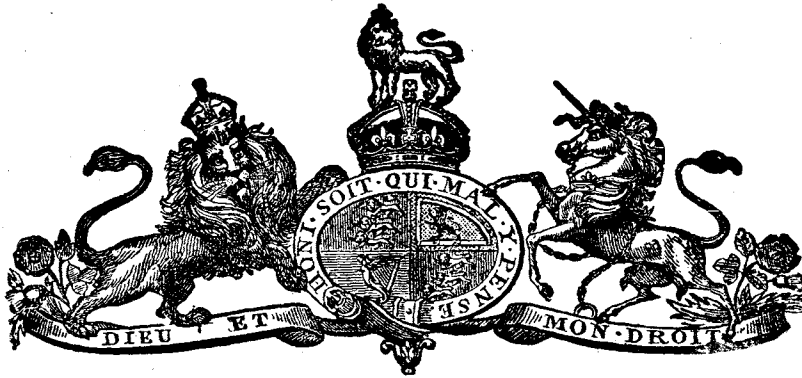


T A S M A N I A.



1920.

ANNO UNDECIMO
 GEORGI V. REGIS.

No. 61.

AN ACT to consolidate and amend the Law relating to the Protection of Life and Property from Fire, and for other purposes.

[24 December, 1920.]

A.D.
 1920

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:—

Preliminary.

- 1 This Act may be cited as "The Fire Brigades Act, 1920."
- 2 The Acts mentioned in the First Schedule to this Act are hereby repealed.
- 3 In this Act unless the context otherwise determines—
 - "Agent" includes any person collecting or receiving fire premiums in a district on behalf of a fire insurance company:
 - "Board" means the Fire Brigade Board for the district in relation to which the term is used:
 - "Brigade" means any Fire Brigade:
 - "Contributory company" means Fire Insurance Company liable to pay the contribution fixed by this Act:

Short title.

Repeal.
 (See 6 Ed. VII.
 No. 12, ss. 30 &
 31, and 7 Geo.
 V. No. 15, ss. 7,
 8, and 10.)

Interpretation.

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“District” means and includes each of the following, as the context may require:—

- (a) The City of Hobart or such portion thereof, and also such portion (if any) of any adjacent municipality, as shall, from time to time, be proclaimed by the Governor (all of which are hereinafter referred to as the “Hobart District”);
- (b) The City of Launceston or such portion thereof, and also such portion (if any) of any adjacent municipality, as shall from time to time be proclaimed by the Governor (all of which are hereinafter referred to as the “Launceston District”);
- (c) The whole or such portion or portions of any municipality or municipalities as is or are proclaimed a district under Section Four of this Act (each of which proclaimed districts is hereinafter referred to as a “municipal district”):

Provided that until a proclamation is made under this Act affecting any district existing at the passing of this Act such existing district shall continue to be a district under this Act:

“Fire insurance company” means any company, co-partnership, or other association carrying on in the district the business of insuring property against loss or damage by fire, either alone or in conjunction with any other business, whether the head office of such company, co-partnership, or association is in the district or not, and whether the policies issued by such company or association are signed in the district or not:

“Owner,” used with reference to any property, shall mean the person for the time being in the actual receipt of, or entitled to receive, or who, if such property were let to a tenant, would be entitled to receive the rents and profits thereof, whether as beneficial owner, trustee, executor, mortgagee in possession, or otherwise, but shall not mean or include any mesne tenant:

“Ship” includes any description of vessel used, or intended to be used, in navigation, however propelled, and whether in course of construction or completed:

“Superintendent” means a superintendent of a fire brigade, or his deputy, or any officer acting as superintendent.

Fire Districts.

Proclamation of
municipal
districts.

4—(1) The municipal council of any municipality may petition the Governor to proclaim the municipality, or any part thereof defined in the petition, as and to be a district for the purposes of this Act.

(2) The council shall cause the petition to be published once in the “Gazette” and twice in a newspaper generally circulating in the municipality.

Fire Brigades.

