

THIS PUBLIC BILL has this day been read a Third time and passed

The Clerk of the Parliament.

*Legislative Assembly Chamber,
Brisbane, May 2024*



Queensland

**No.
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 Fire and Emergency Services Regulation 2011, the Queensland Reconstruction Authority Act 2011, the State Penalties Enforcement Regulation 2014 and the legislation mentioned in schedule 1 for particular purposes



Queensland

Disaster Management and Other Legislation Amendment Bill 2024

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2024

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 *Fire and Emergency Services Regulation 2011*, the *Queensland Reconstruction Authority Act 2011*, the *State Penalties Enforcement Regulation 2014* and the legislation mentioned in schedule 1 for particular purposes

[s 1]

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*.

Note—

See also the amendments in schedule 1.

4 Amendment of s 4A (Guiding principles)

(1) Section 4A(a)(i), ‘the taking’—

omit, insert—

prevention, involving the taking

(2) Section 4A(a)(ii), ‘the taking’—

omit, insert—

preparation, involving the taking

(3) Section 4A(a)(iii), ‘the taking’—

omit, insert—

response, involving the taking

- (4) Section 4A(a)(iv), ‘the taking’—

omit, insert—

recovery, involving the taking

- (5) Section 4A—

insert—

(aa) consideration should be given to the improvement of the resilience of a community to a disaster in all 4 phases of disaster management planning under paragraph (a);

- (6) Section 4A(b)(i) and (d), ‘State group’—

omit, insert—

QDMC

- (7) Section 4A(aa) to (d)—

renumber as section 4A(b) to (e).

5 Amendment of s 17 (Establishment)

- (1) Section 17, ‘The Queensland’—

omit, insert—

A group known as the Queensland

- (2) Section 17, ‘(the *State group*)’—

omit, insert—

(the *QDMC*)

6 Amendment of s 18 (Functions)

- (1) Section 18, ‘State group’—

omit, insert—

[s 7]

QDMC

- (2) Section 18, before paragraph (a)—

insert—

(aa) to provide strategic leadership for disaster management and disaster operations for the State;

- (3) Section 18(aa) to (i)—

renumber as section 18(a) to (j).

7 Amendment of s 20A (Functions of chairperson of State group)

- (1) Section 20A, heading, ‘State group’—

omit, insert—

QDMC

- (2) Section 20A, ‘State group’—

omit, insert—

QDMC

- (3) Section 20A—

insert—

(c) other functions given to the chairperson under this Act or another Act.

8 Insertion of new ss 21CA and 21CB

After section 21C—

insert—

21CA State recovery policy and planning coordinator

- (1) The role of the State recovery policy and planning coordinator is to be performed by—

- (a) the chief executive officer of the Queensland Reconstruction Authority under the *Queensland Reconstruction Authority Act 2011*; or
 - (b) if the chief executive officer is unable to perform the functions of the office—an appropriately qualified person appointed by the chairperson of the QDMC.
- (2) The appointment must be in writing and may be terminated only in writing.

21CB Functions of State recovery policy and planning coordinator

- (1) The State recovery policy and planning coordinator has the following functions—
- (a) to make policies and plans for the QDMC about coordinating effective disaster recovery operations;
 - (b) to liaise with, and advise, the State disaster coordinator about disaster recovery operations;
 - (c) without limiting paragraph (b), to work with the State disaster coordinator to transition from disaster response operations to disaster recovery operations;
 - (d) to oversee the implementation of policies for effective disaster recovery operations and for improving resilience of the State;
 - (e) if a State recovery coordinator is appointed for a disaster—to liaise with, and advise, the State recovery coordinator about coordinating the disaster recovery operations for the disaster;
 - (f) to report regularly to the QDMC about the coordination of disaster recovery operations;

[s 9]

(g) to otherwise coordinate disaster recovery operations for the QDMC.

(2) In this section—

disaster response operations see section 21C(2).

9 Amendment of s 21D (State recovery coordinator)

(1) Section 21D(1) and (3), ‘of the State group’—

omit, insert—

of the QDMC

(2) Section 21D(1)(a), after ‘appointed’—

insert—

for the disaster

(3) Section 21D—

insert—

(1A) Before appointing a person as the State recovery coordinator for a disaster, the chairperson of the QDMC must consult with the State recovery policy and planning coordinator.

(4) Section 21D(3), ‘disaster operations for the State group’—

omit, insert—

disaster recovery operations for the disaster

(5) Section 21D(4), ‘State group’—

omit, insert—

QDMC

(6) Section 21D(1A) to (4)—

renumber as section 21D(2) to (5).

10 Replacement of s 21E (Functions of State recovery coordinator)

Section 21E—

omit, insert—

21E Functions of State recovery coordinator

The State recovery coordinator for a disaster has the following functions—

- (a) to coordinate the disaster recovery operations for the disaster;
- (b) to liaise with, and advise, the State recovery policy and planning coordinator about the disaster recovery operations;
- (c) to report regularly about the disaster recovery operations to the State recovery policy and planning coordinator;
- (d) to report about the disaster recovery operations to the chairperson of the QDMC as directed by the chairperson;
- (e) to ensure, as far as reasonably practicable, that any strategic decisions of the QDMC relevant to the disaster recovery operations are implemented;
- (f) to provide strategic advice on the disaster recovery operations to government agencies performing disaster recovery operations for the disaster.

11 Insertion of new ss 21L and 21M

After section 21K—

insert—

21L Police commissioner to appoint executive officer of SDM group

The police commissioner must appoint an

[s 12]

executive officer of the SDM group.

21M Executive officer to provide support

The executive officer must provide support to the SDM group, as directed by the chairperson of the group, to help the group perform its functions, including the following—

- (a) calling meetings of the group;
- (b) providing executive support at meetings of the group;
- (c) providing any other executive support the chairperson considers necessary.

12 Amendment of s 44 (Annual report)

(1) Section 44(1)—

omit, insert—

- (1) As soon as practicable after the end of each financial year, the QDMC must—
 - (a) prepare a written report about disaster management in the State; and
 - (b) present the report to the chairperson of the QDMC; and
 - (c) publish the report on an appropriate website providing information to the public.

(2) Section 44(2)(d), ‘State group’—

omit, insert—

QDMC

(3) Section 44—

insert—

- (3) Before publication under subsection (1)(c), the report must be approved by—

- (a) if the chairperson of the QDMC considers it appropriate to approve the report—the chairperson; or
- (b) otherwise—the QDMC.

13 Amendment of s 49 (State plan for disaster management)

- (1) Section 49(1) and (3), ‘State group’—

omit, insert—

QDMC

- (2) Section 49—

insert—

- (2A) The plan must be approved by—

- (a) if the chairperson of the QDMC considers it appropriate to approve the plan—the chairperson; or
- (b) otherwise—the QDMC.

- (3) Section 49(2A) to (3)—

renumber as section 49(3) to (4).

14 Insertion of new pt 14, div 3, sdiv 5

Part 14, division 3—

insert—

**Subdivision 5 Transitional provision for
Disaster Management and
Other Legislation
Amendment Act 2024**

183 References to State group

- (1) This section applies if, in a document, the Queensland Disaster Management Committee is

[s 15]

referred to as the State group.

(2) The reference to the State group may, if the context permits, be taken to be a reference to the QDMC.

(3) In this section—

Queensland Disaster Management Committee means the entity of that name established under section 17.

15 Amendment of schedule (Dictionary)

(1) Schedule, definition *State group*—

omit.

