



ANNO TRICESIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1987

No. 16 of 1987

**An Act to amend the South Australian Metropolitan Fire Service Act,
1936.**

[Assented to 9 April 1987]

The Parliament of South Australia enacts as follows:

1. (1) This Act may be cited as the “South Australian Metropolitan Fire Service Act Amendment Act, 1987”. Short title.

(2) The South Australian Metropolitan Fire Service Act, 1936, is in this Act referred to as “the principal Act”.

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

3. Section 5 of the principal Act is amended by inserting before the definition of “this Act” the following definition: Amendment of s. 5— Interpretation.

“the Union” means the United Fire Fighters Union of South Australia Incorporated.:

4. Section 14 of the principal Act is amended—

(a) by striking out from subparagraph (ii) of paragraph (b) of subsection (1) “the Fire Brigade Officers Association of South Australia” and substituting “the Union”;

and

(b) by striking out from subparagraph (iii) of paragraph (b) of subsection (1) “the Fire Fighters Association of South Australia Incorporated” and substituting “the Union”.

5. Section 15 of the principal Act is amended by striking out from subsection (1) “Committee” and substituting “Tribunal”. Amendment of s. 15— Removal of members from office, vacancies, etc.

Amendment of
s. 16—
Constitution of
Tribunal.

6. Section 16 of the principal Act is amended by striking out paragraph (c) and substituting the following paragraph:

(c) (i) where the appellant is an officer—the officer nominated by the Union;

or

(ii) where the appellant is a firefighter—the firefighter nominated by the Union.

Amendment of
s. 52a—
The South
Australian
Metropolitan Fire
Service
Disciplinary
Committee.

7. Section 52a of the principal Act is amended by striking out subsections (2), (3) and (4) and substituting the following subsections:

(2) The Committee will consist of the following members appointed by the Governor:

(a) a legal practitioner of not less than seven years standing who will be the presiding officer and will be appointed on the nomination of the Minister;

(b) an officer appointed on the nomination of the Chief Officer;

(c) an officer appointed on the nomination of the Union;

(d) a firefighter appointed on the nomination of the Union.

(3) The Minister must consult the Chief Officer and the Union before nominating the presiding officer.

(4) For the purpose of hearing a complaint the Committee will be constituted of—

(a) the presiding officer;

(b) the member nominated by the Chief Officer;

and

(c) (i) where the person whose conduct is the subject of the complaint is an officer—the officer nominated by the Union;

or

(ii) where the person whose conduct is the subject of the complaint is a firefighter—the firefighter nominated by the Union.

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

D. B. DUNSTAN, Governor