



Queensland

Explosives Legislation (COVID-19 Emergency Response) Regulation 2020

Subordinate Legislation 2020 No. 70

made under the

COVID-19 Emergency Response Act 2020

Explosives Act 1999

Mineral Resources Act 1989

Petroleum Act 1923

Petroleum and Gas (Production and Safety) Act 2004

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Explosives Legislation (COVID-19 Emergency Response) Regulation 2020*.

2 Declaration

It is declared that this regulation is made under the *COVID-19 Emergency Response Act 2020*, sections 8 and 13.

Part 2 Modification of Explosives Act 1999

3 Modification of the *Explosives Act 1999*, s 19 (Term of authority)

- (1) This section applies in relation to a fireworks contractor licence or fireworks operator licence (each an *affected licence*) that, but for this section, would have expired during the COVID-19 response period.
- (2) For the COVID-19 response period, the *Explosives Act 1999*, section 19 applies to an affected licence as if section 19(1) of the Act were replaced by—
 - ‘(1) Despite anything stated in an authority, the term of an authority is the period—
 - (a) starting on the day the authority is issued; and
 - (b) ending on 31 December 2020.’.
- (3) In this section—

COVID-19 response period means the period—

 - (a) starting on the commencement; and
 - (b) ending on 31 December 2020.

**5 Modification of the *Explosives Regulation 2017*, s 37
(Shotfirer licence)**

For the COVID-19 emergency period, the *Explosives Regulation 2017*, section 37 applies as if section 37(1)(c) of the regulation were replaced by—

‘(c) either—

- (i) has, within the 5-year period ending on the day the application for the licence is made, been assessed by a registered training organisation as having attained the specific competencies, approved by the chief inspector and published on a Queensland Government website, in the use of blasting explosives contained in an industry training package; or
- (ii) if the person is the applicant for the renewal of the licence—has given the chief executive documentary evidence demonstrating the person has the specific competencies mentioned in subparagraph (i); and

Examples of documentary evidence demonstrating a person has the specific competencies—

- a certificate of completion of an online course stating the person has attained the specific competencies
- a statement from the person’s employer that the person has demonstrated the specific competencies’.

Part 4 Amendment of Mineral Resources Regulation 2013

6 Regulation amended

This part amends the *Mineral Resources Regulation 2013*.

[s 7]

7 Insertion of new s 98A

After section 98—

insert—

98A Moratorium on rental payable for exploration permits for COVID-19 emergency

- (1) This section applies in relation to rental payable under section 138 of the Act, for a year, for an exploration permit, if the rental is payable during the moratorium period.
- (2) For section 138(4) of the Act, the amount prescribed for the year is 0.
- (3) Subsection (2) applies—
 - (a) despite section 98; and
 - (b) whether or not the year starts during the moratorium period.
- (4) This section expires on 30 September 2020.
- (5) In this section—

moratorium period means the period—

- (a) starting on 1 April 2020; and
- (b) ending on 30 September 2020.

year, for an exploration permit, means a period of 1 year starting, in each year, on the day the exploration permit is granted.

Part 5 Amendment of Petroleum and Gas (General Provisions) Regulation 2017

8 Regulation amended

This part amends the *Petroleum and Gas (General Provisions) Regulation 2017*.

9 Amendment of s 48 (Keeping samples)

Section 48(1)(b), from ‘as required under’—
omit, insert—

under the 2004 Act, section 548 or the 1923 Act,
section 76B.

10 Insertion of new s 64A

After section 64—
insert—

64A Waived special amendment fees for COVID-19 emergency

- (1) This section applies in relation to a special amendment fee that is payable by a person during the waiver period.
- (2) Payment of the fee is waived for the person.
- (3) Subsection (2) applies despite section 64.
- (4) This section expires on 30 September 2020.
- (5) In this section—

special amendment fee means the fee mentioned in schedule 2, part 1, item 7.

waiver period means the period—

- (a) starting on 1 April 2020; and
- (b) ending on 30 September 2020.

11 Insertion of new s 65A

After section 65—
insert—

[s 12]

65A Moratorium on annual rent payable for authorities to prospect for COVID-19 emergency

- (1) Subsection (2) applies in relation to annual rent payable under the 2004 Act, section 75 for an authority to prospect if the rent is payable during the moratorium period.
- (2) For the 2004 Act, section 75(1)(b), the amount of annual rent payable is 0.
- (3) Subsection (4) applies in relation to annual rent payable under the 1923 Act, section 74N for an authority to prospect if the rent is payable during the moratorium period.
- (4) For the 1923 Act, section 74N(1)(b), the amount of annual rent payable is 0.
- (5) Subsections (2) and (4) apply despite section 65.
- (6) This section expires on 30 September 2020.
- (7) In this section—
moratorium period means the period—
 - (a) starting on 1 April 2020; and
 - (b) ending on 30 September 2020.

Part 6 Expiry of regulation

12 Expiry

This regulation expires on 31 December 2020.

ENDNOTES

- 1 Made by the Governor in Council on 14 May 2020.
- 2 Notified on the Queensland legislation website on 15 May 2020.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

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