

Emergencies (Fees) Determination 2019

Disallowable instrument DI2019-90

made under the

Emergencies Act 2004, s 201 (Determination of fees)

1 Name of instrument

This instrument is the *Emergencies (Fees) Determination 2019*.

2 Commencement

This instrument commences on 1 July 2019.

3 Determination of fees

The fee payable for a matter stated in Schedule 1, column 2, is the fee stated in column 3 for the matter.

4 Payment of fees

- (1) The fee payable for items 255-274 and 296 is payable to the Territory by the person requesting the service.
- (2) The fee payable for items 279-287 is payable by an automatic fire alarm network provider.
- (3) The fee payable for item 289 and 291 is payable to the Territory by the occupier of the building.
- (4) The fee payable for items 294-298 is payable by the person receiving the service.
- (5) A fee for items 272-274, 279-287, 289 and 291 is payable as a lump sum only, unless otherwise agreed by the Chief Officer ACT Fire & Rescue Service.

5 Fee exemptions

A fee for items 294, 295 and 297 is not payable:

- (a) by ACT school students who are injured or become ill at school or during approved school excursions; or
- (b) by residents of the ACT, New South Wales, Victoria, Tasmania or Northern Territory who, at the time the service was provided, held a current valid relevant concession card which includes an entitlement to free ambulance services under Commonwealth Government Department of Human Services provisions; or
- (c) by persons who have been arrested and/or are in lawful custody; or

- (d) by an *entitled person*, as defined in the *Children and Young People Act 2008*; or
- (e) where the ambulance services were provided to a person in relation to performing a good Samaritan act; or
- (f) for ambulance services provided following an incident involving a motor vehicle on a road or road related area in the ACT, or where the vehicle has sufficient connection with the ACT as per part 4, section 14 of the Road Transport (Third-Party Insurance) Regulation 2008; or
- (g) where ambulance services were provided to a person who was deceased, or was unable to be resuscitated, while in the care of ACT Ambulance Service officers; or
- (h) by a person who is a victim of domestic or family violence; or
- (i) by a person who is a victim of sexual assault; or
- (j) for individuals who are assessed by ambulance personnel at the request of any of the following emergency services; ACT Fire and Rescue, ACT Rural Fire Services, ACT State Emergency Service, Australian Federal Police, New South Wales Police, New South Wales Fire and Rescue, New South Wales Rural Fire Service, New South Wales State Emergency Service, or Aviation Rescue and Fire Fighting Service. This exemption will only apply if ambulance transport does not occur.

6 Fee waivers

- (1) A fee for items 289 and 291 may be waived where the Chief Officer ACT Fire & Rescue Service considers the unintended alarm:
 - (a) could not have been prevented by reasonable maintenance of the alarm system; or
 - (b) was activated by a circumstance beyond the reasonable control of the "owner" as defined in the *Emergencies Act 2004*.
- (2) A fee for items 294, 295, 297 and 298 may be waived where the Chief Officer, ACT Ambulance Service is satisfied that exceptional personal or other circumstances apply to a person to whom ambulance services were provided.

7 Definitions

In this instrument:

alarm system means a fire indicator panel or group of fire indicator panels at the same location, which in the opinion of the Chief Officer ACT Fire & Rescue Service, is one system for the purposes of ACT Fire & Rescue Service attendance and unintended alarm management.

exceptional personal or other circumstances for clause 6 – see Schedule 2.

fire means a fire, heat or ignition source however created and includes smoke.

relevant concession card includes any of the following cards:

- (a) a current health care card issued under the *Social Security Act 1991 (Cwlth)*; or
- (b) a current pensioner concession card issued under the *Social Security Act 1991 (Cwlth)*;

- (c) a current pensioner concession card issued under the *Veterans' Entitlements Act 1986 (Cwlth)* or the *Military Rehabilitation and Compensation Act 2004 (Cwlth)*;
- (d) a current gold card (otherwise known as the 'Repatriation Health Card—For All Conditions' that evidences a person's eligibility, under the *Veterans' Entitlements Act 1986 (Cwlth)* or the *Military Rehabilitation and Compensation Act 2004 (Cwlth)*, to be provided with treatment for all injuries or diseases.

road, road related area and **motor vehicle** – see the *Road Transport (General) Act 1999*, dictionary.

unintended alarm means an alarm from the alarm system of an automatic fire alarm network provider where the alarm was caused by a malfunction or design flaw with the alarm system or any other action that led to the activation of the alarm which could have been reasonably prevented such that the attending ACT Fire & Rescue Service resource finds no fire connected with the alarm or finds that the fire connected with the alarm should not have activated the alarm.

