

Queensland



# **AMBULANCE SERVICE ACT 1991**

**Reprinted as in force on 4 December 1996  
(includes amendments up to Act No. 54 of 1996)**

**Warning—see last endnote for uncommenced amendments**

**Reprint No. 2A**

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# Information about this reprint

This Act is reprinted as at 4 December 1996. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **provisions that have not commenced and are not incorporated in the reprint**
- **editorial changes made in earlier reprints.**

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**AMBULANCE SERVICE ACT 1991**

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# AMBULANCE SERVICE ACT 1991

[as amended by all amendments that commenced on or before 4 December 1996]

## An Act to establish the Queensland Ambulance Service and for other purposes

### PART 1—PRELIMINARY

#### Short title

1. This Act may be cited as the *Ambulance Service Act 1991*.

#### Interpretation

2. In this Act—

“**ambulance officer**” means an ambulance officer appointed under section 13 and an honorary ambulance officer appointed under section 14.

“**ambulance service**” means service relating to the work of rendering emergency treatment and pre-hospital patient care to, and the transport of, sick and injured persons.

“**authorised officer**” means an officer authorised under section 37.

“**board**” means the Queensland Ambulance Services Board constituted by section 6 of the repealed Act.

“**commissioner**” means the commissioner of the Queensland Ambulance Service appointed under section 4.

“**committee**” means a local ambulance committee established under section 26.

“**corporation**” means the corporation established by section 19.

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**“director”** means the director of the Bureau of Emergency Services.

**“employee of the board”** means a person who, immediately prior to the commencement of this Act, was—

- (a) appointed by the board (under section 13 of the repealed Act) as an officer, employee or assistant inspector; or
- (b) paid by the board (under section 13A of the repealed Act) as manager of the board; or
- (c) appointed by the board (under section 13B of the repealed Act) as an inspector.

**“employee of a previous committee”** means a person who immediately prior to the commencement of this Act was employed by a previous committee under section 29(1) of the repealed Act.

**“officer of the Queensland Ambulance Service”** means any person referred to in section 7.

**“previous committee”** means a committee constituted under section 19 of the repealed Act.

**“repealed Act”** means the *Ambulance Services Act 1967*.

**“subscriber”** means a person who—

- (a) is a current subscriber to the Queensland Ambulance Service under section 54 whether by annual payment or continuing instalments; or
- (b) is a current subscriber to an ambulance service conducted by an ambulance authority in another State or is entitled to the service of that authority without charge.

### **Administration of Act**

**3.** Subject to the Minister, the director is to administer this Act.

## **PART 2—QUEENSLAND AMBULANCE SERVICE**

### **Appointment of commissioner**

**4.(1)** The Governor in Council, acting on the recommendation of the Minister, is to appoint a commissioner of the Queensland Ambulance Service.

**(2)** The commissioner is to be paid such salary and allowances and employed on such terms and conditions as the Governor in Council determines.

### **Disqualification from appointment**

**5.** A person who—

- (a) is an undischarged bankrupt or takes advantage of the laws in force for the time being relating to bankruptcy; or
- (b) is or attains the age of 65 years; or
- (c) has been or is convicted in Queensland of an indictable offence or has been or is convicted elsewhere in respect of an act or omission that if done or made by that person in Queensland would have constituted an indictable offence; or
- (d) is or becomes a patient within the meaning of the *Mental Health Act 1974*;

is not capable of being or continuing to be the commissioner.

### **Vacation of office**

**6.(1)** The office of the commissioner becomes vacant if the commissioner—

- (a) dies; or
- (b) becomes incapable of continuing as the commissioner; or
- (c) furnishes his or her written resignation to the Minister; or
- (d) under section 5, ceases to be capable of continuing to be the commissioner; or

- (e) is removed from office; or
- (f) without the approval of the Minister, engages in any employment outside the duties of the commissioner under this Act; or
- (g) is absent from duty for a period of 14 days without lawful excuse.

(2) A resignation given under subsection (1)(c) is not effective until written acceptance of it is given by the Minister.

### **Queensland Ambulance Service**

**7.(1)** The body of persons consisting of—

- (a) the commissioner; and
- (b) all medical, administrative and service officers appointed under section 13; and
- (c) all ambulance officers;

is to be known as the Queensland Ambulance Service.

(2) The Queensland Ambulance Service represents and has all the immunities, rights and privileges of the Crown in right of the State.