(2) Schedule—

insert—

disaster recovery operations means—

(a) generally—the phase of disaster operations relating to recovering from disasters; or

(b) for a disaster—the phase of disaster operations relating to recovering from the disaster.

phase, of disaster operations, means a phase of disaster management mentioned in section 4A(a)(i), (ii), (iii) or (iv) relevant to the disaster operations.

police service means the police service under the *Police Service Administration Act 1990*.

QDMC see section 17.

resilience, of a community, means the ability of the community and its systems—

(a) to recover from the impacts of a disaster, including, for example, the ability to restore

essential infrastructure and community functions; and

- (b) to accommodate or adapt to the impacts of a disaster.

State recovery policy and planning coordinator means the person performing the role of State recovery policy and planning coordinator under section 21CA.

- (3) Schedule, definition *chairperson*, paragraph (a), ‘State group’—

omit, insert—

QDMC

- (4) Schedule, definition *disaster management group*, ‘the State group’—

omit, insert—

the QDMC

- (5) Schedule, definition *disaster management guidelines*, ‘chief executive’—

omit, insert—

police commissioner

- (6) Schedule, definition *executive officer*—

insert—

(aa) for part 2, division 1A—see section 21L; or

- (7) Schedule, definition *executive officer*, paragraphs (aa) to (b)—
renumber as paragraphs (b) to (c).

[s 16]

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

16 **Regulation amended**

This part amends the *Disaster Management Regulation 2014*.

Note—

See also the amendments in schedule 1.

17 **Amendment of s 3 (Persons to assist or carry out other activities relating to the State group—Act, s 19A)**

- (1) Section 3(1), from ‘State group’ to ‘functions’—

omit, insert—

QDMC in carrying out its functions

- (2) Section 3(1)(c)—

omit, insert—

(c) the police commissioner;

- (3) Section 3(2), ‘State group’—

omit, insert—

QDMC

- (4) Section 3(2)—

insert—

(c) for functions relating to a disaster for which a Crisis Communication Network has been established—the chair of the Crisis Communication Network.

- (5) Section 3—

insert—

- (3) In this section—

Crisis Communication Network means a group

[s 22]

22 Insertion of new s 2A

After section 2—

insert—

2A How objects are to be achieved

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

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

23 Replacement of ch 2, hdg (Commissioner)

Chapter 2, heading—

omit, insert—

Chapter 2 Appointments

24 Insertion of new ch 2, pt 1, hdg

Chapter 2—

insert—

Part 1 Commissioner

25 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).

26 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, and duties of, fire service officers;

[s 27]

- (e) to be responsible for organising training and development of fire service officers and rural fire brigade members;
- (f) to facilitate collaboration and coordination of the fire services for effective 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 the functions of the fire services 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).

27 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) fire service officers;
 - (iii) rural fire brigade members.

28 Insertion of new ch 2, pts 2–4

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 commissioner must have regard to the matters mentioned in section 25B when appointing a person as the chief fire officer.
- (4) The chief fire officer is to be employed under this Act and not the *Public Sector Act 2022*.

[s 28]

7D Conditions of appointment

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

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, operational culture, best practice and innovation and research; and
 - (b) 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.

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—

[s 28]

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

Part 3 Deputy commissioner

7K 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 commissioner must have regard to the matters mentioned in section 25B when appointing a person as the deputy commissioner.
- (4) The deputy commissioner is to be employed under this Act and not the *Public Sector Act 2022*.

7L Conditions of appointment

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

7M Resignation

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

7N 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.

7O 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 QFR to ensure the effectiveness and efficiency of QFR; and
 - (c) to ensure the development of the capability of QFR, 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 QFR 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.

[s 28]

7P 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.

Part 4 Chief officer

7Q 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 commissioner must have regard to the matters mentioned in section 25B when appointing a person as the chief officer.
- (4) The chief officer is to be employed under this Act and not the *Public Sector Act 2022*.

7R Conditions of appointment

The chief officer holds office for the term and on the conditions stated in the person's contract of

employment.

7S Resignation

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

7T 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.

7U 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 RFSQ, including fire service officers assigned to RFSQ, to ensure the effectiveness and efficiency of RFSQ; and
 - (c) to ensure the development of the capability of RFSQ, 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 RFSQ, and for rural fire brigade members, are in

[s 29]

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.

7V 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.

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

Chapter 3, heading—

omit, insert—

Chapter 3 Fire services

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

Chapter 3, part 1, heading, 'and functions'—

omit, insert—

, functions and powers

31 Replacement of ss 8 and 8A

Sections 8 and 8A—

omit, insert—

8 Establishment

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

8A Membership

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

32 Amendment of s 8B (Functions of QFES)

- (1) Section 8B, heading, ‘of QFES’—

omit, insert—

[s 33]

and powers

- (2) Section 8B, ‘QFES are’—
omit, insert—
the fire services are
- (3) Section 8B(b), ‘QFES’s’—
omit, insert—
the fire services’
- (4) Section 8B(e), ‘to QFES’—
omit, insert—
to the fire services’
- (5) Section 8B(f), ‘its other functions’—
omit, insert—
the other functions of each of the fire services
- (6) 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 RFSQ.

33 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.

34 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 or senior 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, or a senior officer, in QFR under this section only if the commissioner is satisfied the person has—
 - (a) professional firefighting experience; and
 - (b) incident control expertise; and
 - (c) fire prevention expertise.

[s 35]

(3A) Subsection (3) does not apply to the employment of a person as a scientific officer in QFR.

(4) Also, the commissioner may employ a person as an executive officer in RFSQ under this section only if the commissioner is satisfied the person has—

- (a) rural firefighting experience; or
- (b) rural incident control expertise; or
- (c) rural fire prevention expertise.

(5) 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.

scientific officer means an officer who—

- (a) holds a tertiary qualification in applied science, chemical engineering, chemistry or science that is directly relevant to the performance of the functions of the office; and
- (b) does not perform firefighting or incident control functions or duties.

senior officer means a person employed in a role equivalent to that of a senior officer under the *Public Sector Act 2022*, schedule 2.

35 Insertion of new s 25B

After section 25A—

insert—

25B Employment on merit

- (1) In considering an applicant's ability to perform the requirements of a position for the purpose of the *Public Sector Act 2022*, section 45(2)(a), the person undertaking the recruitment and selection

process must consider whether the applicant has the mandatory qualifications, skills or experience the commissioner considers necessary for the position (the *requisite conditions*).

- (2) In deciding the applicant best suited to the position under the *Public Sector Act 2022*, section 45(2), the person must consider the primacy of the requisite conditions over any other matter that may be considered under section 45(2)(b) of that Act.

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

Chapter 3, part 4A—
omit.

37 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 149H to 149Z.

38 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 149ZA to 149ZP.

[s 39]

39 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

40 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 144 to 145L.

41 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***), or recommend to the Governor in Council the appointment of a person as a relevant fire warden under subsection (4), 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 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).

42 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.

43 Replacement of s 77 (Expenses)

Section 77—

omit, insert—

77 Resignation

A chief fire warden or fire warden may, at any

[s 44]

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

44 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 3 of that chapter.
- (2) Sections 75 to 78—
renumber as sections 131 to 134.

45 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.

46 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—
 - (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 the members of the rural fire brigade must comply with the rural fire brigade's rules.

47 Amendment of s 81 (Officers of rural fire brigade)

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

and office bearers

- (2) Section 81—
insert—

funds to support rural fire brigades in the performance of the brigades' other functions; and

- (e) to provide services or assistance if required by any Act or the reasonable expectations of the community; and
- (f) to perform any other function given to the brigade by the commissioner.

