

## FACT SHEET

### *Fire Service (Extension of Regulations) Bill 2017*

The Government has introduced legislation into Parliament to provide for the retrospective postponement of the repeal of the *Fire Service (Finance) Regulations 2006*, which were repealed on 15 May 2016. The Bill postpones the repeal date until the commencement of the *Fire Service (Finance) Regulations 2017*.

The *Fire Service Act 1979* requires insurance companies and Tasmanian councils to pay contributions to the State Fire Commission. The various rates paid by insurance companies and Tasmanian councils are prescribed in the *Fire Service (Finance) Regulations 2006*, which were made on 15 May 2006.

On 15 May 2016, the *Fire Service (Finance) Regulations 2006* expired as a consequence of section 11(2) of the *Subordinate Legislation Act 1992*. Section 11 automatically repeals subordinate legislation on the tenth anniversary of its making. As a consequence, regulations need to be reviewed every ten years and if considered still necessary, remade after review.

In the case of the *Fire Service (Finance) Regulations 2006*, the review and remaking of new regulations did not until after the expiry of the 2006 regulations. The *Fire Service (Finance) Regulations 2017*, were made by the Governor-in-Council, at Executive Council meeting No. 56, held on 10 April 2017. The Regulations were published in the Government Gazette on 19 April 2017, whereupon they took effect.

This has resulted in an interruption where no regulations were in force between the expiry of the 2006 regulations on 15 May 2016, and the commencement of the replacement regulations on 19 April 2017.

The making of new regulations cannot retrospectively cover the period between when the prior regulations expired and the new regulations commenced. An Act of Parliament is required. This Bill effectively reinstates and extends the 2006 regulations until 18 April 2017, by retrospectively postponing the repeal date of the 2006 regulations from the period of their expiry until the date of commencement of the new Regulations.

The Bill will become law on a date it receives Royal Assent.