8 Revocation

This instrument revokes DI2018-135, the *Emergencies (Fees) Determination 2018*.

Mick Gentleman MLA
Minister for Police and Emergency Services
12 June 2019

SCHEDULE 1 – FEES TO BE PAID

Column 1 Item	Column 2 Matter for which fee is payable	Column 3 Amount Payable
255	The supply of ACT Fire & Rescue Service personnel at the request of a person or organisation conducting a sporting event or public function – each officer per hour or part thereof:	
	(a) Superintendent and above	\$145.00
	(b) Commander	\$123.00
	(c) Station Officer	\$107.00
	(d) Fire Fighter	\$89.00
	<i>Explanatory Note: Last Financial Year the fees were \$142.00, \$120.00, \$105.00 and \$87.00 respectively.</i>	(All fees include 10% GST)
256	Where a fire appliance is made available at the request of a person or organisation conducting a sporting event or public function – each appliance with crew per hour or part thereof:	
	(a) Fire Pumper	\$596.00
	(b) Hazmat Vehicle	\$596.00
	(c) Water Tanker	\$317.00
	(d) Hydraulic Platform	\$528.00
	(e) Specialist Vehicle	\$308.00
	<i>Explanatory Note: Last Financial Year the fees were \$582.00, \$582.00, \$310.00, \$516.00 and \$301.00 respectively.</i>	(All fees include 10% GST)
257	Technical rescue course fees – per instructor per hour or part thereof	
	(a) Trench Rescue	\$291.00
	(b) Confined Space Rescue	\$291.00
	(c) Vertical Rescue	\$291.00
	(d) Structural Collapse Rescue	\$291.00
	(e) Road Accident Rescue	\$291.00
	<i>Explanatory Note: Last Financial Year the fees were all \$284.00.</i>	(All fees include 10% GST)
	Cylinder refills – each cylinder:	
258	(f) Oxygen cylinder	\$28.50
259	(g) Air cylinder	\$9.50
	<i>Explanatory Note: Last Financial Year the fees were \$28.00 and \$9.50 respectively.</i>	(All fees include 10% GST)
	Testing of cylinders – each cylinder:	
260	(h) Hydrostatic test – first cylinder	\$50.00
260.1	(i) Hydrostatic test – first cylinder including nitrous wash	\$59.00
261	(j) Hydrostatic test – each subsequent cylinder	\$28.50
261.1.	(k) Hydrostatic test – each subsequent cylinder including nitrous wash	\$38.50
262	(l) LPG cylinders	\$35.50
	<i>Explanatory Note: Last Financial Year the fees were \$49.00, \$58.00, \$28.00, \$38.00 and \$35.00 respectively.</i>	(All fees include 10% GST)
263	Cylinder valve service per hour plus parts. Minimum charge 1 hour	\$93.00
	<i>Explanatory Note: Last Financial Year the fee was \$91.00.</i>	(Includes 10% GST)
	Cylinder hire – each full cylinder:	
264	(a) Air cylinder	\$20.00
265	(b) Oxygen cylinder	\$38.50
	<i>Explanatory Note: Last Financial Year the fees were \$20.00 and \$38.00 respectively.</i>	(All fees include 10% GST)

