Tasmania Fire Service

Fact Sheet

Tasmania Fire and Emergency Services Regulations 2026

The Tasmanian Government has released a working daft of the Tasmania Fire and Emergency Services (TFES) Regulations 2026. This supports public consultation on the TFES Bill 2026; released 7 August 2026.

The decision to release a working draft reflects that some matters remain under consideration and will be further informed by public feedback.

Consultation on both the TFES Bill and the working draft of the TFES Regulations will be open until **Friday, 30 October 2026**.

For more information, please refer to https://www.fire.tas.gov.au/reform/ or https://www.ses.tas.gov.au/reform/ or email TFES@dpfem.tas.gov.au.

Key themes in the TFES Regulations 2026

In line with preparing principles-based legislation, much of the detail found in the *Fire Service Act 1979* (FSA) does not appear in the TFES Bill 2026. This detail has been moved to the new TFES Regulations or will be addressed in underlying policy or doctrine.

The new TFES Regulations will replace all of the current regulations made under the FSA. No provisions in the *Emergency Management Regulations 2020* are planned for adoption into the TFES Regulations.

The following information identifies where key changes have been made or new detail may be found in the working draft.

Part 1 – Preliminary

Interpretation

The Regulations define ***public notice*** as a notice that is published by one or more methods, including in the *Gazette*, a TFES website, by electronic means, and/ or in a manner that is approved by the Fire and Emergency Services (FES) Commissioner.

This is intended to provide greater flexibility to the TFES in terms of notifying the public of matters such as declarations of fire permit periods and other matters related to fire permit periods, declarations of total fire ban days; declarations of Fire Management Areas and declarations of areas of extreme fire or emergency hazard.

This proposal acknowledges that some decisions are made at short notice (e.g. due to sudden changes in weather conditions) therefore requiring a notice in the *Gazette*, or publication in a local newspaper (for example), is not always practicable.

Fire safety standards for buildings

The Regulations propose the following changes.

relevant buildings (previously *prescribed buildings*) –

- Include Class 4 buildings, to ensure the minimum fire safety standard is determined by the highest risk building.
- Clarify that Class 1b buildings cannot be used to provide supported accommodation for persons with disabilities. In the National Construction Code, these buildings are Class 3.

specified buildings –

- Minor drafting improvements to clarify that these provisions are intended to capture buildings occupied by two or more unrelated people.

Part 2 – Fire Management Areas

Fire Management Areas and Fire Management Area Committees (FMACs) are continued through the Regulations, rather than the Bill.

The Regulations preserve the FMACs' role in coordinating bushfire risk management, developing annual fire protection plans, and providing local expertise on fire management issues.

Part 3 – Fire Permit System

Division 2 – Appointment of fire permit officers

It is proposed that Fire Permit Officers would be appointed by the FES Commissioner on nomination from authorised members or relevant land managers.

A new proposal provides that a Fire Permit Officer is not personally liable for loss, injury or damage arising from a fire that is authorised by a permit, unless the officer acted maliciously or recklessly when issuing the permit.

Division 3 – Fire Permits

It is proposed that appeals against decisions to refuse fire permits would go to the FES Commissioner, rather than the Commission, reflecting the delineation of operational management and corporate governance responsibilities.

It is not intended that a person may appeal decisions to suspend, vary or revoke fire permits, as these decisions are based on identified risk/s.

A new proposal provides that responsible officers must notify the TFES if the officer amends or revokes a fire permit that relates to a protected area, addressing an identified gap in the FSA.

Part 4 – Fire Safety

Most of the provisions in the TFES Regulations deal with fire safety requirements for buildings and other premises.

Division 1 – Fire protection equipment

A new provision enables the FES Commissioner to approve a Code of Practice for Fire Protection Equipment and requires consultation before any amendments are made. Compliance with the Code would be mandatory.

Division 2 – Restricted activity

The purpose of the restricted activity scheme is to ensure that fire protection equipment is installed, routinely serviced and repaired by appropriately qualified persons so that the equipment can be relied upon during an emergency.

The Regulations propose modernising the current scheme, so that it is in line with relevant Australian Standards and consistent with other permit and licensing schemes.

Division 3 – Access, isolation and resetting of fire protection equipment and systems

The regulations provide express authority for authorised members to reset a fire protection system following activation. This addresses a current operational gap.

Division 5 – Exits and emergency lighting

The Regulations define ***place of open-air public entertainment*** – to clarify what premises are subject to provisions concerning required exits; and ***unlawful lock or locking device*** as one that has not been approved by a building surveyor; and would obstruct a person from safely evacuating through a required exit.

The FES Commissioner may determine the number of exits required for a place of open-air public entertainment, ensuring sufficient access and exit for the TFES and members of the community in the event of a fire or other emergency.

No changes are proposed regarding the number of exits required in buildings, determined under the *building controls*.

Division 6 – Fire evacuation plans

It is proposed that advanced notice of practice evacuations must be provided in writing, to assist the TFES in monitoring compliance in the community.

Division 9 – Specific fire safety requirements

Fire-fighting water supply (timber, storage and freight yards)

The Regulations propose that the FES Commissioner may approve a fire-fighting water supply if it is operationally suitable for the TFES, even if it does not meet all of the criteria in the National Construction Code.

Fire permits (sawmills and factories)

It is proposed that permits granted in respect of sawmills and factories should be subject to any conditions that may be determined by the FES Commissioner; and, if the premises is located within a protected area, the responsible officer for that area.

The Regulations provide that a permit granted in respect of sawmills and factories, may be amended or revoked [or suspended] by the Fire Permit Officer who issued the permit, the FES Commissioner; or if applicable, the relevant responsible officer.

Part 5 – Finance

The Regulations contain matters relevant to the finances of the TFES, including the Tasmania Fire Service, State Emergency Service, the Commission and TFES members (including volunteers).

Part 6 – Volunteer Members

Matters such as registration and membership, standards of service and promotions and training are referred to in the Regulations, promoting transparency and accountability for all parties, and bringing Tasmania into line with other Australian jurisdictions. Detailed information about the day-to-day management of volunteers will continue to be addressed in policy and doctrine, such as Volunteer Agreements. It is not proposed that there will be fundamental changes to how volunteers are currently managed.

Part 7 – Prescribed Matters

The TFES Bill 2026 identifies matters that may be prescribed in the Regulations, including:

- classes of general insurance;
- Declarations of areas of extreme fire or emergency hazard by *public notice*;
- The prescribed manner of burning domestic refuse;
- Land exempt from the fire service contribution that is collected by councils, and circumstances where specified lands cease to be exempt.

Prescribed offences (arrest without a warrant)

In addition to offences currently prescribed in the FSA that have been adopted in the TFES Bill, it is proposed that police officers may arrest a person without a warrant for offences against restrictions on lighting fires during fire permit periods (section 46); and offences with respect to emergency management workers (section 60 of the *Emergency Management Act 2006*).

Part 8 – Miscellaneous

The Regulations contain offences that may be dealt with via an infringement notice and describe the penalties (fines) associated with those offences. Establishing a new infringement scheme aims to enhance community safety by providing mechanisms for early intervention and deterrence. Serious offences may be prosecuted in court.