49 Insertion of new s 83A

After section 83—

insert—

83A Appointment of person in charge of operations

- (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) However, the commissioner may appoint a person as the person in charge of operations for controlling and extinguishing a fire under subsection (1) in an area for which a rural fire brigade is in charge of fire fighting and fire prevention under section 138(2) only if there is no first officer for the rural fire brigade, within the meaning of section 140(4), who is available for controlling or extinguishing the fire.
- (3) The appointment under subsection (1) may be—
 - (a) written or oral; and
 - (b) for the duration of an event or for a stated or indefinite period.
- (4) The appointment of a person as the person in charge of operations ends—

[s 50]

- (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.
- (5) Despite subsection (4), the appointment of a person as the person in charge of operations ends if the commissioner gives the person notice that the appointment has ended.
- (6) The person in charge of operations for controlling and extinguishing a fire, or for controlling another incident, has the powers of the first officer of a rural fire brigade under section 140(1)(a) and (b).
- (7) Section 140(2) applies to the person in charge of operations as if a reference in the subsection to the first officer of a rural fire brigade were a reference to the person in charge of operations.
- (8) 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.

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

Section 85—
omit.

51 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 4 of that chapter.

- (2) Sections 79 to 86—
renumber as sections 135 to 143.

52 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 145M to 145Z.

53 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 146 to 146I.

54 Insertion of new ch 3, pt 9A, div 5B

Chapter 3, part 9A—
insert—

**Division 5B Smoke alarms for
caravans and motorised
caravans**

104RN Definitions for division

In this division—

[s 54]

caravan see the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, schedule 8.

motorised caravan see the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, schedule 8.

operates when tested, for a smoke alarm, see section 148M.

104RO When smoke alarm *operates when tested*

- (1) A smoke alarm *operates when tested* if the smoke alarm operates when tested in a way required under subsection (2).
- (2) A smoke alarm installed in a caravan or motorised caravan must be tested as follows—
 - (a) for an alarm that can be tested by pressing a button or another device to indicate whether the alarm is capable of detecting smoke—by pressing the button or other device;
 - (b) otherwise—by being tested by the owner of the caravan or motorised caravan in the way stated in the manufacturer’s instructions for the smoke alarm.

104RP Requirements on registration or transfer of registration on or before 31 December 2026

- (1) This section applies to a caravan or motorised caravan if, on or before 31 December 2026—
 - (a) an application for registration of the caravan or motorised caravan is granted under the *Transport Operations (Road Use Management) Act 1995*; or
 - (b) the chief executive of the department that administers the *Transport Operations (Road*

Use Management) Act 1995 records in the register of vehicles under that Act the transfer of the registration of the caravan or motorised caravan.

- (2) Each of the following persons must ensure a smoke alarm is installed in the caravan or motorised caravan in compliance with this section—
- (a) for subsection (1)(a)—the person in whose name the caravan or motorised caravan is registered; or
 - (b) for subsection (1)(b)—the person to whom the registration is transferred.

Maximum penalty—5 penalty units.

- (3) A smoke alarm must—
- (a) be installed in a place in the caravan or motorised caravan that is prescribed by regulation; and
 - (b) be installed in the way stated in the manufacturer's instructions for the smoke alarm; and
 - (c) comply with other requirements prescribed by regulation; and
 - (d) have been manufactured less than 10 years before the smoke alarm is installed; and
 - (e) operate when tested.
- (4) This section expires on 31 December 2026.

104RQ Requirements for registered operator of caravan or motorised caravan

- (1) This section applies on or after 1 January 2027 to a caravan or motorised caravan that is recorded in the register of vehicles under the *Transport Operations (Road Use Management) Act 1995*.

[s 55]

- (2) The person in whose name the caravan or motorised caravan is registered under the *Transport Operations (Road Use Management) Act 1995* must ensure a smoke alarm is installed in the caravan or motorised caravan in compliance with this section.

Maximum penalty—5 penalty units.

- (3) A smoke alarm must—
- (a) be installed in a place in the caravan or motorised caravan that is prescribed by regulation; and
 - (b) be installed in the way stated in the manufacturer’s instructions for the smoke alarm; and
 - (c) comply with other requirements prescribed by regulation; and
 - (d) have been manufactured less than 10 years before the smoke alarm is installed; and
 - (e) operate when tested.

55 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

56 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 146J to 148P.

57 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 148Q to 148W.

58 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—

[s 59]

renumber as section 152E.

59 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—
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

60 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.

61 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 148X to 149G.

62 Insertion of new ch 4

After section 128L—

insert—

Chapter 4 Rural Fire Service Queensland

Part 1 Functions

129 Additional functions of RFSQ

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

- (a) to carry out activities for the prevention of, preparedness for, response to, and recovery from, bushfires;
- (b) to control and prevent bushfires;
- (c) to investigate bushfires;
- (d) to manage chief fire wardens and fire wardens;
- (e) to manage the administration of the granting of notifications, notices and permits under this Act for the lighting of fires;
- (f) to manage rural fire brigades;
- (g) to support other entities providing emergency services to help communities respond to and recover from disasters;
- (h) to support communities to improve resilience to bushfires;

[s 63]

- (i) to perform other functions given to RFSQ by the commissioner.

Part 2 RFSQ advisory committee

130 Establishment and membership of RFSQ advisory committee

- (1) The RFSQ advisory committee is established.
- (2) The Minister must appoint the members of the RFSQ advisory committee in consultation with the chief officer.
- (3) The RFSQ advisory committee has the function of advising the chief officer on matters relating to the performance of the functions of RFSQ, including the administration and management of rural fire brigades.
- (4) A member of the RFSQ advisory committee holds the member's appointment on the conditions decided by the Minister.
- (5) To remove any doubt, it is declared that the RFSQ advisory committee is not a decision-making body.

63 Insertion of new ch 4A, hdg

After section 143, as renumbered by this Act—

insert—

Chapter 4A Fire safety, emergencies and dangerous goods

64 Insertion of new ch 4B, hdg

After section 149G, as renumbered by this Act—

insert—

Chapter 4B Investigation and enforcement

65 Amendment of s 150B (False calls)

(1) Section 150B(1)(a), ‘QFES’—

omit, insert—

QFR or RFSQ

(2) Section 150B(1)(b), after ‘fire’—

insert—

or of a hazardous materials emergency

(3) Section 150B(2), example, ‘QFES’—

omit, insert—

QFR or RFSQ

(4) Section 150B(4), definition *fire and emergency service*, ‘QFES’—

omit, insert—

QFR or RFSQ

(5) Section 150B(4), note—

omit.

66 Amendment of s 150G (Impersonating officer or member)

(1) Section 150G(1)—

insert—

(c) a fire officer; or

(d) an authorised fire officer; or

[s 67]

(e) an investigation officer.

(2) Section 150G(2)—

omit.

67 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—
 - (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 'Queensland Fire and Rescue', 'Rural Fire Service Queensland', 'QFR' or 'RFSQ', 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) ‘Queensland Fire and Rescue’;
 - (b) ‘Rural Fire Service Queensland’;
 - (c) ‘QFR’;
 - (d) ‘RFSQ’;
 - (e) ‘rural fire brigade’;
 - (f) a similar expression to an expression mentioned in paragraph (a) to (e);
 - (g) another expression that includes an expression mentioned in paragraph (a) to (e).

68 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)—

[s 69]

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

(4) Section 151I(2), note—

omit.

