

any area, or regulating the bulk, floor space, height, coverage, use or design, external appearance or character of buildings or the use of land; or

- (g) any buildings erected or any contract made or other thing done in contravention of any determination made under section twenty-four.”.

FIRE BRIGADES.

No. 2 of 1950.

AN ACT to amend the *Fire Brigades Act* 1945. [9 January, 1950.]

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—(1) This Act may be cited as the *Fire Brigades Act* 1950. Short title and citation.

(2) The *Fire Brigades Act* 1945* is in this Act referred to as the Principal Act.

2 Section two of the Principal Act is amended by inserting at the end of the definition of “owner” the words “and includes any person constituted by any Act, or appointed by the Governor under the authority of any Act, to administer or control any business or undertaking on behalf of the State”. Interpretation.

3 Section thirteen of the Principal Act is amended by inserting in subsection (1) after the word “municipality” (second occurring) the words “and of the Commission”. Enlargement or diminution of districts.

Constitution
of boards.

4 Section fifteen of the Principal Act is amended by inserting after subsection (7) the following subsections:—

“(7A) Any member of a board may resign his office by letter to the chairman, and any member who, without leave of the board, has been absent from four successive meetings of the board shall be deemed to have so resigned.

(7B) Upon the death or resignation of any member of a board, his office shall be filled in the same manner as he himself was appointed or elected, and the person so appointed or elected shall hold office only for as long as the member whose place he takes would have held office.”.

Power of
boards to
acquire and
dispose of
property.

5 Section twenty-two of the Principal Act is amended by inserting after subsection (1) the following subsection:—

“(1A) Any land proposed to be acquired by a board under the authority of subsection (1) may with the consent of the Governor be taken in accordance with the provisions of the *Public Authorities' Land Acquisition Act 1949** and the purpose for which the land is so taken shall be deemed to be an undertaking, within the meaning of that Act.”.

Protection
of public
buildings
and places of
entertainment.

6 Section twenty-six of the Principal Act is amended by inserting in subsection (2), after the word “necessary”, the words “and otherwise lawful”.

Storage of
inflammable
material.

7 Section twenty-seven of the Principal Act is amended by omitting from subsection (3) the words “*or the Inflammable Liquids Act 1929*” and substituting therefor the words “, the *Inflammable Liquids Act 1929†* or the *Building Act 1937‡*.”.

Prevention
of grass
fires, &c.

8 Section twenty-eight of the Principal Act is amended by omitting from subsection (1) the words “constitutes a fire risk” and substituting therefor the words “is or are in such a condition, or, if permitted to remain in or on such land or premises, would become in such a condition as to constitute a fire risk,”.

Inspection of
buildings by
officers and
members of
brigades.

9 Section thirty-seven of the Principal Act is amended—

(a) by inserting after subsection (5) the following subsections:—

“(5A) Where any person to whom a notice is forwarded under this section makes default in complying with the requirements of the notice, he shall be liable to pay to the board the cost and expenses incurred by it in or in connection with any inspection—

(a) which is made after his default is known to the board; and

* Act No. 22 of 1949.

† 20 Geo. V. No. 7. For this Act, as amended to 1936, see Reprint of Statutes, Vol. IV., p. 10.

‡ 1 Geo. VI. No. 73 Amended by 4 Geo. VI. No. 13 and 7 Geo. VI. No. 39.

- (b) which is reasonably necessary to ascertain whether the necessary works have been or remain to be executed.

(5B) The board may recover its costs and expenses of preparing any notice under this section from the person to whom it is forwarded.”; and

- (b) by adding at the end thereof the following subsection:—

“(7) Nothing in this section shall authorise the alteration of any building or structure contrary to the provisions of the *Local Government Act 1906** the *Towns Act 1934*† the *Building Act 1937*‡ or any regulation or by-law thereunder.”.

10 Section forty-four of the Principal Act is repealed and the following section substituted:—

“44.—(1) The amount of any contribution payable under section forty-two by any council may be paid out of the municipal fund, or the council may make and levy a special rate or separate local rate for the purpose of raising that amount, and all the provisions of any Act relating to the making, levying, and recovery of rates by that council shall, except as provided in this section, be applicable to every rate for that purpose.

Municipality may pay contribution and raise it by rates.

(2) Where a separate local rate has been made and levied under this section in respect of any year the council may in any subsequent year, without passing a special resolution for that purpose, impose a similar rate upon the same portion of the municipality for the purpose of raising whatever amount of contribution is payable by the council in that year.

(3) Subsections (4) to (9) of section one hundred and seventy-two of the *Local Government Act 1906** shall not apply to separate local rates made and levied under this section.”.

11 Section fifty-three of the Principal Act is amended by inserting in subsection (1), before the words “within three months”, the words “or nearest to the place at which it is established”.

Registration of auxiliary fire brigades.

* 6 Edw. VII. No. 31. For this Act, as amended to 1936, see Reprint of Statutes. Vol. V., p. 15. Subsequently amended by 2 Geo. VI. Nos. 8 and 33, 4 Geo. VI. No. 46, 5 Geo. VI. Nos. 2 and 42, 6 Geo. VI. Nos. 26 and 62, 7 & 8 Geo. VI. No. 88, 8 Geo. VI. No. 17, 9 Geo. VI. No. 12, and 11 Geo. VI. Nos. 5 and 61.

† 25 Geo. V. No. 47. For this Act, as amended to 1936, see Reprint of Statutes. Vol. V., p. 170. Subsequently amended by 5 Geo. VI. No. 41, 8 Geo. VI. No. 15, 8 & 9 Geo. VI. No. 46, 9 Geo. VI. No. 9, 10 Geo. VI. No. 53, and 11 Geo. VI. No. 56.

‡ 1 Geo. VI. No. 73. Amended by 4 Geo. VI. No. 13 and 7 Geo. VI. No. 39.