	Service & testing fees – per hour (minimum charge one hour), not including parts	
266	(a) Self-Contained Breathing Apparatus (SCBA)	\$93.00
267	(b) Drager Acute Pack 2000	\$93.00
268	(c) Chemical suits	\$93.00
	<i>Explanatory Note: Last Financial Year the fees were all \$91.00.</i>	(All fees include 10% GST)
	Breathing apparatus-related training	
269	(a) Breathing apparatus 1 day training course	\$5,135.00
	(b) Breathing apparatus refresher training course	\$2,576.00
	(c) Breathing apparatus & chemical suit training	\$5,509.00
271	(d) Other breathing apparatus consultancy – per hour or part thereof	\$225.00
	<i>Explanatory Note: Last Financial Year the fees were \$5,010.00, \$2,514.00, \$5,375.00 and \$220.00 respectively.</i>	(All fees include 10% GST)
270	Hire of breathing apparatus set per day or part thereof	\$87.00
	<i>Explanatory Note: Last Financial Year the fee was \$85.00.</i>	(Includes 10% GST)
272	Building certification fee:	
	(a) Issue of ESA clearance to private certifiers per hour or part thereof; including initial consultation, any required report preparation, site inspections, testing of fire systems and preparation of clearance inspections.	\$234.00 (GST is not applicable)
	(b) Post occupancy building fire safety inspections per hour or part thereof; including general fire safety inspection of occupied premises including preparation of a fire report.	\$234.00 (GST is not applicable)
	<i>Explanatory Note: Last Financial Year the fees were all \$229.00.</i>	
273	Fire incident reports, and fire safety policies, search, duplication and dispatch of 1 x fire report on request – each fire incident report or part thereof	\$49.00
	<i>Explanatory Note: Last Financial Year the fee was \$48.00.</i>	(GST is not applicable)
274	Fire investigation report – each report	\$492.00
	<i>Explanatory Note: Last Financial Year the fee was \$480.00.</i>	(Includes 10% GST)
	Automatic fire alarm system fees	
279	(a) Registration fee – first system	\$255.00
280	(b) Registration fee – second & subsequent alarm installation at the same protected premises	\$127.00
281	(c) Monitoring fee – per month	\$55.00
282	(d) Monitoring fee – second & subsequent alarm installation at the same protected premises per month	\$27.50
283	(e) Automatic Fire Alarm Network Provider (AFANP) connection fee to automatic fire alarm system	\$58,189.00
284	(f) AFANP maintenance fee – per quarter	\$12,916.00
285	(g) Functional acceptance retesting fee – per series of tests	\$1,545.00
286	(h) Transfer fee – first alarm installation at each protected premises	\$127.00
287	(i) Transfer fee – second and subsequent alarm installation at a protected premise	\$61.00
	<i>Explanatory Note: Last Financial Year the fees were \$249.00, \$124.00, \$54.00, \$27.00, \$56,770.00, \$12,601.00, \$1,508.00, \$124.00 and \$60.00 respectively.</i>	(GST is not applicable on any of these fees)
	Unintended alarm fees	
289	(a) Residential building – initial alarm	Nil
	(b) Residential building – second or subsequent alarm within 24 hours of an initial alarm occurring.	Nil
	(c) Residential building – second or subsequent alarm occurring within 60 calendar days of a previous unintended alarm by the same alarm system.	\$280.00
291	(d) Commercial/Other non-residential buildings – initial alarm	Nil
	(e) Commercial/Other non-residential buildings building – second or subsequent alarm within 24 hours of an initial alarm occurring.	Nil