(3) At the expiration of Four weeks after the said publication in the "Gazette," the Governor may by proclamation proclaim the municipality or any part thereof a district for the purposes of this Act; and the boundaries of such district need not be the same as those of the area defined in the petition, and thereupon there shall be formed a fire brigade board for such proclaimed district. A.D. 1920.

5—(1) On the request of the board for a district comprising any portion of or nearest to a municipality, and with the approval of the municipal council of that municipality, the Governor, may by proclamation, declare that such municipality, or any portion thereof therein defined, shall be added to and form part of that district, and thereupon such municipality, or portion thereof, shall, for the purposes of this Act, be included in and become part of that district. Enlargement of districts. Cf. No. 2653 of 1915. (Vic.), s. 5.

(2) Whenever the board for any district certifies that it is necessary or desirable that any specified portion of such district be excised therefrom, the Governor may by proclamation declare that such portion shall be excised accordingly, and thereupon such specified portion shall for the purposes of this Act be no longer included in or part of such district. Diminution.

(3) Whenever any proclamation is made under this section, the Governor may therein declare the manner in which the representation on the board of the municipal councils and fire insurance companies concerned shall be adjusted, and Section Six of this Act shall as to that board thereafter be read and take effect, subject to the terms of such proclamation. Adjustment of representation.

Boards.

6—(1) There shall be a fire brigade board for each district. Boards for districts.

(2) The boards for the Hobart District and for the Launceston District shall each consist of Five members, viz.—One member to be appointed by the Governor, Two members to be elected by the Municipal Council of the City of Hobart or Launceston, as the case may be, and Two members to be elected by the fire insurance companies as hereinafter provided. Constitution of city boards.

(3) The board for each municipal district shall consist of Five members, viz.—One member to be appointed by the Governor, Two members to be elected by the municipal council of the municipality, and Two members to be elected by the fire insurance companies as hereinafter provided. Constitution of municipal boards.

(4) Each board shall elect One of its members to be chairman, who shall have a deliberative vote, and in the event of an equality of votes shall have also a casting vote. Chairman.

(5) In the case of any board in existence at the passing of this Act, the present members thereof shall for the respective terms for which they were elected or appointed be members thereof as if elected or appointed under this Act: Provided, that in the case of any board for a municipal district to which Two members have been appointed by the Governor, the One of such Two members who has been a member of such board for the shorter period shall cease to be a member thereof. Existing members continued.

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Retirement of
members.

as from the passing of this Act; but if both of such members have been members for the same period One shall retire from the board, and it shall be ascertained by lot which one shall so retire.

(6) Of the Four elected members of each board, Two shall retire annually, namely, One member elected by the municipal council, and One member elected by the fire insurance companies, but they shall be eligible for re-election.

In the case of any district appointed after the passing of this Act the first retirements shall be determined by lot, and thereafter those Two members who have been longest in office shall at each retirement be the members to retire.

Boards to be
bodies corporate.

7 Each board, under the name of "The Fire Brigade Board for the District of *Hobart*," or as the case may be, shall be a body corporate and have a common seal, and in its corporate name be capable of holding property of any description, and of suing or being sued.

Election of
members by
municipal
councils.

8 The election of members by each municipal council shall take place on such day and be held in all other respects in accordance with such directions as may respectively be prescribed.

Election of
members by fire
insurance
companies.

9 The election of members of each board by fire insurance companies shall take place as may be prescribed.

The Chief Secretary shall cause a notification to be inserted in the "Gazette" specifying the times and places at which meetings of representatives of each fire insurance company in each district shall be held. Each such meeting shall elect its own chairman, and all matters shall be decided by a majority of votes. Each representative shall have such number of votes as shall be prescribed, not exceeding Three, according to the amount of contribution paid by the company or companies of which he is the representative as hereinafter mentioned.

Powers and Duties of Boards.

Duties of board.

10 It shall be the duty of each Board to establish and maintain an efficient brigade and take and enforce all necessary steps for the prevention, extinguishment, and suppression of fires, and for protecting life and property from loss and damage thereby, and to furnish such brigade with such fire engines, hoses, tools, implements, accoutrements and appliances as may be necessary for the due equipment thereof.

