2(2)(b) of the Act are its functions

under an Act that necessitate the acquisition, possession or use of an incendiary device that is a category M weapon to prevent or control fires.

- (3) Rural Fire Service's prescribed functions for section 2(2)(b) of the Act are its functions under an Act that necessitate the acquisition, possession or use of an incendiary device that is a category M weapon to prevent or control fires.
- (4) The prescribed functions of an employee of Fire and Rescue Service for section 2(2)(b) of the Act are the functions the employee performs when Fire and Rescue Service is performing its prescribed functions.
- (5) The prescribed functions of an employee of Rural Fire Service for section 2(2)(b) of the Act are the functions the employee performs when Rural Fire Service is performing its prescribed functions.

## Work Health and Safety Regulation 2011

- 1 **Schedule 18A, 'Fire and Emergency Services Act 1990'**—  
*omit, insert—*

*Fire Services Act 1990*

- 2 **Schedule 19, definition *emergency services organisation*, paragraph (b)**—  
*omit, insert—*

- (b) Fire and Rescue Service and Rural Fire Service under the *Fire Services Act 1990*.

**3 Schedule 19, definition *primary emergency service organisation*, paragraph (b)—**

*omit, insert—*

- (b) Fire and Rescue Service and Rural Fire Service under the *Fire Services Act 1990*.

**Workers' Compensation and Rehabilitation Act 2003**

**1 Section 13(1), '*Fire and Emergency Services Act 1990*'—**

*omit, insert—*

*Police Service Administration Act 1990*

**2 Section 14(1), '*Fire and Emergency Services Act 1990*'—**

*omit, insert—*

*Fire Services Act 1990*

**3 Section 36B, definition *firefighter*, paragraph (a), '*Fire and Emergency Services Act 1990*'—**

*omit, insert—*

*Fire Services Act 1990*

**4 Section 36B, definition *firefighter*, paragraph (b), '*Fire and Emergency Services Act 1990*, section 79'—**

*omit, insert—*

*Fire Services Act 1990*, section 141

**5 Section 232K(1)(e), '*or the Queensland Fire and Emergency Service*'—**

*omit, insert—*

, Fire and Rescue Service or Rural Fire Service

## Workers' Compensation and Rehabilitation Regulation 2014

**1 Schedule 6A, item 4, 'Fire and Emergency Services Act 1990'—**

*omit, insert—*

*Fire Services Act 1990*

**2 Schedule 6A, item 6, 'Fire and Emergency Services Act 1990, section 79'—**

*omit, insert—*

*Fire Services Act 1990, section 141*

**3 Schedule 6B, item 4, 'Fire and Emergency Services Act 1990'—**

*omit, insert—*

*Fire Services Act 1990*

## Youth Justice Act 1992

**1 Section 279A(4), definition *emergency service*, paragraph (c)—**

*omit, insert—*

(c) Fire and Rescue Service established under the *Fire Services Act 1990*, section 8(1); and

working draft for consultation

**2 Section 279A(4), definition *rural fire brigade*, ‘*Fire and Emergency Services Act 1990*’—**

*omit, insert—*

*Fire Services Act 1990*