



ANNO VICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1973

No. 86 of 1973

An Act to amend the Fire Brigades Act, 1936,
as amended.

[Assented to 13th December, 1973]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Fire Brigades Act Amendment Act (No. 2), 1973".

(2) The Fire Brigades Act, 1936-1958, as amended by the Fire Brigades Act Amendment Act, 1973, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Fire Brigades Act, 1936-1973".

(4) Section 1 of the Fire Brigades Act Amendment Act, 1973, is amended by striking out subsection (2).

**Commence-
ment.**

2. This Act shall come into operation on a day to be fixed by proclamation.

**Repeal of
s. 9 of principal
Act and
enactment of
section in its
place—
Constitution of
the board.**

3. Section 9 of the principal Act is repealed and the following section is enacted and inserted in its place:—

9. (1) On and after the commencement of the Fire Brigades Act Amendment Act (No. 2), 1973, the board shall consist of—

- (a) a chairman appointed by the Governor without nomination;
- (b) the Chief Officer of Fire Brigades, who shall be a member *ex officio*;
- and
- (c) five other members appointed by the Governor after nomination pursuant to section 10 of this Act.

(2) The chairman and members of the board appointed under section 9 of this Act as in force before the commencement of the Fire Brigades Act Amendment Act (No. 2), 1973, and in office immediately before that commencement shall as to the balance of the term for which they were so appointed continue in office as if that Act had not been enacted.

4. Section 10 of the principal Act is amended by inserting immediately after paragraph ii in subsection (1) the following paragraph:—

Amendment of principal Act, s. 10—
Nomination for appointment as members.

- 11a. One by the Minister, being the person elected under section 10a of this Act:.

5. The following section is enacted and inserted in the principal Act immediately after section 10 thereof:—

Enactment of s. 10a of principal Act—

10a. (1) In this section “employee” means any person employed by the board or appointed by the chief officer with the approval of the board other than the chief officer, the deputy chief officer and the secretary of the board.

Election of employee's representative.

(2) As soon as practicable after the commencement of the Fire Brigades Act Amendment Act (No. 2), 1973, and so often thereafter as is necessary the Minister shall request the Returning Officer for the State to conduct an election for the purpose of electing an employee to be nominated by the Minister under paragraph 11a of subsection (1) of section 10 of this Act.

(3) Subject to this section an election for the purposes of this section shall be conducted by the Returning Officer for the State—

- (a) by post;

and

- (b) in such manner as the Returning Officer for the State deems proper.

(4) Upon making a request under subsection (2) of this section the Minister shall forward to the Returning Officer for the State a list setting out the names and postal addresses of the employees on that day and only the persons whose names appear on that list are eligible to vote at the election to which

the request relates but the Minister may at any time before that election is so conducted amend that list and the list as amended shall be deemed to be the list so forwarded.

(5) The costs and expenses of the conduct of any election conducted under this section shall be paid by the board out of moneys received by the board under this Act.

Amendment of
principal Act,
s. 12—
Tenure of
office.

6. Section 12 of the principal Act is amended by inserting after the passage “the chairman” the passage “or the Chief Officer of Fire Brigades”.

Repeal of
s. 20 of
principal Act
and enactment
of section in
its place—
Fees of
chairman and
members.

7. Section 20 of the principal Act is repealed and the following section is enacted and inserted in its place:—

20. (1) The chairman shall be paid by the board an annual fee of nineteen hundred dollars or such other annual fee as may, from time to time, be prescribed in lieu of that fee.

(2) Every other member of the board shall be paid by the board an annual fee of nine hundred and fifty dollars or such other annual fee as may, from time to time, be prescribed in lieu of that fee.

Amendment of
principal Act,
s. 77—
Regulations.

8. Section 77 of the principal Act is amended by inserting immediately after paragraph (b) in subsection (1) the following paragraph:—

(ba) and providing for any matters necessary or convenient to be provided for or in relation to elections under section 10a of this Act:.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor