



RURAL FIRES

No. 90 of 1977

ANALYSIS

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AN ACT to amend the Rural Fires Act 1967.

[17 November 1977]

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 *Rural Fires Act 1977*.

(2) The *Rural Fires Act 1967**, as subsequently amended, is in this Act referred to as the Principal Act.

Short title,
citation, and
commencement

* No. 75 of 1967. Subsequently amended by No. 76 of 1968, No. 48 of 1972, No. 92 of 1973, No. 80 of 1975, Nos 28 and 90 of 1976.

(3) This Act shall commence on a day to be fixed by proclamation.

Interpretation.

2 Section 4 of the Principal Act is amended—

(a) by inserting before the definition of “ Board ” the following definition:—

“ ‘ Administrator ’ means the Administrator of Rural Brigades appointed under section 15; ”; and

(b) by omitting the definition of “ State Fire Control Officer ”.

Constitution
of the
Board.

3 Section 7 of the Principal Act is amended—

(a) by omitting from subsection (2) “ 17 ” and substituting “ 19 ”;

(b) by inserting in subsection (3) after paragraph (da) the following paragraph:—

“ (db) one shall be the Administrator of Rural Brigades; ”;

(c) by transposing the word “ and ” at the end of paragraph (m) of that subsection to the end of paragraph (n) of that subsection;

(d) by adding at the end of that subsection the following paragraph:—

“ (o) one shall be a person nominated by the Tasmanian Rural Fire Brigades Association. ”; and

(e) by omitting from subsection (4A) the words “ or paragraph (m) ” and substituting the words “ paragraph (m), or paragraph (o) ”.

Administrator
of Rural
Brigades.

4 Section 15 of the Principal Act is amended by omitting from subsection (1) the words “ State Fire Control Officer ” and substituting the words “ Administrator of Rural Brigades ”.

5 Section 36 of the Principal Act is repealed and the following section is substituted:—

Fire danger
periods.

“ 36—(1) The Board, or the chairman of the Board if so authorized by the Board, with the approval of the Minister may by public notice declare any day or days, or any period specified in the notice, to be a fire danger period throughout the State or in any specified part or parts of the State.

“(2) The Board, or the chairman of the Board if so authorized by the Board, with the approval of the Minister may by public notice—

- (a) declare that a fire danger period has commenced throughout the State or in any specified part or parts of the State; and
- (b) declare that that fire danger period has ended.

“(3) Where a fire danger period is declared pursuant to this section, the chairman of the Board shall take such steps as he considers necessary or as may be provided for the purpose of giving publicity to the declaration.

“(4) For the purposes of this section ‘ public notice ’ means a notice published in a newspaper published in the State that circulates in the part of the State to which the notice relates.”.

6—(1) The person who immediately before the commencement of this Act held the office of State Fire Control Officer shall be deemed, on that commencement, to have been appointed under section 15 of the Principal Act as amended by this Act as the Administrator of Rural Brigades and shall hold office for such period and under such terms and conditions as he would have held office as State Fire Control Officer if this Act had not been enacted. Transitional provisions.

(2) The Principal Act is amended by omitting the words “ State Fire Control Officer ” (wherever occurring) and substituting the word “ Administrator ” in each case.

