



# **Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Act 2011**

**No. 182, 2011**

**An Act to amend provisions in the *Safety,  
Rehabilitation and Compensation Act 1988* relating  
to injuries sustained by firefighters, and for related  
purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



---

## Contents

1	Short title.....	2
2	Commencement.....	2
3	Schedule(s).....	2
<b>Schedule 1—Amendments</b>		3
	<i>Safety, Rehabilitation and Compensation Act 1988</i>	3





# **Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Act 2011**

**No. 182, 2011**

---

---

**An Act to amend provisions in the *Safety,  
Rehabilitation and Compensation Act 1988* relating  
to injuries sustained by firefighters, and for related  
purposes**

*[Assented to 6 December 2011]*

The Parliament of Australia enacts:

---

*Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Act 2011*

*No. 182, 2011 1*

---

## **1 Short title**

This Act may be cited as the *Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Act 2011*.

## **2 Commencement**

This Act commences on the day after it receives the Royal Assent.

## **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

---

## Schedule 1—Amendments

### *Safety, Rehabilitation and Compensation Act 1988*

#### **1 After subsection 7 (7)**

Insert:

- (8) If an employee:
- (a) suffers a disease mentioned in the following table; and
  - (b) before the disease was sustained, was employed as a firefighter for the qualifying period mentioned for that disease; and
  - (c) was exposed to the hazards of a fire scene during that period; and
  - (d) in the case of a cancer of a kind covered by item 13 of the following table—satisfies the conditions (if any) prescribed for such a cancer;

the employment is, for the purposes of this Act, taken to have contributed, to a significant degree, to the contraction of the disease, unless the contrary is established.

<b>Item</b>	<b>Disease</b>	<b>Qualifying period</b>
1	Primary site brain cancer	5 years
2	Primary site bladder cancer	15 years
3	Primary site kidney cancer	15 years
4	Primary non-Hodgkins lymphoma	15 years
5	Primary leukemia	5 years
6	Primary site breast cancer	10 years
7	Primary site testicular cancer	10 years
8	Multiple myeloma	15 years
9	Primary site prostate cancer	15 years
10	Primary site ureter cancer	15 years
11	Primary site colorectal cancer	15 years
12	Primary site oesophageal cancer	25 years

Item	Disease	Qualifying period
13	A cancer of a kind prescribed for this table	The period prescribed for such a cancer

(9) For the purposes of subsection (8):

- (a) an employee is taken to have been employed as a firefighter if firefighting duties made up a substantial portion of his or her duties; and
- (b) an employee who was employed as a firefighter for 2 or more periods that add up to the qualifying period is taken to have been so employed for the qualifying period; and
- (c) an employee is taken to have been employed as a firefighter only if he or she was (disregarding the effect of any declarations under subsection 5(15)) employed as a firefighter by the Commonwealth, a Commonwealth authority or a licensed corporation.

(10) Subsection (8) does not limit, and is not limited by, subsections (1) and (2).

## 2 Review of amendment

- (1) The Minister must cause an independent review of the operation of the amendment made by item 1 to be undertaken and completed by 31 December 2013.
- (2) The person who undertakes the review must give the Minister a written report of the review.
- (3) The report must be published on the Department's website.

## 3 Application

The amendment made by item 1 applies in relation to a disease that an employee sustains on or after 4 July 2011.



---

*[Member's statement on introduction made in—  
House of Representatives on 4 July 2011  
Senate on 10 November 2011]*

(137/11)

---

*Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Act 2011*  
*No. 182, 2011* 5