69 Amendment of s 152B (Use of unregistered vehicle on road by rural fire brigade)

(1) Section 152B, heading, ‘by rural fire brigade’—

omit.

(2) Section 152B(1)(a)—

omit, insert—

(a) an unregistered vehicle (the *vehicle*) is being used on a road—

(i) by a rural fire brigade or a fire service officer assigned to RFSQ—

(A) for carrying persons or equipment for the purpose of preventing, controlling or extinguishing a fire; or

(B) for the purpose of training relating to fire fighting or fire prevention; or

(C) for another purpose authorised in writing by the commissioner; or

(ii) by a person, and for a purpose, prescribed by regulation for this subparagraph; and

(3) Section 152B—

insert—

(1A) A regulation under subsection (1)(a)(ii) may specify the types of unregistered vehicles that the person may use on the road for a prescribed purpose.

-
- (4) Section 152B(2), note—
omit.
- (5) Section 152B(1A) and (2)—
renumber as section 152B(2) and (3).

70 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
- (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.

71 Insertion of new ch 5, pt 3A, hdg

Chapter 5—
insert—

Part 3A Financial provisions

[s 72]

72 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**

73 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).

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

Chapter 5, part 5, heading—

omit, insert—

**Chapter 6 Transitional
provisions**

75 Omission of ch 5, pt 5, divs 1–7

Chapter 5, part 5, divisions 1 to 7—

omit.

76 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**

77 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**

78 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—

[s 79]

Division 2 **Amendments commencing
by proclamation**

79 **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**

80 **Amendment of ss 211 and 212**

Sections 211 and 212, ‘division’—

omit, insert—

part

81 **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 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 7K(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*).

[s 81]

- (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 7Q(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.
- (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 131(3) applies to the person as if a reference in section 131(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 RFSQ.

228 Existing members of rural fire brigades

- (1) This section applies to a person who was a member of a rural fire brigade immediately before the commencement.
- (2) On the commencement, the person is taken to have been appointed under section 136 as a member of the rural fire brigade.

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 137(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.

[s 81]

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 138(3) to hold the equivalent office for the rural fire brigade.

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 QFR, RFSQ or the fire services.

82 Amendment of sch 5 (Uses of buildings)

Schedule 5—

renumber as schedule 1.

83 Amendment of sch 6 (Dictionary)

- (1) Schedule 6, definitions *building*, *fire service officer*, *manufacturer's instructions*, *operates when tested* and *QFES*—

omit.

- (2) Schedule 6—

insert—

building—

- (a) generally, includes any bridge, dam, fence, jetty, reservoir, wall, wharf or other structure, whether temporary or permanent; and
- (b) for chapter 4A, part 4 (other than division 5A) and schedule 1, see section 146J.

bushfire means an unplanned burning of

[s 83]

vegetation, including a grass fire and a fire that has broken out in a forest or scrub.

caravan, for chapter 4A, part 4, division 5B, see section 148L.

chief fire officer means the person appointed by the commissioner 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 131.

chief officer means the person appointed by the commissioner as the chief officer under section 7Q.

deputy commissioner means the person appointed by the commissioner as the deputy commissioner under section 7K.

direction includes a doctrine, policy and procedure.

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 service officer—

- (a) means a person employed under section 25; and

- (b) includes the deputy commissioner and chief officer.

fire warden means a person appointed by the commissioner as a fire warden under section 131.

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.

manufacturer's instructions, for a smoke alarm, means the instructions from the manufacturer, packaged with the alarm, dealing with the operation, testing and maintenance of the alarm.

motorised caravan, for chapter 4A, part 4, division 5B, see section 148L.

operates when tested, for a smoke alarm—

- (a) for chapter 4A, part 4, division 5A—see section 147X; or
- (b) for chapter 4A, part 4, division 5B—see section 148M.

professional firefighting experience means significant knowledge of and practical experience in each of the following, obtained by employment as a firefighter in QFR or a fire service (however called) in another State or New Zealand that is equivalent to QFR—

[s 83]

- (a) responding to, combating and managing structural fires, bushfires, and incidents involving hazardous materials;
- (b) carrying out specialist and technical rescues;
- (c) responding to and managing disasters.

QFR see section 8(1).

RFSQ see section 8(2).

rural fire brigade means an entity registered as a rural fire brigade under section 135.

rural fire brigade member means a person appointed as a member of a rural fire brigade under section 136.

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*, ‘in the service’—
omit, insert—

under this Act

- (4) Schedule 6—
renumber as schedule 2.

Part 5 **Amendment of Fire and Emergency Services Regulation 2011**

84 **Regulation amended**

This part amends the *Fire and Emergency Services Regulation 2011*.

Note—

See also the amendments in schedule 1.

85 **Insertion of new pt 2A**

After part 2—

insert—

Part 2A **Smoke alarms for caravans and motorised caravans**

5A **Prescribed place for installation of smoke alarm—Act, ss 148N and 148O**

For sections 148N(3)(a) and 148O(3)(a) of the Act, the place where a smoke alarm must be installed is on the ceiling of a caravan or motorised caravan.

[s 86]

5B Prescribed additional requirements for smoke alarms—Act, ss 148N and 148O

- (1) For sections 148N(3)(c) and 148O(3)(c) of the Act, a smoke alarm must—
 - (a) comply with AS 3786–2014; and
 - (b) contain a photoelectric sensor; and
 - (c) contain a mechanism for silencing the alarm; and
 - (d) be powered by a battery that is—
 - (i) built into the smoke alarm in a way that prevents the battery being removed; and
 - (ii) manufactured to power the smoke alarm for at least 10 years without being recharged.
- (2) In this section—

AS 3786–2014 means AS 3786–2014 (Australian standard for smoke alarms using scattered light, transmitted light or ionization).

Part 6

Amendment of Queensland Reconstruction Authority Act 2011

86 Act amended

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

Note—

See also the amendments in schedule 1.

87 Amendment of s 10 (Authority's functions)

(1) Section 10(1)(a), before subparagraph (i)—

insert—

(ia) carrying out risk assessments of potential disasters; and

(2) Section 10(1)(a)(ia) to (iii)—

renumber as section 10(1)(a)(i) to (iv).

(3) Section 10(1)(e), before 'coordinate'—

insert—

administer,

88 Replacement of s 36 (Quorum)

Section 36—

omit, insert—

36 Quorum

A quorum for a meeting of the board is a majority of the board members for the time being.

89 Amendment of s 132 (Delegations)

Section 132(1)—

omit, insert—

(1) The chief executive officer may delegate the officer's functions under this Act to any of the following persons who is appropriately qualified—

(a) a person appointed under section 24;

(b) a person employed by the authority under section 26;

(c) a person whose services are made available to the authority under section 27(1);

[s 90]

- (d) a senior executive under the *Public Sector Act 2022*.

Part 7 **Amendment of State Penalties Enforcement Regulation 2014**

90 **Regulation amended**

This part amends the *State Penalties Enforcement Regulation 2014*.

Note—

See also the amendments in schedule 1.

91 **Amendment of sch 1 (Infringement notice offences and fines for nominated laws)**

- (1) Schedule 1, entry for *Fire and Emergency Services Act 1990—*

insert—

s 148N(2)

2

2

- (2) Schedule 1, entry for *Fire and Emergency Services Act 1990*, section 150B(1)(a), ‘rescue’—

omit, insert—

emergency

- (3) Schedule 1, entry for *Fire and Emergency Services Act 1990*, section 150B(1)(b), ‘of a fire’—

omit, insert—

of fire or of a hazardous materials emergency

Part 8 Other amendments

92 Legislation amended

Schedule 1 amends the legislation it mentions.

