

South Australia

# **Fire and Emergency Services (Permits) Amendment Regulations 2023**

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 (Permits) Amendment Regulations 2023*.

### **2—Commencement**

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

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

### **3—Amendment of regulation 3—Interpretation**

Regulation 3(1)—after *SA Water* insert:

**welding** means all forms of welding, including gas, electrical and chemical welding.

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#### **4—Amendment of regulation 29A—Certain acts to constitute lighting and maintaining fire**

Regulation 29A(1)(a)—delete "gas"

#### **5—Amendment of regulation 31—Permits**

Regulation 31(10)(b) and (c)—delete paragraphs (b) and (c) and substitute:

- (b) the authorised officer must send a copy of the permit to the permit holder in such manner as is determined by the Chief Officer; and
- (c) if the permit authorises the permit holder to light or maintain a fire contrary to the terms of a total fire ban, the authorised officer must give notice of the issue of the permit to the regional officer in whose region the fire will be lighted, and send a copy of the permit to that regional officer, in such manner as is determined by the Chief Officer.

#### **6—Amendment of regulation 39—Gas welding, soldering, metal cutting, grinding and abrasion**

- (1) Regulation 39, heading—delete "Gas welding" and substitute:

Welding

- (2) Regulation 39(1)(a)—delete "gas"

- (3) Regulation 39—after subregulation (2) insert:

- (2a) Subregulation (2) does not apply to a person who operates an appliance referred to in subregulation (1) in the open air in accordance with a permit issued under section 81 of the Act.

#### **7—Amendment of regulation 54—Prescribed activity**

Regulation 54(g)—delete "gas"

#### **8—Amendment of regulation 70—Expiation of offences**

Regulation 70(1), table, item relating to "Section 89", (d)—delete "gas"

#### **9—Amendment of Schedule 9—Permit authorising person to light or maintain fire during fire danger season**

Schedule 9—delete "(tick appropriate purpose):"

- for the purpose of burning off land;
- for another purpose: *[specify the purpose]*" and substitute:  
for the purpose of: *[specify the purpose]*

**Note—**

Certain acts constitute lighting and maintaining fire—see regulation 29A.

**10—Amendment of Schedule 10—Permit authorising person to light or maintain fire in open air contrary to terms of total fire ban**

Schedule 10—after "Pursuant to section 81 of the Fire and Emergency Services Act 2005 this permit is issued for the purpose of [insert purpose]." insert:

**Note—**

Certain acts constitute lighting and maintaining fire—see regulation 29A.

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments 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's Deputy**

with the advice and consent of the Executive Council  
on 28 September 2023

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