(3) A claim or proceeding by or against the Queensland Ambulance Service may be made and enforced by a proceeding by or against the Queensland Ambulance Service in that name.

(4) The Queensland Ambulance Service is a division of the Bureau of Emergency Services.

### **Functions of Queensland Ambulance Service**

**8.** The functions of the Queensland Ambulance Service are—

- (a) to provide, conduct, operate and maintain ambulance services; and
- (b) in connection with ambulance services during rescue and other related activities, to protect persons from injury or death, whether or not those persons are sick or injured; and
- (c) to provide transport for persons requiring attention at medical or

- health care facilities; and
- (d) to participate with other emergency services in counter disaster planning; and
  - (e) to coordinate all volunteer first aid groups in respect of major emergencies or disasters; and
  - (f) to adopt and implement all necessary measures (including systems of planning, management and quality control) as will best ensure the efficient and economic operation and use of its resources in the provision of ambulance services; and
  - (g) to provide casualty room services; and
  - (h) to provide community and workplace education in first aid, cardiopulmonary resuscitation and other related matters; and
  - (i) such other functions as the Minister determines.

### **Commissioner to manage Queensland Ambulance Service**

**9.(1)** Subject to the director, the commissioner is to conduct the business of and manage and control the Queensland Ambulance Service.

**(2)** The commissioner is to prepare an annual corporate plan incorporating performance targets developed in consultation with the director.

### **Finance**

**10.(1)** Before the commencement of each financial year, the commissioner must submit to the director a budget for the Queensland Ambulance Service showing the estimated receipts and disbursements in respect of that year.

**(2)** The director is to approve—

- (a) the budget, as submitted by the commissioner; or
- (b) the budget, as varied in the manner the director considers appropriate.

**(3)** The Minister may specify terms and conditions under which a budget may be amended.

(4) A budget approved under subsection (2), and where necessary amended under subsection (3), is to be the budget of the Queensland Ambulance Service for the financial year for which it was prepared.

(5) The Queensland Ambulance Service is to observe the budget for each financial year.

### **Authentication of documents**

11. A document purporting to be made by or on behalf of the Queensland Ambulance Service is duly made if the commissioner, or an officer of the Queensland Ambulance Service authorised to do so by the commissioner, has signed it.

### **Delegation**

12. The commissioner may delegate all or any of the commissioner's powers under this Act, other than this power of delegation, to any officer of the Queensland Ambulance Service.

### **Employees**

13.(1) The commissioner, on behalf of the Queensland Ambulance Service and with the approval of the director, may appoint and employ on salary or wages or engage and employ under contracts such persons—

- (a) as ambulance officers; and
- (b) as medical, administrative or service officers;

as are necessary for the effectual administration of this Act.

(2) Subject to any applicable decision within the meaning of the *Industrial Relations Act 1990*, persons employed under subsection (1) (other than on contract) are to be paid salaries, wages and allowances at such rates and are to be employed under such conditions of employment (including conditions as to occupational superannuation and leave entitlements) as the commissioner determines.

**Honorary ambulance officers**

**14.(1)** The commissioner may, on behalf of the Queensland Ambulance Service, appoint such persons as the commissioner considers appropriate to be honorary ambulance officers.

**(2)** Honorary ambulance officers—

- (a) may carry out, without remuneration, such of the functions of the Queensland Ambulance Service as the commissioner may direct; and
- (b) are subject to the control and supervision of the commissioner.

**Officers employed under this Act**

**15.** Officers of the ambulance service are to be employed under this Act, and not under the *Public Service Act 1996*.

**No additional remuneration**

**16.** An officer of the Queensland Ambulance Service is not to seek or accept on account of anything done in the course of duty in the Queensland Ambulance Service any fee or reward not authorised by the commissioner.

**Superannuation scheme**

**17.(1)** Every officer of the Queensland Ambulance Service (other than honorary ambulance officers) is to become a contributor to the superannuation scheme referred to in section 55(1) (if otherwise eligible under the terms of the scheme) and while so employed, is to continue to contribute to the scheme in accordance with its terms.

**(2)** A person who becomes an employee of the Bureau of Emergency Services must, by notice in writing to the commissioner within 2 months from the date of commencing employment with the bureau, elect to continue to contribute to the scheme referred to in subsection (1) or to contribute to the scheme to which officers of the public service usually contribute.

**Retrenchment and redundancy**

**18.** If the commissioner is satisfied that—

- (a) the duties and functions of a position in the Queensland Ambulance Service are no longer required; or
- (b) the duties of the position are to be incorporated with those of another position;

the commissioner may terminate the services of the officer in accordance with the retrenchment or redundancy arrangements approved by the Governor in Council.