Schedule 1 Other amendments

section 92

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

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

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 146S

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—

Queensland Fire and Rescue

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 146T

4 Schedule 2, definition *QFES*—

omit.

5 Schedule 2—

insert—

Queensland Fire and Rescue means Queensland Fire and Rescue established under the *Fire Services Act 1990*, section 8(1).

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 146S

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 146Q

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

omit, insert—

Fire Services Act 1990, section 146O

- 4 Section 31, ‘section 104E of the Fire Service Act’—**
omit, insert—
the *Fire Services Act 1990*, section 146O
- 5 Section 55B(1)(a), ‘Fire Service Act, section 104FA’—**
omit, insert—
Fire Services Act 1990, section 146Q
- 6 Section 71(1)(a), ‘section 104FA of the Fire Service Act’—**
omit, insert—
the *Fire Services Act 1990*, section 146Q
- 7 Section 71(1)(c)(i), ‘section 104E(1)(a) of the Fire Service Act’—**
omit, insert—
the *Fire Services Act 1990*, section 104O(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 145G
- 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 146Y(1)

10 Schedule 3, definition *building*, ‘section 104A of the Fire Service Act’—

omit, insert—

the *Fire Services Act 1990*, section 146J

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 147F

14 Schedule 3, definition *prescribed fire safety installation*, ‘104A of the Fire Service Act’—

omit, insert—

the *Fire Services Act 1990*, section 146J

Building Regulation 2021

1 Section 88(2), ‘QFES’—

omit, insert—

Queensland Fire and Rescue

Civil Liability Regulation 2014

1 Schedule 1, entries for Queensland Fire and Emergency Service and A rural fire brigade—

omit.

2 Schedule 1—

insert—

Queensland Fire and Rescue established under the
Fire Services Act 1990

Rural Fire Service Queensland 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—

Queensland Fire and Rescue established under the
Fire Services Act 1990

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

Corrective Services Act 2006

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

omit, insert—

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

(ca) Rural Fire Service Queensland 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 Particular references to State group

Each of the following provisions is amended by omitting ‘State group’ and inserting ‘QDMC’—

- section 9(2) and (4), examples
- section 16A(d)
- section 19
- section 19A
- section 20
- section 20B(2)
- section 21
- section 21A
- section 21B(1)
- section 21C
- section 21G(1)(b)
- section 23(c), (e) and (k)
- section 26(c)
- section 28A(1)
- section 28D(c)
- section 30(f)
- section 46
- section 48
- section 51
- section 52
- section 63(1), (2)(a) and (3)(a)
- section 68(2)(a)(ii)
- section 73(2)(a)(ii) and (b)
- section 75(1)
- section 110(1)

- section 132(a)(i) and (iii)
- section 133
- section 143(3) and (4)
- section 144(3), definition *official*, paragraph (a)

3 Particular references to chief executive

Each of the following provisions is amended by omitting ‘chief executive’ and inserting ‘police commissioner’—

- part 1, division 4A, heading
- section 16A
- section 37(a)
- section 63(1), (2), (3) and (4)
- section 121(1), (4) and (5)
- section 122(1) and (3)
- section 123
- section 124
- section 133
- section 134
- section 142(1)
- section 143(1)
- section 146
- section 147

4 Section 16A(b)(i), ‘State group’s’—

omit, insert—

QDMC’s

5 Section 16J(3)(b) and (c), ‘his or her’—

omit, insert—

their

6 Part 2, heading, ‘and committees’—

omit.

7 Part 2, division 1, subdivision 1, heading—

omit, insert—

**Subdivision 1 Establishment and
functions of QDMC**

8 Part 2, division 1, subdivision 2, heading—

omit, insert—

Subdivision 2 Membership of QDMC

9 After section 20B—

insert—

Subdivision 3 Support of QDMC

10 Section 21, heading, ‘Commissioner of police service’—

omit, insert—

Police commissioner

11 Section 21, ‘commissioner of the police service’—

omit, insert—

police commissioner

12 Section 21B(2), ‘commissioner of the police service’—

omit, insert—

police commissioner

- 13 Section 23(a), ‘State group’s’—**
omit, insert—
QDMC’s
- 14 Section 27(1) and (2), ‘commissioner of the police service’—**
omit, insert—
police commissioner
- 15 Section 28A(2), ‘commissioner of the police service’—**
omit, insert—
police commissioner
- 16 Section 30(a), ‘State group’s’—**
omit, insert—
QDMC’s
- 17 Section 34A(c), ‘chief executive of the department’—**
omit, insert—
police commissioner
- 18 Section 35, ‘with the chief executive’—**
omit, insert—
with the police commissioner
- 19 Section 53(2)(a), ‘State group’s’—**
omit, insert—
QDMC’s

- 20 Section 57(2)(a), ‘State group’s’—**
omit, insert—
QDMC’s
- 21 Section 125, ‘chief executive’s’—**
omit, insert—
police commissioner’s
- 22 Section 142, heading, ‘Chief executive’—**
omit, insert—
Police commissioner
- 23 Section 143(2), ‘chief executive may delegate the chief executive’s’—**
omit, insert—
police commissioner may delegate the police commissioner’s
- 24 Section 143(4), ‘commissioner of the police service’—**
omit, insert—
police commissioner
- 25 Schedule, definition *government fire officer*, ‘Fire and Emergency Services Act 1990’—**
omit, insert—
Fire Services Act 1990
- 26 Schedule, definition *non-government fire officer*, ‘the Queensland Fire and Emergency Service’—**
omit, insert—

Queensland Fire and Rescue or Rural Fire Service
Queensland

Disaster Management Regulation 2014

1 Particular references to State group

Each of the following provisions is amended by omitting ‘State group’ and inserting ‘QDMC’—

- section 2
- section 4
- section 8
- section 12(2) and (3)
- section 15

2 Section 3(1)(e)—

omit, insert—

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

3 Section 5(1)(d), (4), (5), (6) and (7), ‘the chief executive of the department’—

omit, insert—

the police commissioner

4 Section 5(1)(e), from ‘by the chief’ to ‘considers’—

omit, insert—

by the police commissioner whom the commissioner considers

5 Section 6(1) and (2), ‘commissioner of the police service’—

omit, insert—

police commissioner

6 Section 8(2)(a), ‘commissioner of the police service’—

omit, insert—

police commissioner

7 Section 9(2), ‘the chief executive of the department’—

omit, insert—

the police commissioner

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 145T of that Act;
 - (ii) a situation in relation to which an authorised fire officer may take measures under section 149I 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—

Queensland Fire and Rescue or Rural Fire Service
Queensland 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 149I(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 149I(2)(a) or 149K
- 8 Section 56A, ‘section 55’—**
omit, insert—
section 149K
- 9 Section 58B(1)(b), ‘section 55’—**
omit, insert—
section 149K
- 10 Section 60G(3), ‘section 60I(1)(b) or (2)’—**
omit, insert—
section 149ZH(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 149ZJ(3)(b)
- 13 Section 60M(1), ‘section 60K(3)(c)’—**
omit, insert—
section 149ZJ(3)(c)

- 14 Section 60O(3), definition *personal details requirement*, ‘section 60N(2) or (4)’—**
omit, insert—
section 149ZM(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 145A
- 18 Section 65(6), definition *occupier of adjoining land*, ‘section 64(5)’—**
omit, insert—
section 145B(5)
- 19 Section 69(3), note, ‘section 151’—**
omit, insert—
section 150J
- 20 Section 72(1)(e) and (f), ‘section 65’—**
omit, insert—
section 145C