Board may buy
appliances

11—(1) Any board may, with the approval of the Governor, arrange with any existing fire brigade or with any other person, to purchase and take over, on such terms as may be agreed upon, any chattels or appliances used for the extinguishment of fires, or any property real or personal belonging to any fire brigade or any other person, and generally to take such measures as may be found expedient for the amalgamation of any existing brigade with any brigade established and maintained under this Act, upon such terms and conditions as may be mutually agreed upon and as may be approved as aforesaid.

Fire Brigades.

(2) Any board may purchase, take on lease, mortgage, or otherwise acquire land or buildings or any personal property, for the purposes of carrying out the objects of this Act, and may from time to time sell or exchange or let on lease any land or buildings or personal property, acquired by or vested in such board. All money resulting from such sale, exchange, or lease, shall be applied by such board in the purchase of property for such board or the improvement of the real or personal property of such board.

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May hold land,
&c.

(3) Any board may from time to time, with the consent of the Governor, and on such terms and security as the Governor shall approve, borrow such moneys as such board may deem necessary for carrying out and performing the powers, authorities, and duties vested in, conferred, or imposed upon such board.

May borrow.

(4) For the temporary accommodation of a board it shall be lawful for the board to obtain advances from a bank or banks by overdraft of the current account upon the credit of the board, but no such overdraft or accommodation shall, at any time, under any circumstances, exceed One-half of the prior year's expenditure.

Temporary
overdrafts.
Cf. 2 Geo. V. No.
65, s. 53.

(5) Any board may in any calendar year out of its funds, expend any sum or sums of money not exceeding in the whole Twenty-five Pounds, for any purposes whatever approved of by such board, notwithstanding that such expenditure may not be authorised under any other provision of this Act.

May spend £25
on other objects.
Cf. 6 Ed. VII.
No. 31, s. 113.

12 Each board shall appoint a secretary and also all officers of the fire brigade other than the superintendent, and fix the salaries or emoluments of such secretary and officers and of the members of the brigade. The board may appoint, subject to the approval of the Governor, one of their officers to be deputy-superintendent in case of the absence or other disability of the superintendent, or of a vacancy in the office of superintendent.

Appointment of
officers of fire
brigades.

13 Each board may frame regulations providing for the following matters or any of them :—

Regulations.

- i. Payment of salaries or wages to members of the brigade :
- ii. Payment of compensation in cases of accidents to such members, or, where death ensues therefrom, their wives and families :
- iii. Payment of pensions and retiring allowances to members :
- iv. Payment of gratuities in respect of voluntary or special services rendered to the brigade or for special services at fires :
- v. Ensuring discipline and good conduct among members of the brigade :
- vi. Appointing a public officer of the board :
- vii. Payment of an allowance to the chairman of a sum not exceeding Fifty Pounds per annum :

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- viii. The occasions and terms upon which any portion of the brigade or its officers or men, engines, or other appliances may proceed or be taken beyond the limits of the district for the purpose of attending fires :
- ix. The storage of empty crates, cases, or other packages, sawdust, shavings, hay or straw either in packages or loose, or any other inflammable material of whatever nature, the storing of which is not regulated by or under any other Act :
- x. Regulating the meetings and conduct of business by the board, and generally for the purpose of carrying into effect the objects of this Act.

Compliance with such regulations or any of them may be enforced by a penalty not exceeding in any case the sum of Twenty-five Pounds. And all such regulations, when approved by the Governor and published in the "Gazette," shall have the force of law.

Board to report to Parliament.

14 Each board shall report to the Governor in every year upon all matters within the scope of their administrative duties, and such report shall be laid before both Houses of Parliament.

Superintendents of Fire Brigades.

Superintendents, &c., of fire brigades.

15 It shall be lawful for the Governor, upon the nomination of any board, to appoint a superintendent of fire brigades for the district, at such salary as the board may recommend and the Governor approve.

