

thence by that river to its confluence with the River Forth thence in a northerly direction along the River Forth aforesaid to a point westerly from the south-west angle of 81 acres 1 rood 4 perches aforesaid thence easterly crossing River Forth aforesaid to the point of commencement.”.

## RURAL FIRES.

### No. 34 of 1955.

#### AN ACT to amend the *Rural Fires Act 1950*. [3 November, 1955.]

**B**E 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 *Rural Fires Act 1955*. Short title and citation.

(2) The *Rural Fires Act 1950*, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section forty-five of the Principal Act is amended—

(a) by omitting subsection (4) and substituting therefor the following subsection:—

“(4) No person shall operate, or cause or permit to be operated, a locomotive or traction engine that is operated by solid fuel unless the locomotive or traction engine is equipped with—

- (a) such devices for arresting sparks and for preventing the escape of live coals from the ashpan and firebox thereof, and such watering devices and other devices for the prevention of outbreaks of fire;
- (b) an ashpan or firebox, or both, of such type; and

(c) such fire-fighting tools and appliances, as may be prescribed, or, in the absence of regulations in that behalf, as the Board may approve.”.

Certain engines, &c., to be fitted with devices for arresting sparks, &c.

**3** Section fifty of the Principal Act is repealed and the following section is substituted therefor:—

“50 Nothing in this Act, and no proceeding in respect of an offence against this Act, affects any right or remedy by civil process in respect of damage caused by fire that any

Civil remedies unaffected. Q'ld., s. 53 (1).

person aggrieved thereby would have had if this Act had not been enacted, but, in any prosecution for a crime or under this Act, a person shall not be held to be wilful, reckless, or negligent in the use of fire if—

- (a) being in a rural fire district and not having been prohibited by a fire warden, pursuant to section seventeen or section eighteen, from lighting a fire, he—
  - (i) gave the notices required by section fourteen or section fifteen, as the case requires;
  - (ii) before lighting the fire, constructed fire-breaks approved by the chief fire warden;
  - (iii) had in attendance under his direction, at all times while the fire was burning and until the fire was extinguished, assistance and equipment approved by the chief fire warden as being sufficient to control the fire;
  - (iv) lit the fire not earlier than three o'clock in the afternoon;
  - (v) lit the fire on a day when the wind velocity did not exceed ten miles per hour and the temperature did not exceed ninety degrees Fahrenheit at any time on that day before the fire was lit;
  - (vi) lit the fire against the direction of the wind (if any) and in such a manner that the fire was not reasonably likely to leap over the firebreaks referred to in sub-paragraph (ii) of this paragraph; and
  - (vii) carried out and observed all precautions required by or under this Act; or
- (b) being a person operating, or causing or permitting the operation of, a locomotive or traction engine that is operated by solid fuel, he has carried out and observed all such precautions as are required by or under this Act to be carried out and observed in relation to the operation of locomotives or traction engines that are operated by solid fuel, and—
  - (i) the locomotive or traction engine is fitted with all such devices and appliances as are prescribed or approved by or under subsection (4) of section forty-five; and
  - (ii) in the case of a railway locomotive, a fire-break has been cleared, to the satisfaction of a fire warden, on each side of the rails on which the locomotive runs.”.

**4** Section fifty-two of the Principal Act is amended by <sup>Regulations.</sup> adding at the end thereof the following subsection:—

“(2) Without prejudice to the generality of the provisions of subsection (1) of this section, the regulations may provide for and regulate the inspection by prescribed persons of devices and appliances with which locomotives and other engines are required by section forty-five to be equipped, and may regulate and restrict the dumping of live coals and other inflammable materials from locomotives and other engines that are operated by solid fuel, and generally regulate and control the method of operating locomotives and other engines that are operated by solid fuel, so as to prevent, or minimize the risk of, the outbreak of fires resulting from the operation thereof.”.

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## TASMANIAN BLIND AND DEAF INSTITUTE.

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No. 35 of 1955.

### AN ACT to amend the *Tasmanian Blind and Deaf Institute Act 1933.* [3 November, 1955.]

**B**E 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 *Tasmanian Blind and Deaf Institute Act 1955.* Short title and citation.

(2) The *Tasmanian Blind and Deaf Institute Act 1933*, as subsequently amended, is in this Act referred to as the Principal Act.

**2** The first schedule to the Principal Act is amended— Management.

- (a) by omitting from sub-clause (1) of clause 7 the word “eight” and substituting therefor the word “seven”;
- (b) by omitting the word “and” at the end of paragraph II of that sub-clause; and
- (c) by inserting after that paragraph the following paragraph:—

“IIA One shall be a member who is an adult blind person not employed by, or admitted to, the Institute, and elected, as prescribed, by the adult blind persons of Tasmania: and”.

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