

South Australia

# Fire and Emergency Services Variation Regulations 2021

under the *Fire and Emergency Services Act 2005*

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Fire and Emergency Services Variation Regulations 2021*.

### 2—Commencement

These regulations come into operation on the day on which they are made.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of *Fire and Emergency Services Regulations 2021*

### 4—Insertion of regulation 29A

After regulation 29 insert:

#### 29A—Certain acts to constitute lighting and maintaining fire

- (1) Pursuant to section 148(2) of the Act, the following acts will, for the purposes of the Act, be taken to constitute lighting and maintaining a fire:
  - (a) gas welding, soldering with an exposed flame, metal cutting, metal grinding or metal abrasion;
  - (b) the use of fireworks;

- (c) the use of an appliance used to generate smoke for the manipulation of bees;
  - (d) the use of a rabbit fumigator;
  - (e) the use of a bird scarer (within the meaning of regulation 42);
  - (f) the use of explosive materials,  
other than such an act carried out by a member of SACFS or another recognised emergency service in an emergency to protect life or property.
- (2) Pursuant to section 148(2) of the Act, the operation of a gas fire or electric element for cooking purposes will, for the purposes of this Act, be taken to constitute lighting and maintaining a fire.
- (3) Nothing in this regulation limits a provision of the Act, or any other provision of these regulations.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 23 December 2021

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