Duties and powers of the superintendent at fires.

16 On the occasion of any fire occurring within any district, the superintendent shall perform the following duties, and may exercise the following powers ; that is to say—

- i. He shall with all possible speed proceed upon the first alarm to the place where the fire is, and shall endeavour by all practicable means to extinguish the fire and save all property in jeopardy :
- ii. He shall control, direct, and regulate the working of the Brigade :
- iii. He shall have authority either alone or with others under his command to enter into, and if necessary, to force open any outer or inner doors of any house or premises which are on fire or in the near neighborhood of any fire for the purpose of taking any steps which he deems necessary for the extinguishment or for the prevention of the extension of a fire, and he may take or give directions for taking any hose, engine, or other apparatus into, through, or upon any house, land, or premises which he considers convenient for the purpose :

Cf. No. 2653 of 1915 (Vic.), s. 38.

Fire Brigades.

- iv. He may take any measures which appear to him necessary or expedient for the protection of life and property, and may cause any building, tenement, or ship to be entered, taken possession of, pulled down, sunk, or otherwise destroyed or removed for the purpose of extinguishing or preventing the spread of fire: A.D.1920.
Cf. No. 9 of 1909 (N.S.W.), s. 29.
- v. He may cause water to be shut off from any main or pipe in order to obtain a greater pressure and supply of water for the purpose of extinguishing any fire:
- vi. He may cause any street or thoroughfare in the vicinity of any fire to be closed for traffic during the continuance of such fire:
- vii. He may at any time pull down or shore up any wall or building damaged by fire that may be, or may be likely to become, dangerous to life or property:
- viii. He shall have the control and direction of any volunteer fire brigade or brigades present at any fire, and of any persons who voluntarily place their services at his disposal:
- ix. He may remove or cause to be removed any persons, vehicle, or thing, whose presence or otherwise in his opinion interferes with the operations of the brigade, and, generally, may take any measures which appear to him expedient for the protection of life and property: Cf. *ibid.* (Vic.).
- x. He shall have the use of all water-mains, water-plugs, valves, pipes, and hydrants belonging to any municipality or other local body whatsoever, and of all water therein, or in any well or tank, free of charge for the purpose of extinguishing the fire: *Ibid.*, s. 61.
- xi. He may cause the *debris* and also any building, premises, or ship where any fire has occurred, and every part thereof to be searched, and may remove and keep possession of anything which may tend to prove the origin of such fire. Cf. *ibid.*, (Vic.), s. 73.

17 The superintendent shall, in addition to the duties and powers respectively imposed and conferred by the last preceding section, have and may exercise the general duties and powers following; viz.— Duties and powers of the superintendent generally.

- i. He shall cause a register to be kept containing the names, ages, and occupations and places of abode of all members of the brigade:
- ii. He shall summon once a month at the least all or as many of the members of the brigade as may be required for practice in order to render the members fit and efficient for service:
- iii. He shall have at all times the immediate charge and control of all engines, horses, carts, reels, buckets, hoses, ladders, fire-escapes, and other plant the property of the Board, and shall keep the same in a fit state at all times for efficient service:

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3 Ed. VII., No.
37.

8 Geo. V. No. 49.

- iv. He shall at all times have free access to any land, building, ship, or premises for the purpose of ascertaining and reporting on any infringement of the laws against storage of explosives, kerosene or inflammable liquid, or other inflammable material or matter, or as to the storage of empty crates, cases, and other packages, sawdust, shavings, hay, and straw, either in packages or loose :
- v. He shall at all times have free access to all hotels and public houses and all places which are "public buildings" within the meaning of Section One hundred and Six of "The Public Health Act, 1903," or which are "places of public entertainment" as defined by Section Three of "The Places of Public Entertainment Act, 1917," and shall report to the board in any case where the laws and regulations against fire are not being duly observed, and may in respect of any such places, exercise all the like powers and authorities as are vested in inspectors under either of the said Acts :
- vi. In default of any appointment of a public officer of the board, he shall be the public officer of the board.