**PART 3—THE CORPORATION****Establishment of a corporation**

**19.(1)** The Minister is constituted a corporation sole under the name and style ‘Minister for Emergency Services’.

**(2)** The corporation—

- (a) has a seal; and
- (b) may sue and be sued in its corporate name.

**Authentication and judicial notice of documents**

**20.(1)** All courts and persons acting judicially are to take judicial notice of the imprint of the seal of the corporation appearing on a document and are to presume that the document was duly sealed.

**(2)** A document purporting to be made by or on behalf of the corporation, other than a document that requires the seal of the corporation to be affixed, is duly made if the director has signed it.

**(3)** The seal of the corporation is to be kept in the custody of and may be affixed by the director.

**Functions of the corporation**

**21.** The functions of the corporation are—

- (a) to hold all the property of the Queensland Ambulance Service (other than money);
- (b) to hold the property of each committee (other than money held in trust and money raised by each committee);

whether on or subject to trusts or otherwise.

**Powers of the corporation**

**22.** The corporation has power to do all things necessary or convenient to be done for or in connection with, or incidental to, the performance of its functions and, in particular, may act in any manner in which or exercise any power that a company within the meaning of the Corporations Law of the Commonwealth may lawfully act or exercise.

**Director may exercise powers of the corporation**

**23.** Subject to the Minister, the director may exercise the powers of the corporation.

**Relationship to the Crown**

**24.** In the discharge of its functions and in the exercise of its powers, the corporation—

- (a) means the Crown in right of the State; and
- (b) has all the immunities, rights and privileges of the Crown in right of the State; and
- (c) is an agency of the Government.

**Restriction on power to acquire or dispose of land**

**25.** The corporation is not to—

- (a) acquire land by purchase, lease or exchange; or

(b) dispose of land by sale, lease, mortgage or otherwise; except with the written consent of the Minister.

## **PART 4—LOCAL AMBULANCE COMMITTEES**

### **Establishment of committees**

**26.(1)** The Minister may authorise the establishment of local ambulance committees.

**(2)** A local ambulance committee is to be called ‘(name of area) local ambulance committee’.

**(3)** A claim or proceeding by or against a committee may be made and enforced by a proceeding by or against a committee in the name of the committee.

### **Functions of committees**

**27.** The functions of a committee are—

- (a) to liaise between the community it represents and the Queensland Ambulance Service; and
- (b) to promote community participation in and awareness of ambulance services; and
- (c) to provide advice to the commissioner in respect of ambulance services in the community it represents; and
- (d) to undertake fundraising activities for the benefit of ambulance services in the community it represents; and
- (e) to manage money held on trust for the benefit of ambulance services in the community it represents; and
- (f) such other functions as the Minister agrees to.

**Constitution**

**28.(1)** Each committee is to adopt a constitution in respect of the conduct of its affairs.

(2) A committee is not to adopt a constitution unless it has been approved by the Minister.

(3) A committee is not to alter its constitution unless the alteration has been approved by the Minister.

(4) Any matter not conducted by a committee in accordance with its constitution or the Minister's directions is invalid.

**Members of committees**

**29.(1)** The subscribers who—

- (a) permanently reside in the administrative area served by a committee; and
- (b) have attained the age of 18 years;

at a general meeting of the subscribers, are to elect the members of a committee.

(2) A person who—

- (a) does not permanently reside in the administrative area served by a committee; or
- (b) has not attained the age of 18 years; or
- (c) is not a subscriber; or
- (d) is an officer of the Queensland Ambulance Service; or
- (e) is an undischarged bankrupt or takes advantage of the laws in force for the time being relating to bankruptcy; or
- (f) has been or is convicted in Queensland of an indictable offence or has been or is convicted elsewhere in respect of an act or omission that if done or made by that person in Queensland would have constituted an indictable offence; or
- (g) is or becomes a patient within the meaning of the *Mental Health Act 1974*;

is not to be elected as or to continue to be a member of a committee.

(3) Each committee is to consist of—

- (a) a president; and
- (b) a vice-president; and
- (c) a secretary; and
- (d) a treasurer;

and not less than 1 and not more than 5 other members.

(4) Nominations for election to a committee are to be sought, in the manner specified in the committee's constitution, from community organisations—

- (a) operating within the administrative area served by the committee; and
- (b) approved by the Minister.

