

EXPLANATORY MEMORANDUM

Bush Fires Amendment Bill 2022

Overview of the Bill

The Bush Fires Amendment Bill 2022 (**the Bill**):

- amends sections 24C, 24D, 25(1)(a) and 38(17) of the *Bush Fires Act 1954* to instate the nationally agreed Australian Fire Danger Rating System (**AFDRS**) and corresponding Fire Behaviour Index (**FBI**) Thresholds.

The Bill is divided into two Parts:

- Part 1. Preliminary;
- Part 2. The Bush Fires Act 1954 amended

PART 1. PRELIMINARY

Clause 1 - Short Title

Clause 1 provides that the Bill, once enacted, will be known as the *Bush Fires Amendment Act 2022* (**the Act**).

Clause 2 - Commencement

Clause 2 provides for the commencement of the Act.

Part 1 comes into operation on the day the Act receives Royal Assent.

The rest of the Act will come into operation on a day fixed by proclamation.

PART 2. THE BUSH FIRES ACT 1954 AMENDED

Clause 3 - Act amended

The purpose of this Part is to amend the Act.

Clause 4 - Section 24C amended

The new nationally agreed consistent AFDRS model, a departure from the current six-category system, comprises four categories – “moderate”, “high”, “extreme” and “catastrophic”. Proposed amendments to this section will remove reference to two current Fire Danger Rating terms, these being “severe” and “very high”. This amendment will ensure that activities which are currently prohibited when the ratings “severe” or “very high” are issued, will also be prohibited when the new AFDRS ratings of “extreme” and “high” are issued.

Clause 5 - Section 24D amended

As for clause 4.

Clause 6 - Section 25(1)(a) amended

As for clause 4.

Clause 7 - Section 38(17) amended

As for clause 4.