Powers of
superintendent
exercisable by
deputy or senior
officer.

18 The powers conferred upon the superintendent by either of the last Two preceding sections may, in case of his absence or disability, be exercised by the deputy superintendent or other the senior officer present, and the authority of the superintendent or his deputy or such other officer shall be recognised by all officers and members of the Police Force and all other persons. And it shall be the duty of the officer commanding the Police Force, present at any fire, to support and assist such superintendent or deputy or officer in the maintenance of his authority, and in enforcing due obedience by all persons to his orders in the due execution of his duties.

Damage done to
be within policy.

19 Any damage to property caused by the superintendent or by any member of a fire brigade, in the lawful execution of any power conferred by this Act, shall be deemed to be damage by fire within the meaning of any policy of insurance against fire, covering the property so damaged, anything in such policy to the contrary notwithstanding.

Remuneration for
attendance of
fire brigade,
how contributed
and recovered :
(a) When house,
&c., uninsured ;

20—(1) In case any fire shall occur in any house, building, or premises, or in any ship in any port, or in case any personal property shall take fire in any open space, and such house, building, premises, ship, or property be not insured to the extent of at least One-third of the value thereof against fire in a fire insurance company contributing to the expenses of the board of the district where the fire occurs, and any brigade shall attend at such fire, the expenses actually incurred by such brigade at such fire, not exceeding One-third of the amounts mentioned in the Second Schedule, shall be paid by the owners and occupiers of such house, building, premises, ship, or property, and of any goods therein not so insured, upon demand made by the public officer of the board maintaining such brigade ; and each such owner

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and occupier shall contribute towards such expenses in proportion to the value of the house, building, premises, ship, property, or goods so protected or sought to be protected : but no greater sum than Five Guineas shall be recovered in any case when a chimney only shall be on fire.

(2) In case any fire shall occur in any house, building, or premises which are insured to the extent of at least One-third of the value thereof against fire in such fire insurance company as aforesaid, but which contain furniture, stock-in-trade, or personal property which is not so insured, and any brigade shall attend at such fire, the expenses actually incurred by such brigade at such fire, not exceeding One-third of the amounts mentioned in the Second Schedule, shall be paid by the owner or owners of such property not so insured upon demand made by the public officer of the board maintaining such brigade; and each such owner shall contribute towards the expenses in the proportion which the value of the property not so insured bears to the value of the house, building, or premises in which it is contained : Provided that no claim under this section shall be valid as against a lodger or guest in such house, building, or premises.

(3) All values required for the purposes of this section shall be ascertained by the board of the district in which the fire occurs in such manner as may be prescribed.

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(b) When contents of building uninsured.

Method of valuations to be prescribed.

21 No expenses shall be recovered by any board if a fire shall occur in any house, building, or premises not insured as aforesaid and being of less value than One hundred Pounds, or in respect of furniture, stock-in-trade, or personal property not insured as aforesaid and being of less value than Fifty Pounds. But expenses in respect of contents which exceed Fifty Pounds in value may be recovered notwithstanding that the value of the building containing the same is less than One hundred Pounds.

No expenses in respect of small tenements.

Contributions to Board.

22—(1) Towards the expenditure as estimated by each board in maintaining the brigade and for other purposes authorised by this Act, a sum equal to the whole of such estimated expenditure shall be contributed in equal portions, and be paid to the board by—

Contributions to expenditure of board.

- i. The fire insurance companies insuring property within the district :
 - ii. The municipal council of the city or of the municipality or municipalities, the whole or portion of which is included in the district :
 - iii. The Treasurer, out of the Consolidated Revenue Fund—
- the said companies contributing One-third of such expenditure, the municipal council or councils One-third, and the Treasurer One-third thereof, and in all cases by quarterly payments as from the date of the first meeting of the board.

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Cf. No. 2653 of
1915 (Vic.), s. 43.