(5) The election of members is to be conducted in accordance with the committee's constitution.

(6) Members of a committee elected under this section hold office in accordance with the committee's constitution or for such longer period as the Minister may, in a particular case, specify.

(7) A member of a committee must at all times act honestly in the exercise of the powers and the performance of duties that he or she has as a member of a committee.

(8) A member of a committee must not make improper use of their office or position to gain, directly or indirectly, an advantage for himself, herself or any other person, or to cause detriment to the committee.

(9) The Minister may dismiss a person from any office of a committee, if the Minister is satisfied it would be in the public interest to do so.

### **Liability of members**

**30.(1)** A member of a committee is liable to repay to the committee any money that member—

- (a) improperly used; or

(b) spent without the authorisation of or ratification by the committee.

(2) The committee may recover any money referred to in subsection (1) by action in any court of competent jurisdiction, from the member who improperly used it or spent it without authorisation or ratification.

### **Protection of members**

**31.(1)** The members of a committee are not personally liable to contribute toward the payment of debts and liabilities of, or any judgment against, the committee.

(2) Subsection (1) does not apply in respect of a personal guarantee given by a member of a committee in respect of arrangements by a committee.

### **Investment powers**

**32.** Each committee is empowered to invest its moneys which are not immediately required for the discharge of its functions or the exercise of its powers in any investment prescribed by the *Statutory Bodies Financial Arrangements Act 1982*, section 48.

### **Application of Laws**

**33.(1)** The *Collections Act 1966* does not apply to the fundraising activities of or the collecting of donations by a committee.

(2) The provisions of the *Art Unions and Public Amusements Act 1992*, in respect of the conduct of minor art unions (within the meaning of that Act) by a committee, do not apply.

### **Investigations**

**34.(1)** The Minister may at any time cause an investigation to be made into any committee, including the exercise by that committee of its functions and the application of its funds.

(2) The Minister may appoint a person to make the investigation on his or her behalf.

(3) Officers of the committee are to produce to the person conducting the

investigation all documents of the committee requested by the person conducting the investigation.

(4) At the conclusion of an investigation the person conducting the investigation is to make a written report to the Minister.

### **Dissolution of committees**

35. The Minister may dissolve a committee if—

- (a) the committee has voted that it should be dissolved and has requested the Minister to dissolve it; or
- (b) in the opinion of the Minister, it has exhibited gross neglect of its functions, finances or administration; or
- (c) the Minister is satisfied it would be desirable in the public interest to do so.

### **Effect of dissolution**

36. If a committee is dissolved under section 35, the funds of the committee vest in the Queensland Ambulance Service on trust for the community represented by the committee.

## **PART 5—ADMINISTRATION AND POWERS**

### **Authorised officers**

37. The commissioner may authorise an officer or the officers of a class of officer of the Queensland Ambulance Service to exercise—

- (a) all the powers conferred by this Act on an authorised officer; or
- (b) any power or class of power conferred by this Act on an authorised officer.

**Powers of authorised officers**

**38.(1)** An authorised officer, in providing ambulance services, may take any reasonable measures—

- (a) to protect persons from any danger or potential danger associated with an emergency situation; and
- (b) to protect persons trapped in a vehicle, receptacle, vessel or otherwise endangered; and
- (c) to protect themselves or other officers or persons from danger, potential danger or assault from other persons.

**(2)** Without limiting the measures that may be taken for a purpose specified in subsection (1)(a) or (b), an authorised officer may, for that purpose—

- (a) enter any premises, vehicle or vessel; and
- (b) open any receptacle, using such force as is reasonably necessary; and
- (c) bring any apparatus or equipment onto premises; and
- (d) remove from or otherwise deal with, any article or material in the area; and
- (e) destroy (wholly or partially) or damage any premises, vehicle, vessel or receptacle; and
- (f) cause the gas or electricity supply or motor or any other source of energy to any premises, vehicle, vessel or receptacle to be shut off or disconnected; and
- (g) request any person to take all reasonable measures to assist the authorised officer; and
- (h) administer such basic life support and advanced life support procedures as are consistent with the training and qualifications of the ambulance officer.

**(3)** Without limiting the measures that may be taken for a purpose specified in subsection (1)(c), an authorised officer may, for that purpose, require any person not to enter into or remain within a specified area around the site of the danger to a patient.