	(f) Commercial/Other non-residential buildings – second or subsequent alarm occurring within 60 calendar days of a previous unintended alarm by the same alarm system.	\$1,397.00
	<i>Explanatory Note: Last Financial Year the fees were \$274.00 and \$1,363 respectively.</i>	(GST is not applicable on any of these fees)
294	Emergency Medical Treatment	
294.1	(a) Emergency ambulance service including medical treatment and ambulance transport within the ACT	\$982.00
	(b) Additional charge for each kilometre travelled outside of the ACT, including both to and from the patient.	\$13.00
	(c) Where 3 or more persons are transported together in a single ambulance, the amount payable by each person is equal to three quarters of the amount that would otherwise be payable under this determination.	
294.2	(d) Emergency ambulance service (including assessment or medical treatment) not including ambulance transport.	\$681.00 (GST is not applicable on any of these fees)
	<i>Explanatory Note: Last Financial Year the fees were \$959.00, \$13.00 and \$665.00 respectively.</i>	
	Non-Emergency Medical Treatment and Transport	
295	(a) Non-emergency ambulance service including medical treatment and ambulance transport within the ACT	\$702.00 (GST is not applicable)
	(b) Additional charge for each kilometer travelled outside of the ACT, including both to and from the patient.	\$13.00 (GST is not applicable)
297	(c) Non-emergency ambulance service including ambulance transport by the patient transport service of patients not requiring emergency care	\$253.00 (includes 10% GST)
	(d) Additional charge for each kilometre travelled outside of the ACT	\$5.30 (includes 10% GST)
	(e) Where 3 or more persons are transported together in a single ambulance or patient transport service, the amount payable by each person is equal to three quarters of the amount that would otherwise be payable under this determination.	
	<i>Explanatory Note: Last Financial Year the fees were \$685.00, \$13.00 \$247.00 and \$5.20 respectively.</i>	
	Supply of ACTAS ambulance vehicles and/or personnel	
296	(a) Supply of ambulance stretcher vehicle or operational ambulance vehicle staffed by an ambulance crew upon request at a sporting or public event:	
	(i) Vehicle supplied for 4 hours or less	\$835.00
	(ii) Vehicle supplied for more than 4 hours – each additional hour or part thereof	\$217.00
296.1	(b) Supply of operational ambulance vehicle staffed by a single paramedic upon request at a sporting or public event:	
	(i) Vehicle supplied for 4 hours or less	\$506.00
	(ii) Vehicle supplied for more than 4 hours – each additional hour or part thereof	\$123.00
296.2	(c) Supply of operational ambulance vehicle staffed by a single ambulance supervisor upon request at a sporting or public event:	
	(i) Vehicle supplied for 4 hours or less	\$605.00
	(ii) Vehicle supplied for more than 4 hours – each additional hour or part thereof	\$147.00
	<i>Explanatory Note: Last Financial Year the fees were \$815.00, \$212.00, \$494.00, \$120.00, \$591.00 and \$144.00 respectively.</i>	(All fees includes 10% GST)
298	Aero-medical retrieval by the ACT Government's aero-medical provider	
	(d) First 30 minutes or part thereof	\$3,126.00
	(e) Each additional 6 minutes or part thereof	\$198.00
	<i>Explanatory Note: Last Financial Year the fees were \$3,050.00 and \$194.00 respectively.</i>	(GST is not applicable)
298.1	Application under section 61 of the <i>Emergencies Act 2004</i> for approval to provide ambulance, emergency, firefighting or rescue services	\$415.00
	<i>Explanatory Note: Last financial year the fee was \$405.00.</i>	(GST is not applicable)

SCHEDULE 2

EXCEPTIONAL PERSONAL OR OTHER CIRCUMSTANCES

(clause 6)

1. For the purposes of clause 6 (2), exceptional personal or other circumstances apply to a person to whom ambulance services were provided if the Chief Officer, ACT Ambulance Service, is satisfied any of the following situations exist:
 - a. A charity, financial aid organisation, hospital or other social aid organisation provides evidence demonstrating that exceptional personal circumstances apply to the person and that requiring the person to pay would cause unreasonable financial hardship to the person;
 - b. The ambulance services were provided to a person aged under 18 years following an accident or other event that resulted in the person being the only survivor in their immediate family;
 - c. A person had applied for, but not yet received, a relevant concession card prior to receiving the ambulance services, and the application for the card was subsequently approved (noting that holders of relevant concession cards are not charged for ambulance services);
 - d. The ambulance service was provided to a person who is undergoing extensive and life saving medical treatment and who as a result is reliant on assistance from government or not-for-profit organisations in order to meet their basic costs of living and the requirement to pay for the ambulance services would cause unreasonable hardship;
 - e. Any other circumstances exist that in the opinion of the Chief Officer should see the fee waived.