2 Geo. V. No. 61.

(2) Provided that when a district comprises areas situate within more than One municipality, the aggregate contribution from the municipal councils of such municipalities shall be One-third of such expenditure, and the proportion thereof contributed by each such council shall be a *pro rata* proportion calculated upon the annual value of such rateable property in each municipality as is within the district, as shown by the latest assessment thereof, under "The Annual Values Assessment Act, 1911." For the purpose of this proviso, a city shall be considered to be a municipality.

(3) For the purpose of ascertaining the amount of contributions to be paid as aforesaid, each board shall, in each year or in each quarter of a year, make an estimate of its expected annual or quarterly expenditure for that year or quarter; and in case the actual annual or quarterly expenditure shall be less than such estimated amount, all contributions in excess of such expenditure shall be credited on account of, and applied to the payment of the respective contributions for, the succeeding year or quarter, as the case may be.

(4) Every city or municipality and every officer thereof shall, when so required by the board, supply to such board any documents, papers, or information relating to such city or municipality necessary in order to enable such board to determine the amount of such contribution.

9 Geo. V. No. 3.

(5) The accounts of each board shall be subject to all the provisions of the "Audit Act, 1918."

Contributions of
insurance com-
panies how
ascertained.

23 The contribution of the said fire insurance companies shall be made by each of such companies providing a sum of money calculated on a percentage on the amount of the premiums received or charged in account by each such company, or by its agent or agents, during a period of Twelve months, as hereinafter mentioned, on property situate within the district as may appear by the return hereinafter mentioned.

Returns by
insurance
companies.

24—(1) For the purpose of ascertaining the amounts of such contributions, every such fire insurance company shall, annually, in the month of January, or at such other time as the board may from time to time direct, transmit to the board a return showing the amount of the premiums, of any kind whatsoever, received or in any manner charged in account by every such company, or by its agent or agents, during the Twelve months ending on the Thirty-first day of December preceding, in respect of property in such district assured by such company; such premiums shall be the gross premiums, and be reckoned so as to include any commission or discount, but to exclude any portion of such gross premiums actually paid away by way of re-insurance effected in Tasmania with any other company.

Statutory declara-
tion.

(2) Every such return shall be verified by a statutory declaration by the manager, secretary, or agent of the company that according to the books thereof, and to the best of his knowledge and belief, the said return contains a true account and statement of the amount of the premiums received by such company as aforesaid. If any such company shall make default in transmitting such return and declara-

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tion, such company shall be liable to a penalty of not less than Five Pounds for every day during which such default is made or continued. A.D. 1920.

(3) The secretary, agent, or other officer having the custody of the books and papers of any contributory insurance company shall allow any officer appointed by the board to inspect during the hours of business any books and papers of such company, and to make extracts therefrom in order to verify any return or declaration made in pursuance of this Act; and any such secretary, agent, or officer failing to comply with the requirements of this section shall be liable to a penalty not exceeding Five Pounds for every such offence. Books may be inspected.

25 The amount of any contribution payable under this Act by any municipal 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 such amount, and all the provisions of any Act relating to the making, levying, and recovery of rates by such municipal council shall be applicable to every rate so made and levied. Municipalities may levy rate.

26 If any municipal council or fire insurance company, liable as a contributory under the Act, fails to pay the quarterly payment prescribed by this Act within Thirty days after it shall become due, such council or company shall be liable to a penalty not exceeding Ten Pounds for each day during which such default continues. Penalty for default in payment of contribution.

27 For the purpose of supplying funds to enable any new board to commence operations, it shall be lawful for the Governor to authorise the Treasurer to advance to such board, out of the Consolidated Revenue Fund, a sum not exceeding One thousand Pounds, which sum shall be set off against any contributions from the Consolidated Revenue Fund payable under this Act. Advance from Treasury to boards.

Miscellaneous Provisions.

28 For the purpose of encouraging and securing the co-operation of volunteer fire brigades and of promoting their efficiency, all such brigades established within any district may be registered at the office of the board, and shall be subject to inspection by the superintendent, and at all fires shall be subject to his orders; and on his certificate that efficient and valuable service has been rendered by any such brigade or by any member thereof at any fire, the board may pay to such volunteer fire brigade, by way of bonus or annual subsidy, such sum as the board may think fit, and may likewise reward any individual member thereof. Volunteer fire brigades may be registered.

