

FE301*

Fire Brigades Act 1942

Fire Brigades Amendment Regulations 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fire Brigades Amendment Regulations 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Fire Brigades Regulations 1943*.

4. Regulation 133 amended

Delete regulation 133(a).

5. Regulation 134A inserted

After regulation 133 insert:

134A. Paid outside employment

- (1) In this regulation —

commencement day means the day on which the *Fire Brigades Amendment Regulations 2013* regulation 5 comes into operation;

paid outside employment means work that —

- (a) is carried out otherwise than for the purposes of the duties of an officer or member of a permanent fire brigade; and

- (b) is carried out for reward under a contract of service, a contract for services or any other arrangement.
- (2) Subject to subregulation (8), an officer or member of a permanent fire brigade may engage in paid outside employment if he or she has given the FES Commissioner written notice of the paid outside employment in accordance with this regulation.
- (3) The notice must specify —
 - (a) the nature of the paid outside employment; and
 - (b) the hours of the paid outside employment; and
 - (c) where the paid outside employment will be undertaken; and
 - (d) the name and address of the employer (if any); and
 - (e) such other details as the FES Commissioner directs.
- (4) Unless subregulation (5) applies, the notice must be given at least 5 days before the officer or member commences the paid outside employment.
- (5) If —
 - (a) immediately before commencement day an officer or member of a permanent fire brigade was engaged in paid outside employment; and
 - (b) the officer or member intends to continue to engage in the paid outside employment on or after commencement day,the notice must be given within 30 days after commencement day.
- (6) The FES Commissioner may, in a particular case, direct an officer or member of a permanent fire brigade —
 - (a) not to engage in particular paid outside employment; or
 - (b) not to engage in particular paid outside employment except in accordance with any conditions the FES Commissioner thinks appropriate to impose.
- (7) A direction under subregulation (6) must be in writing and, if applicable, specify the conditions imposed by the FES Commissioner.
- (8) An officer or member of a permanent fire brigade must comply with a direction given under subregulation (6).

6. Regulation 135 amended

- (1) In regulation 135(1) before “without” insert:

on full pay, partial pay or

- (2) In regulation 135(8)(ii) after “suspended” (second occurrence) insert:

on partial pay or

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.