21 Section 74(1)(a), ‘section 63 or by a permit granted under section 65’—

omit, insert—

section 145A or by a permit granted under section 145C

22 Section 74(1)(b), ‘section 69’—

omit, insert—

section 145G

23 Section 78(1), ‘section 64 or 69 or to determine applications for permits under section 65’—

omit, insert—

section 145B or 145G or to determine applications for permits under section 145C

24 Section 83(1), ‘section 82(2)’—

omit, insert—

section 139(2)

25 Section 86A(1), ‘section 86B’—

omit, insert—

section 145N

26 Section 86D(1), ‘section 86B’—

omit, insert—

section 145N

27 Section 86D(2), ‘section 86C’—

omit, insert—

section 145O

28 Section 86G, ‘section 86F’—

omit, insert—

section 145R

29 Section 87(2)(d), ‘section 65’—

omit, insert—

section 145C

30 Section 92, ‘pursuant to section 91(2)’—

omit, insert—

under section 145X(2)

31 Section 93(a), ‘section 92’—

omit, insert—

section 145Y

32 Section 93, ‘section 87’—

omit, insert—

section 145T

33 Section 97(2), ‘section 96’—

omit, insert—

section 146A

34 Section 104(a), ‘section 101(2)’—

omit, insert—

section 146F(2)

- 35 Section 104(b), ‘section 102(1)’—**
omit, insert—
section 146G(1)
- 36 Section 104A, ‘schedule 5’—**
omit, insert—
schedule 1
- 37 Section 104A, definition *prescribed fire safety installation*, ‘section 104D’—**
omit, insert—
section 146M
- 38 Section 104B, ‘sections 55 to 58C’—**
omit, insert—
sections 149K to 149V
- 39 Section 104C, note, ‘section 151’—**
omit, insert—
section 150J
- 39A Section 104DA(6), definition *emergency alarm*, ‘QFES’—**
omit, insert—
QFR
- 40 Section 104DA(6), definition *monitored system*, paragraph (b), ‘QFES’—**
omit, insert—
QFR

- 41 Section 104DA(6), definition *unwanted alarm*, ‘QFES’—**
omit, insert—
QFR
- 42 Section 104F(1), ‘pursuant to section 104E(1)(a)’—**
omit, insert—
under section 146O(1)(a)
- 43 Section 104FB(1), ‘section 104FA’—**
omit, insert—
section 146Q
- 44 Section 104FGA(1), ‘sections 104C, 104D, 104E, 104FA and 104FB’—**
omit, insert—
sections 146L, 146M, 146O, 146Q and 146R
- 45 Section 104FH(4), definition *fire safety management plan guidelines*, ‘section 104FD’—**
omit, insert—
section 146T
- 46 Section 104H(1) and (5), ‘section 104I’—**
omit, insert—
section 147
- 47 Section 104H(2)(a), ‘schedule 5’—**
omit, insert—
schedule 1

- 48 Section 104I(1), ‘section 104H(1)’—**
omit, insert—
section 146Z(1)
- 49 Section 104I(6)(a), ‘sections 104C, 104D and 104E’—**
omit, insert—
sections 146L, 146M and 146O
- 50 Section 104I(10), ‘part 9B’—**
omit, insert—
part 5
- 51 Section 104K, ‘section 104I’—**
omit, insert—
section 147
- 52 Section 104K(a), ‘pursuant to section 104D’—**
omit, insert—
under section 146M
- 53 Section 104KA, definition *occupancy notice*, ‘section 104KF’—**
omit, insert—
section 147H
- 54 Section 104KC, example, ‘section 104KD(1)’—**
omit, insert—
section 147F(1)

55 Section 104KC, example, ‘section 104KD(2)’—

omit, insert—

section 147F(2)

56 Section 104KE(2), ‘section 104KD(2)’—

omit, insert—

section 147F(2)

57 Section 104KF, ‘section 104KD’—

omit, insert—

section 147F

58 Section 104KF(b), ‘section 104KE’—

omit, insert—

section 147G

59 Section 104KI(3)(a), ‘section 104KD(2)’—

omit, insert—

section 147F(2)

60 Section 104KP(1), ‘section 104KD(2)’—

omit, insert—

section 147F(2)

61 Section 104KS, ‘QFES’s’—

omit, insert—

QFR’s

- 62 Section 104RA(1), definition *manufacturer's instructions*—**
omit.
- 63 Section 104RA(1), definition *operates when tested*, 'section 104RAA'—**
omit, insert—
section 147X
- 64 Section 104RA(1), definition *smoke alarm information*, 'section 104RL'—**
omit, insert—
section 148J
- 65 Section 104RA(1), definition *smoke alarm requirement provision, paragraph (a)*, 'section 104RB'—**
omit, insert—
section 147Y
- 66 Section 104RA(1), definition *smoke alarm requirement provision, paragraph (b)*, 'section 104RBA'—**
omit, insert—
section 147Z
- 67 Section 104RB, 'section 104RBA'—**
omit, insert—
section 147Z
- 68 Section 104RC(4)(a) and (b)—**
omit, insert—

- (a) if section 147Y applies to the domestic dwelling—comply with section 147Z(5)(b) to (d); or
- (b) if section 147Z applies to the domestic dwelling—comply with section 147Z(5).

69 Section 104RD(1) and (2), ‘section 104RAA(3)’—

omit, insert—

section 147X

70 Section 104RH(2)(a), ‘section 104RC’—

omit, insert—

section 148A

71 Section 104RH(2)(c), ‘section 104RE’—

omit, insert—

section 148C

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

omit, insert—

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

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

omit, insert—

section 146Y

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

omit, insert—

147(8)

75 Section 104SG(1)—

omit, insert—

- (1) In conducting a proceeding that is a review of a notice given under section 145G(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 148U(3)—
 - (a) at least 1 assessor nominated under section 148U(2)(b)(i);
 - (b) at least 1 assessor nominated under section 148U(2)(b)(ii);
 - (c) if the notice is an occupancy notice or a decision notice under section 147K—at least 1 assessor nominated under section 148U(2)(b)(iii).

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

omit, insert—

section 145G(2)(a)

77 Section 104SI(1), ‘section 104SG(1)’—

omit, insert—

section 148S(1)

78 Section 104SJ, ‘section 104SI(2)’—

omit, insert—

section 148U(2)

79 Chapter 3, part 10, heading—

omit.

- 80 Sections 110(2), 111, 116, 117(1), 118(1), 123(4) and 128(b), ‘part’—**
omit, insert—
division
- 81 Sections 112(1)(b) and 113(1)(c), ‘section 108’—**
omit, insert—
section 152I
- 82 Section 118(2), ‘pursuant to section 117’—**
omit, insert—
under section 152R
- 83 Section 119(1), ‘section 118’—**
omit, insert—
section 152S
- 84 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
- 85 Section 123(1), ‘pursuant to section 122’—**
omit, insert—
under section 152W
- 86 Section 123(3)(a), ‘section 115(3)’—**
omit, insert—
section 152P(3)

-
- 87 Section 128(a), ‘section 117’—**
omit, insert—
section 152R
- 88 Section 128B, heading, ‘pt 11’—**
omit, insert—
part
- 89 Section 128B, definition *service*, ‘this chapter’—**
omit, insert—
chapter 4, part 1, this chapter or chapter 4B, part 1
- 90 Section 128B, note—**
omit.
- 91 Section 128H(3), definition *prescribed property*, ‘section 105(1)’—**
omit, insert—
section 152E(1)
- 92 Section 128H(3), definition *unwanted alarm*, ‘section 104DA(6)’—**
omit, insert—
section 146N(6)
- 93 Sections 150 and 150A, note—**
omit.
- 94 Section 150D, ‘section 53(2)(j)’—**
omit, insert—
-

section 149I(2)(j)

95 Sections 150E and 150F, note—

omit.