**Protection from certain liability**

**39.(1)** The Queensland Ambulance Service is to indemnify every officer of the Queensland Ambulance Service against all actions, proceedings and claims in relation to—

- (a) acts done, or omitted to be done, by the officer under section 38; or
- (b) acts done, or omitted to be done, by the officer in good faith for the purposes of section 38.

**(2)** For the purposes of subsection (1), an officer of the Queensland Ambulance Service includes a person required under section 38(2)(g) to assist an authorised officer.

**Power to accept gifts etc.**

**40.(1)** The Queensland Ambulance Service and each committee may acquire, for any purpose connected with—

- (a) the provision of ambulance services; or
- (b) any of its functions;

any property by gift, devise or bequest and may agree to carry out the conditions of the gift, devise or bequest.

**(2)** If the gift, devise or bequest is of property other than money, the property vests in the corporation on trust for the Queensland Ambulance Service or the relevant committee.

**Codes of practice**

**41.(1)** The commissioner may issue codes of practice, not inconsistent with this Act, relating to—

- (a) the functions, powers, conduct, discipline and appearance of officers of the Queensland Ambulance Service; and
- (b) the performance of duties and the training of officers of the Queensland Ambulance Service; and
- (c) any functions imposed or powers conferred by this Act.

(2) The commissioner may amend or revoke a code of practice.

(3) Wilful failure to comply with a code of practice is grounds for disciplinary action.

## **PART 6—OFFENCES**

### **Right of way to ambulances**

**42.(1)** Despite the provisions of the *Traffic Act 1949*, a driver of a vehicle (other than a train), to the extent practicable, is to give clear and uninterrupted passage to—

- (a) any ambulance with warning devices sounding or warning lights activated; and
- (b) any officer of the Queensland Ambulance Service or any person acting under the direction of an officer who appears to be doing any act for the purposes of assisting at an accident or other emergency.

(2) A person is not to fail to comply with subsection (1).

Maximum penalty—50 penalty units, 6 months imprisonment or both.

### **Unauthorised ambulance transport**

**43.(1)** A person, other than the Queensland Ambulance Service, is not to directly or indirectly imply that the person provides or participates in providing ambulance transport without the approval of the Minister and except in accordance with such conditions (if any) as the Minister may impose.

Maximum penalty—

- (a) in the case of an individual—16 penalty units; or
- (b) in the case of a corporation—50 penalty units.

(2) The Minister may revoke any approval given, or revoke or vary any condition imposed, under this section.

(3) This section does not apply to—

- (a) the Royal Flying Doctor Service of Australia; and
- (b) an ambulance service conducted under the *Health Services Act 1991*.

### **Unauthorised teaching of first aid**

**44.(1)** A person, other than an officer of the Queensland Ambulance Service, is not to teach first aid without the approval of the commissioner and except in accordance with such conditions (if any) as the commissioner may impose.

Maximum penalty—

- (a) in the case of an individual—16 penalty units; or
- (b) in the case of a corporation—50 penalty units.

(2) The commissioner may revoke any approval given, or revoke or vary any condition imposed, under this section.

(3) This section does not apply to—

- (a) St John Ambulance Australia-Queensland; and
- (c) Royal Flying Doctor Service of Australia; and
- (d) Australian Red Cross Society, Queensland division; and
- (e) Surf Life Saving Association of Australia, Queensland State Centre Inc.; and
- (f) a person registered as a medical practitioner (within the meaning of the *Medical Act 1939*, or a corresponding Act of any other State); and
- (g) regional health authorities established under the *Health Services Act 1991*.

### **Unauthorised collections**

**45.(1)** A person, other than—

- (a) a member of, or person authorised by, a committee; or

(b) an officer of the Queensland Ambulance Service;

is not to organise, conduct or take part in the collection or soliciting of money or property from the public for, towards or in return for the provision of ambulance services without the approval of the commissioner and except in accordance with such conditions (if any) as the commissioner may impose.

Maximum penalty—10 penalty units.

(2) The commissioner may revoke any consent given, or revoke or vary any condition imposed, under this section.

(3) This section—

- (a) does not apply to the Royal Flying Doctor Service of Australia; and
- (b) in respect of that part of Ambulance services that comprises first aid services—does not apply to St John Ambulance Australia-Queensland.

## **Obstruction**

**46.(1)** A person must not wilfully obstruct or hinder any person acting under the authority of this Act.

Maximum penalty—16 penalty units.

(2) A police officer may arrest without warrant a person committing an offence under subsection (1).

