

## TASMANIA.



1943.

ANNO SEPTIMO  
 GEORGII VI. REGIS.

No. 26.

## ANALYSIS.

1. Short title.
2. Amendment of 11 Geo. V. No. 61.
  - New section 5A.
    - Dissolution or amalgamation of boards.
    - Repeal of section 20.
    - New section 20.
      - Remuneration for services.
  - Section 22.
  - Section 32.
  - Section 34.

AN ACT to amend the *Fire Brigades Act 1920*. A.D. 1943  
 [19 October, 1943.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1** This Act may be cited as the *Fire Brigades Act 1943*. Short title.

**2** The Principal Act is hereby amended—

I. By inserting after section five thereof the following new section five A—

“**5A** Where a board has ceased to function or in the opinion of the Governor has become unnecessary the Governor by proclamation may dissolve

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such board and abolish its district; and thereupon the same shall cease to exist and all property vested in or belonging to the board shall be disposed of as may be directed by such proclamation.

(2) Where in the opinion of the Governor any two districts can with advantage be amalgamated and controlled by one board the Governor by proclamation may—

- I. Dissolve one, or both, of the existing boards for such districts: and
- II. Enlarge the district of the other of such boards to include both such districts; or constitute a new board for an area including the whole or part of the area comprised in both such districts; and assign a name to the new district.”:

II. As to section thirteen thereof—

(a) By deleting the words “the storing” to “Act” in the last two lines of paragraph IX. and substituting therefor the words “and, subject to the provisions of any other Act relating thereto, prescribing the cases in which such storage shall be prohibited.”:

(b) By inserting after paragraph x. the following new paragraphs XI. and XII.—

“XI. Prescribing the charges or rates of payment to be imposed by the board in respect of—

- (a) The attendance and services of the brigade at any fire occurring elsewhere than in any building:
- (b) The performance by the brigade or any officers or employees of the board of services not connected with the work of fire-fighting: and
- (c) The use of any equipment supplied by the board on loan, or made available, to any person—

and the persons from whom, and the manner in which the same may be recovered:

XII. The erection and maintenance by the board of standards or other apparatus in prescribed places or classes of places for giving alarm in case of fire; and empowering the Minister to determine any dispute arising between the board and any local authority in relation to the location of any such standards or apparatus.”:

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III. By repealing section twenty thereof and substituting therefor the following new section twenty—

Repeal of  
s. 20.  
New section  
20.  
Remuneration  
for services.

“**20**—(1) The board may make charges not exceeding one-third of the amounts specified in the second schedule in any case where services are rendered by the board where a fire occurs in any—

- I. House, building, or premises, or in any ship in any port, or of personal property elsewhere than in any of such places, and such house, building, premises, ship, or property is not insured to the extent of at least one-third of the value thereof in a fire insurance company contributing to the expenses of that board: or
- II. Such place as aforesaid which is so insured but which contains furniture, stock-in-trade, or other personal property which is not so insured—

and such charges shall be paid by and be recoverable from the owners and occupiers of any such house, building, premises, ship, or property or charterer of such ship, or from the owner of such personal property, as the case may be.

(2) Where a fire occurs only in a chimney the charges shall not exceed five guineas.

(3) The several persons liable to pay such charges shall be the owners, and occupiers if any, of the property not insured as aforesaid, and such persons shall contribute to the same in proportion to their respective interests in the value of the property protected or sought to be protected, and all such values shall be ascertained by the board as may be prescribed.

(4) No charge under this section shall be payable by any person who is a lodger or guest only in any such house, building, or premises.”:

IV. By inserting after “shall” in the fourth line of sub-section (2) of section twenty-two thereof the words “, unless such councils with the approval of the Minister otherwise agree,”: Section 22.

V. As to section thirty-two thereof by inserting— Section 32.

- (a) “(1)” at the commencement: and
- (b) “(2) Where a board has reported to the Director of Public Health, or to the local authority, that a fire menace exists, or that the existing precautions for the protection of life and property are insufficient and has recommended that steps be taken for the removal or

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minimising of such menace, the Director, or the local authority, as the case may be, shall take all such steps as may be necessary and available, to give effect to the recommendation of the board unless the Minister otherwise directs.”:

Section 34.

VI. As to section thirty-four thereof by inserting—

- (a) “(1)” at the commencement: and  
 (b) “(2) In addition to any other matters which may be prescribed any such regulations may prescribe—

- I. The inspection of specified classes of buildings by prescribed officers of a fire brigade and the enforcement of any requirements recommended by a board for the prevention of fire or the minimising of fire risk or the provision of precautions for the protection of life and property in respect of such buildings whether the same are situated inside or outside the boundaries of the relevant fire district and whether within the same municipality or not:
- II. The cases in which and the conditions under which a board or any of its officers may place persons in charge of any property on or in the vicinity of which a fire has occurred for the purpose of preventing—
  - (a) Further outbreaks of fire:
  - (b) The entry of any persons on areas of danger: or
  - (c) Damage to, or interference with, any property:
- III. The cases in which the Board may require the—
  - (a) Trimming, cutting back, or removal of any hedge: or
  - (b) Burning off or removal of any gorse, ferns, grass, weeds, rubbish, or similar matter—

in any town, which in the opinion of the board constitutes a fire menace.” (at the end).