96 Section 150J(5), definition *executive liability provision*—

omit, insert—

executive liability provision means any of the following provisions—

- section 145G(3)
- section 146L
- section 146M(1).

97 Sections 150J(5), 150K(3), 151(4), 151A(2), 151B, 151C, 151D, 151E(4), 151F(2), 151G and 151H(4), note—

omit.

98 Section 151G, ‘section 62’—

omit, insert—

section 145

99 Section 151H(1) and (3), ‘QFES’—

omit, insert—

QFR

100 Sections 151J, 151K, 152A(3) and 152C(5), note—

omit.

101 Section 153B, ‘chapter 3’—

omit, insert—

this Act

102 Sections 153B(4), 153D, 154, 154A(3), 154B and 154D, note—

omit.

103 Section 153D(b), ‘QFES’—

omit, insert—

the fire services

104 Schedule 5, authorising provision, ‘section 104H’—

omit, insert—

section 146Z

105 Schedule 6—

insert—

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

fire safety installation see section 146J.

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

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

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

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

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

smoke alarm requirement provision, for chapter 4A, part 4, division 5A, see section 147W.

tenancy, for chapter 4A, part 4, division 5A, see section 147W.

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

omit, insert—

section 148U

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

omit, insert—

section 149H

108 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 147W

109 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 147C

110 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 147W

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- 111 Schedule 6, definition *domestic dwelling*, ‘chapter 3, part 9A, division 5A, see section 104RA’—**
omit, insert—
chapter 4A, part 4, division 5A, see section 147W
- 112 Schedule 6, definition *fire and evacuation plan*, ‘section 104E(1)(a)’—**
omit, insert—
section 146O(1)(a)
- 113 Schedule 6, definition *fire ban area*, ‘section 86A’—**
omit, insert—
section 145M
- 114 Schedule 6, definition *fire safety management plan*, ‘section 104FC’—**
omit, insert—
section 146S
- 115 Schedule 6, definition *fire safety system*, ‘section 104KA’—**
omit, insert—
section 147C
- 116 Schedule 6, definition *fund*, ‘section 20(1)’—**
omit, insert—
section 152F(1)
- 117 Schedule 6, definition *information statement*, ‘chapter 3, part 9A, division 5A, see section 104RA’—**
omit, insert—
-

chapter 4A, part 4, division 5A, see section 147W

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

omit, insert—

chapter 4A, part 4, division 5A, see section 147W

119 Schedule 6, definition *levy district*, ‘section 106(1)(a)’—

omit, insert—

section 152G(1)(a)

120 Schedule 6, definition *licensed building*, ‘chapter 3, part 9A, division 3A, see section 104KA’—

omit, insert—

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

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

omit, insert—

section 145M

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

omit, insert—

section 147H

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

omit, insert—

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

- 124** **Schedule 6, definition *owner*, paragraph (b)—**
 omit, insert—
 (b) for chapter 5, part 3A—see section 152E(1).
- 125** **Schedule 6, definition *operates when tested*, ‘section 104RAA(1) and (2)’—**
 omit, insert—
 section 147X(1) and (2)
- 126** **Schedule 6, definition *premises*, paragraph (b), ‘chapter 3, part 6’—**
 omit, insert—
 chapter 4B, part 1
- 127** **Schedule 6, definition *premises of seizure*, ‘section 56B’—**
 omit, insert—
 section 149N
- 128** **Schedule 6, definition *prescribed property*, ‘section 105’—**
 omit, insert—
 section 152E
- 129** **Schedule 6, definition *presiding member*, ‘section 104SG’—**
 omit, insert—
 section 148S

Schedule 1

- 130** Schedule 6, definition *principal registrar*, ‘section 104SG’—
omit, insert—
section 148S
- 131** Schedule 6, definition *proceeding*, ‘section 104SG’—
omit, insert—
section 148S
- 132** Schedule 6, definition *residential land*, ‘chapter 3, part 9A, division 5A, see section 104RA’—
omit, insert—
chapter 4A, part 4, division 5A, see section 147W
- 133** 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 147C
- 134** 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 147W
- 135** Schedule 6, definition *tenant*, ‘chapter 3, part 9A, division 5A, see section 104RA’—
omit, insert—
chapter 4A, part 4, division 5A, see section 147W

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- 136** Schedule 6, definition *transfer date*, ‘chapter 3, part 9A, division 5A, see section 104RA’—
omit, insert—
chapter 4A, part 4, division 5A, see section 147W
- 137** Schedule 6, definition *transferee*, ‘chapter 3, part 9A, division 5A, see section 104RA’—
omit, insert—
chapter 4A, part 4, division 5A, see section 147W
- 138** Schedule 6, definition *transferor*, ‘chapter 3, part 9A, division 5A, see section 104RA’—
omit, insert—
chapter 4A, part 4, division 5A, see section 147W

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 145B
- 3** Section 4(1), ‘the Act, section 64(2)’—
omit, insert—
section 145B(2) of the Act

- 4 Section 5, heading, ‘—Act, s 65’—**
omit, insert—
—Act, s 145C
- 5 Section 5, ‘the Act, section 65(1)’—**
omit, insert—
section 145C(1) of the Act
- 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 145C

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

Schedule 1

- 4 Section 61U, note 2, ‘Fire and Rescue Service Act 1990, sections 65 and 66’—**
omit, insert—
Fire Services Act 1990, sections 145C and 145D
- 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) Queensland Fire and Rescue;

(ii) Rural Fire Service Queensland; or

(d) either of the following entities established under the *Marine Rescue Queensland Act 2024*—

(i) Marine Rescue Queensland;

(ii) an MRQ unit; or

(e) either of the following entities established under the *State Emergency Service Act 2024*—

(i) the State Emergency Service;

(ii) an SES unit.

Labour Hire Licensing Regulation 2018

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

omit, insert—

Fire Services Act 1990

Major Events Act 2014

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

omit, insert—

Queensland Fire and Rescue or Rural Fire Service
Queensland 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—

Queensland Fire and Rescue

Manufactured Homes (Residential Parks) Act 2003

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

omit, insert—

Queensland Fire and Rescue

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

omit, insert—

Queensland Fire and Rescue

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

omit.