(3) A police officer who—

- (a) finds a person committing an offence under subsection (1) at the scene of an accident or emergency; and
- (b) believes on reasonable grounds that the person may continue to commit the offence or repeat the offence;

may require the person to leave and if the person fails or refuses to do so may use such force as is reasonable and necessary to remove that person.

**False calls**

**47.(1)** A person must not—

- (a) by conduct; or
- (b) by statements (oral or written); or
- (c) by conduct and statements (oral or written);

falsely and with knowledge of the falsity represent that circumstances exist that result in the utilisation of any resources of the Queensland Ambulance Service.

Maximum penalty—50 penalty units.

**(2)** A court—

- (a) by which a person is found guilty; or
- (b) before which a person pleads guilty;

of an offence defined in subsection (1), whether or not it imposes a penalty in respect of the offence, may order the person to pay to the Queensland Ambulance Service, a reasonable sum for the expenses of or incidental to any utilisation of its resources as a result of the false representation.

**Restricted use of words ‘Ambulance Service’**

**48.(1)** A person must not—

- (a) without the written authority of the commissioner—use the words ‘Ambulance Service’ or any similar name, title or description; or
- (b) represent that the person is associated with the Queensland Ambulance Service unless such an association exists; or
- (c) without the written authority of the commissioner—use the word ‘Ambulance’ on any vehicle that is not owned or operated by the Queensland Ambulance Service; or
- (d) impersonate an officer of the Queensland Ambulance Service; or
- (e) without the written authority of the commissioner—use any insignia of the Queensland Ambulance Service in any manner contrary to the manner approved by the commissioner.

Maximum penalty—

- (a) in the case of an individual—16 penalty units; or
- (b) in the case of a corporation—50 penalty units.

(2) This section does not apply to—

- (a) an ambulance service conducted under the *Health Services Act 1991*; and
- (b) the use of the word ‘Ambulance’ by St John Ambulance Australia-Queensland as part of its name; and
- (c) the use of the words ‘animal ambulance’ on a vehicle owned or operated by an animal welfare organisation for the transport of sick or injured animals.

### **Confidentiality**

**49.(1)** An officer or agent of the Queensland Ambulance Service must not give, directly or indirectly, to any other person any information acquired as such an officer or agent in respect of a person who could be identified from the information as a person who has received prehospital care or ambulance services.

Maximum penalty—50 penalty units.

(2) Subsection (1) does not apply—

- (a) to information that an officer or agent is expressly authorised or permitted to give under this or any other Act or that is required by operation of law; or
- (b) to information given with the prior consent of the person to whom it relates or, if the person has died, with the consent of the senior available next of kin of the person; or
- (c) to information concerning the condition of a person who has received ambulance services if the information is communicated by an ambulance officer to—
  - (i) a member of the medical staff of a hospital; or
  - (ii) a medical practitioner; or
  - (iii) another ambulance officer or a member of an ambulance

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service (or similar body providing ambulance services) from outside Queensland; or

(iv) the next of kin or a near relative of the patient;

in accordance with the recognised standards of medical practice; or

(d) to information given to the Australian Red Cross Society for the purpose of tracing blood, or blood products derived from blood, infected with any disease or the donor or recipient of any such blood; or

(e) to information required in connection with the further treatment of a patient in accordance with the recognised standards of the medical profession; or

(f) to information used in the conduct of research which has the approval of an appropriate ethics committee which will not identify individual patients.

(3) In subsection (2)—

**“medical practitioner”** means a person registered as a medical practitioner within the meaning of the *Medical Act 1939*, or a corresponding Act of any other State.

### **Proceedings for offences**

**50.(1)** A prosecution for an offence against this Act is to be by way of summary proceedings under the *Justices Act 1886* on complaint of—

(a) a person authorised by the commissioner for that purpose, either generally or in a particular case; or

(b) a police officer.

(2) The authority of a person referred to in subsection (1)(a) to make a complaint is to be presumed until the contrary is proved.

## **PART 7—GENERAL**

### **Exemption from tolls**

**51.** An officer of the Queensland Ambulance Service driving an ambulance, and the vehicle, are exempt from the payment of any toll in respect of the use of any road, bridge or vehicular ferry.

### **Interstate assistance at accidents**

**52.(1)** In this section—

“**officer in charge**” means the person who, under a direction of the commissioner, is in charge at an accident.

**(2)** Every member of an ambulance service (or similar body providing ambulance services) from outside Queensland who assists at an accident in Queensland and any plant and equipment in the member’s charge is at the disposal of the officer in charge and is taken to be under the control and direction of that officer.

**(3)** If there is no officer in charge, the member of the ambulance service or similar body from outside Queensland who is in charge of other members of that ambulance service or similar body has—

- (a) the control and direction of all persons assisting at the accident; and
- (b) all the powers conferred by or under this Act on an authorised officer.

### **Service of documents**

**53.** Any document required or authorised to be served on the Queensland Ambulance Service is properly served if served on the commissioner.

### **Regulations**

**54.(1)** The Governor in Council may make regulations under this Act.

**(2)** A regulation may be made for or about—

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- (a) charges to be made for the use of ambulance services; and
  - (b) the amount, the times at which and the manner in which subscriptions to the Queensland Ambulance Service are to be paid; and
  - (c) the entitlements of subscribers to ambulance services; and
  - (d) all matters that arise in connection with the entitlements of and the conditions of employment, occupational superannuation, retrenchment or redundancy of officers of the Queensland Ambulance Service; and
  - (e) regulating any matter or thing which by this Act is required or permitted to be prescribed or is necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (3)** A regulation in respect of subsection (2) may—
- (a) specify a concessional amount of subscription in certain cases according to the age or circumstances of the person concerned; and
  - (b) specify a concessional charge or exempt a person from the payment of charges in certain cases; and
  - (c) permit the remission of charges in certain cases.
- (4)** The commissioner may set fees for the special use of ambulance services and vehicles not otherwise provided for under subsection (2).
- (5)** A regulation may impose a penalty not exceeding 16 penalty units for a breach of the regulation.
- (6)** A regulation may, where a breach of it is a continuing breach, impose a daily penalty for the breach not exceeding 3 penalty units.

## **PART 8—SAVINGS, TRANSITIONAL AND REPEAL PROVISIONS**

### **Superannuation entitlements**

**55.(1)** The Queensland Ambulance Service Superannuation Scheme is continued in existence.

**(2)** A person who, under section 8.2<sup>1</sup> becomes an employee of the Queensland Ambulance Service—

- (a)** retains all entitlements accrued or accruing to that person as a contributor to or member of the superannuation scheme to which that person contributed and was a member of immediately prior to the commencement of this Act; and
- (b)** is entitled to payments and other benefits from it in respect of that person.

**(3)** A person who becomes an employee of the Queensland Ambulance Service is to continue to contribute to the scheme referred to in subsection (1).

**(4)** The trustees may amend the scheme.

**(5)** However, an amendment prejudicing a right accrued or accruing to a person under the scheme may be made only if the person has given written consent to the amendment.

### **References to the board and previous committees**

**56.** A reference in any Act, will, document or writing to the State Council of the Queensland Ambulance Transport Brigade, the board or a previous committee is to be construed as a reference to the corporation, the Queensland Ambulance Service or the relevant committee, as the case may require.

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<sup>1</sup> Section 8.2 (Employment of staff of board and previous committees) was omitted by the *Statute Law Revision Act 1995* but provided for the transfer of employees of the board and previous committees to the Queensland Ambulance Service.

**References to Ambulance Services Act 1967**

**57.** In an Act or document, a reference to the *Ambulance Services Act 1967* is taken to be a reference to this Act.

**ENDNOTES****1 Index to endnotes**

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**2 Date to which amendments incorporated**

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 4 December 1996. Future amendments of the Ambulance Service Act 1991 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

### 4 Table of earlier reprints

#### TABLE OF EARLIER REPRINTS

[If a reprint number includes an arabic letter, the reprint was released in unauthorised, electronic form only]

Reprint No.	Amendments included	Reprint date
1	to Act No. 36 of 1992	1 August 1992
2	to Act No. 57 of 1995	21 December 1995

### 5 Tables in earlier reprints

#### TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Corrected minor errors	1
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## **6 List of legislation**

### **Ambulance Service Act 1991 No. 36**

date of assent 12 June 1991

ss 1.1–1.2 commenced on date of assent

remaining provisions commenced 1 July 1991 (proc pubd gaz 22 June 1991 p 976)

as amended by—

### **Statute Law (Miscellaneous Provisions) Act 1991 No. 97 ss 1–3 sch 2**

date of assent 17 December 1991

commenced on date of assent

### **Statute Law (Miscellaneous Provisions) Act 1992 No. 36 ss 1–2 sch 2**

date of assent 2 July 1992

commenced on date of assent

### **Local Government Act 1993 No. 70 ss 1–2, 804 sch**

date of assent 7 December 1993

ss 1–2 commenced on date of assent

remaining provisions commenced 26 March 1994 (see s 2(5))