- 4 **Schedule 2—**

insert—

Queensland Fire and Rescue means Queensland Fire and Rescue 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—

, Queensland Fire and Rescue or Rural Fire Service Queensland

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) Queensland Fire and Rescue;
- (ba) Rural Fire Service Queensland;

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 145F(1)(c), 145G(3) or 149I(1); or
 - (ii) required under section 145G(1) or 149I(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 145A or a permit granted under section 145C 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

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

omit, insert—

Queensland Fire and Rescue

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—

Queensland Fire and Rescue

-
- 5 **Schedule 9, part 3, division 3, table 3, item 2, column 2, ‘The Queensland Fire and Emergency Service’—**
omit, insert—
Queensland Fire and Rescue
- 6 **Schedule 10, part 17, division 3, table 4, item 2, column 2, ‘The Queensland Fire and Emergency Service’—**
omit, insert—
Queensland Fire and Rescue
- 7 **Schedule 10, part 17, division 3, table 4, item 4, column 2, ‘the Queensland Fire and Emergency Service’—**
omit, insert—
Queensland Fire and Rescue
- 8 **Schedule 21, section 1(9), ‘Fire and Emergency Services Act, section 53, 68 or 69’—**
omit, insert—
Fire Services Act 1990, section 145F, 145G, 149I or 149K(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 146S
- 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 145F, 145G or 149I

Police Powers and Responsibilities Act 2000

- 1 Section 754(9), definition *emergency vehicle*, paragraphs (c) and (d)—**
omit, insert—
- (c) Queensland Fire and Rescue under the *Fire Services Act 1990*;
 - (d) Rural Fire Service Queensland 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) Queensland Fire and Rescue or Rural Fire Service Queensland under the *Fire Services Act 1990*.

7 Section 10.24(2)(b), from ‘fire service officer’ to ‘Fire and Emergency Services Act 1990’—

omit, insert—

fire officer under the *Disaster Management Act 2003* or a fire service officer under the *Fire Services Act 1990*

8 Section 10.24(3), definition *fire service officer*—

omit.

9 Section 10.24(3)—

insert—

fire officer see the *Disaster Management Act 2003*, schedule.

10 Schedule 2—

insert—

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—

Queensland Fire and Rescue or Rural Fire Service
Queensland

Schedule 1

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—

Queensland Fire and Rescue or Rural Fire Service
Queensland

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) Queensland Fire and Rescue;
- (c) Rural Fire Service Queensland.

2 Section 4(3)(b)—

omit, insert—

(b) for Queensland Fire and Rescue or Rural Fire Service Queensland—

- (i) the fire services under the *Fire Services Act 1990*; 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) Queensland Fire and Rescue;
- (da) Rural Fire Service Queensland;

4 Section 5(1)(da) to (i)—

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

5 Section 5(6)(d)—

omit, insert—

- (d) for Queensland Fire and Rescue or Rural Fire Service Queensland—
 - (i) the fire services under the *Fire Services Act 1990*; 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, Queensland Fire and Rescue or Rural Fire Service Queensland

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—

Queensland Fire and Rescue means Queensland Fire and Rescue established under the *Fire Services Act 1990*, section 8(1).

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

Queensland Reconstruction Authority Act 2011

1 Section 24(1), ‘his or her’—

omit, insert—

their

2 Section 27(1)(2)(b), ‘his or her’—

omit, insert—

their

3 Section 132(1), ‘his or her’—

omit, insert—

their

Rail Safety National Law (Queensland) Act 2017

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

omit, insert—

Queensland Fire and Rescue

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 146S

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

Security Providers (Crowd Controller Code of Practice) Regulation 2008

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

omit, insert—

Queensland Fire and Rescue, Rural Fire Service
Queensland

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

omit.

3 Schedule, schedule—

insert—

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

Rural Fire Service Queensland means Rural Fire Service Queensland 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—

Queensland Fire and Rescue, Rural Fire Service Queensland

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

omit.

3 Schedule, schedule—

insert—

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

Rural Fire Service Queensland means Rural Fire Service Queensland 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—

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 145	5
s 145E	5	-	
s 145G(3)	5	25	
s 145J(1)(a)	5	25	
s 145J(1)(b)	leave fire unattended	5	-
s 145J(1)(b)	fail to take reasonable measures to extinguish a fire	5	-
s 145J(1)(d)		5	-
s 145J(1)(e)		5	-
s 145R		5	-
s 145Y		20	-
s 146L	in the circumstances in paragraph (d) of the penalty	10	25
s 146M(1)	in the circumstances in paragraph (e) of the penalty	10	50
s 146O(1)	in the circumstances in paragraph (d) of the penalty	10	50
s 146Q(2)	in the circumstances in paragraph (d) of the penalty	10	50
s 146R(1)	in the circumstances in paragraph (d) of the penalty	10	50
s 146R(3)	in the circumstances in paragraph (d) of the penalty	10	50

Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
	Individual	Corporation
s 146V	5	25
s 146Y(3)	5	25
s 147M for a first offence	10	25
s 147N(1)	5	25
s 147O(2)	5	25
s 147P(2)	5	25
s 147Q	5	25
s 147R(1)	5	25
s 147R(2)	5	25
s 147S(6)	10	25
s 147Y(1)	2	2
s 148A(2)	2	2
s 148A(3)	2	2
s 148C(2)	2	2
s 148C(3)	2	2
s 148D(2)	2	2
s 148F(1)	2	2
s 148I(1)	2	2
s 148I(3)	2	2
s 148J(1)	2	2
s 148K(2)	2	2
s 148K(4)	2	2

Schedule 1

	Column 1 Infringement notice offence	Column 2 Infringement notice fine (penalty units)	
		Individual	Corporation
	s 148N(2)	2	2
	s 149ZG for a failure to return an identity card	1	-
	s 149ZK(1) for a failure to help an investigation officer	1	-
	s 149ZN(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 emergency service—		
	• in the circumstances in paragraph (a) of the penalty	25	-
	• in the circumstances in paragraph (b) of the penalty	10	-
	s 150B(1)(b) for a false alarm of fire or of a hazardous materials emergency—		
	• in the circumstances in paragraph (a) of the penalty	25	-

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

Authorised person for service of infringement notices—

- (a) for an offence against section 149ZG, 149ZK(1), 149ZN(1), 150B(1)(a) or (b)—an investigation officer appointed under the *Fire Services Act 1990*, section 149ZA; 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

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

Schedule 1

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

omit.

3 Schedule 2, part 1, table—

insert—

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

Fire Services Act 1990, schedule 2

Transport Operations (Passenger Transport) Regulation 2018

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

omit, insert—

(b) Queensland Fire and Rescue; or

(ba) Rural Fire Service Queensland, 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—

Queensland Fire and Rescue, Rural Fire Service Queensland (other than rural fire brigades under the *Fire Services 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) Queensland Fire and Rescue established under the *Fire Services Act 1990*; or

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

omit, insert—

(v) Rural Fire Service Queensland 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—

Queensland Fire and Rescue, Rural Fire Service
Queensland (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 145G

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 149I(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—

Queensland Fire and Rescue and Rural Fire Service Queensland

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

omit, insert—

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

3 Schedule 3, section 4(2) and (3)—

omit, insert—

- (2) Queensland Fire and Rescue’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 Queensland’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 Queensland Fire and Rescue for section 2(2)(b) of the Act are the functions the employee performs when Queensland Fire and Rescue is performing its prescribed functions.

- (5) The prescribed functions of an employee of Rural Fire Service Queensland for section 2(2)(b) of the Act are the functions the employee performs when Rural Fire Service Queensland 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 service organisation*, paragraph (b)—

omit, insert—

(b) Queensland Fire and Rescue under the *Fire Services Act 1990*; and

(c) Rural Fire Service Queensland under the *Fire Services Act 1990*.

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

omit, insert—

(b) Queensland Fire and Rescue under the *Fire Services Act 1990*; and

(c) Rural Fire Service Queensland under the *Fire Services Act 1990*.

Workers' Compensation and Rehabilitation Act 2003

1 Section 13(1), from 'commissioner'—

omit, insert—

police commissioner.

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 135

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

omit, insert—

, Queensland Fire and Rescue or Rural Fire Service Queensland

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 135

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

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

omit, insert—

Fire Services Act 1990

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