### **Statute Law (Miscellaneous Provisions) Act 1994 No. 15 ss 1–3 sch 2**

date of assent 10 May 1994

commenced on date of assent

### **Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 87 ss 1–3 sch 1**

date of assent 1 December 1994

commenced on date of assent

### **Statutory Authorities Superannuation Legislation Amendment Act 1995 No. 36 ss 1–2, 9 sch 2**

date of assent 16 June 1995

commenced on date of assent

### **Statute Law Revision Act 1995 No. 57 ss 1–2, 4 sch 1**

date of assent 28 November 1995

commenced on date of assent

### **Public Service Act 1996 No. 37 ss 1–2, 147 sch 2**

date of assent 22 October 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1996 (1996 SL No. 361)

### **Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 ss 1–2, 9 sch**

date of assent 20 November 1996

ss 1–2 commenced on date of assent

remaining provisions not yet proclaimed into force

## **7 List of annotations**

### **Commencement**

**1.2** om R2 (see RA s 37)

### **Property not subject to rates**

**s 3.8** om 1993 No. 70 s 804 sch

### **Employees**

**s 13** amd 1996 No. 37 s 147 sch 2

### **Officers employed under this Act**

**s 15** sub 1996 No. 37 s 147 sch 2

### **Authentication and judicial notice of documents**

**s 20** amd 1996 No. 54 s 9 sch

### **Members of committees**

**s 29** amd 1991 No. 97 s 3 sch 2

### **Investment powers**

**s 32** sub 1996 No. 54 s 9 sch

### **Application of Laws**

**s 33** amd 1995 No. 57 s 4 sch 1

### **Effect of dissolution**

**s 36** amd 1992 No. 36 s 2 sch 2

### **Unauthorised teaching of first aid**

**s 44** amd 1991 No. 97 s 3 sch 2

### **Unauthorised collections**

**s 45** amd 1991 No. 97 s 3 sch 2

### **Restricted use of words ‘Ambulance Service’**

**s 48** amd 1991 No. 97 s 3 sch 2

### **Regulations**

**s 54** amd 1995 No. 57 s 4 sch 1

### **Dissolution of board**

**s 8.1** om 1991 No. 97 s 3 sch 2

### **Employment of staff of board and previous committees**

**s 8.2** om 1995 No. 57 s 4 sch 1

### **Honorary ambulance officers**

**s 8.3** om 1991 No. 97 s 3 sch 2

### **Previous committees**

**s 8.4** om 1991 No. 97 s 3 sch 2

### **Superannuation entitlements**

**s 55** amd 1994 No. 87 s 3 sch 1; 1995 No. 36 s 9 sch 2

**Transfer of assets and liabilities of the board**

s 8.6 om 1991 No. 97 s 3 sch 2

**Transfer of assets and liabilities of previous committees**

s 8.7 om 1991 No. 97 s 3 sch 2

**References to Ambulance Services Act 1967**

s 57 ins 1994 No. 15 s 3 sch 2

**Numbering and renumbering of Act**s 8.9 prev s 8.9 om 1991 No. 97 s 3 sch 2  
pres s 8.9 ins 1995 No. 57 s 4 sch 1  
om R2 (see RA s 37)**Duty to facilitate transfer of property etc.**

s 8.10 om 1995 No. 57 s 4 sch 1

**Savings and transitional**

s 8.11 om 1995 No. 57 s 4 sch 1

**Repeals**

8.12 om 1991 No. 97 s 3 sch 2

## 8 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS [Reprint No. 2]  
under the Reprints Act 1992 s 43 as required by the Statute Law Revision Act 1995  
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## **9 Provisions that have not commenced and are not incorporated into reprint**

The following provisions are not incorporated in this reprint because they had not commenced before the reprint date (see Reprints Act 1992, s 5(c)).

**Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 s 9** sch reads as follows—

### **1. Section 20—**

*insert—*

‘(2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets out the way in which the service’s powers under this Act are affected by the *Statutory Bodies Financial Arrangements Act 1982*.’

### **2. Section 32—**

*omit, insert—*

#### **‘Committees are statutory bodies**

‘**32.(1)** Under the *Statutory Bodies Financial Arrangements Act 1982*, a committee is a statutory body.

‘(2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets out the way in which a committee’s powers under this Act are affected by the *Statutory Bodies Financial Arrangements Act 1982*.’