29 In case any fire occurs on any property on which there is any inflammable material, the owner thereof shall use due diligence in removing the debris, and if after notice in writing given to such owner by the public officer of the board requiring him within Twelve hours, or such longer time as such public officer may under all the Removal of debris after a fire.

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circumstances of the case deem necessary, to remove such debris, such owner as aforesaid shall fail or neglect to comply with the terms of such notice, it shall be lawful for such board to remove any debris and, through their public officer, to recover in any court of competent jurisdiction the expenses actually incurred by the board in so doing and in employing watchmen (if necessary) to look after such building until such debris is removed.

Owner and occupier to give particulars.
Cf. No. 2653 of 1915 (Vic.), s. 72.

30—(1) The owner of any house, building, premises, or ship, where a fire occurs shall, on being requested so to do by any member of the board or by the superintendent or any other officer of the board, inform such member or officer whether such house, building, premises, or ship is insured or not, and at the like request shall furnish such member or officer with full particulars of the insurance (if any) thereon, including the name of the company with which the insurance is effected and the amount of such insurance.

(2) The owner of any personal property which may be in any house or building, or on any premises or ship, wherein a fire occurs or which may be destroyed or damaged by fire, shall at the like request give the like information and furnish the like particulars as are required to be given with respect to a house or building as hereinbefore provided.

(3) Any person who refuses to comply with any such request as aforesaid, or who wilfully gives any false information, or who wilfully gives any incorrect particulars with regard to such insurance as aforesaid, shall be liable to a penalty not exceeding Twenty Pounds.

Offences.

31 Every person who—

- I. Wilfully obstructs or interferes with the superintendent or any member of a fire brigade while in the execution of his duty under this Act :
- II. Injures any building or appliance belonging to the board :
- III. Remains in or upon any property of the board, or in or upon any premises where a fire occurs or has recently occurred, after being ordered by the superintendent to quit the same :
- IV. Retains possession of any property of the board after the same has been demanded of him by the superintendent :
- V. Covers up or closes any fireplug so as to render its position difficult to locate, or injures any fireplug :
- VI. Obliterates or removes any mark used to indicate the position of any fireplug :
- VII. Tampers or interferes with any fire-alarm or other signalling apparatus :
- VIII. Gives a false alarm of fire :
- IX. Disobeys or fails to comply with any provision of this Act, for breach of which no penalty is specially provided—

shall be liable to a penalty of not exceeding Fifty Pounds, or to imprisonment for not exceeding Six months.

Fire Brigades.

32 Each board shall, from time to time, furnish the Director of Public Health with information and recommendations as to the requirements for the protection from fire of "public buildings" and "places of public entertainment," as defined by "The Public Health Act, 1903," and "The Places of Public Entertainment Act, 1917," respectively.

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Information for Health Department.

Cf. *ibid.*, s. 67 (Vic.).

3 Ed. VII. No.

37.

8 Geo. V., No. 49.

Board, &c., not liable for *bonâ fide* acts.

Regulations.

33 Any board, superintendent, or officer of a board, exercising any powers conferred by this Act, shall not be liable for any damage caused in the *bonâ fide* exercise of such powers.

34 It shall be lawful for the Governor to make regulations for the purpose of giving effect to this Act in all matters whatsoever.

35 Any penalty, expenses, or contribution incurred or made payable under this Act may be recovered, and proceedings in respect of offences under this Act shall be disposed of, in a summary way in the mode prescribed by "The Justices' Procedure Act, 1919." Where a company is not incorporated, or has no public officer, the proceedings may be had against the manager, secretary, or agent of such company, in which case any order against such manager, secretary, or agent shall bind and be enforceable by execution against the property of the company, as well as that of such manager, secretary, or agent.

Penalties and contributions how recovered.

10 Geo. V. No. 55.

36 All penalties, expenses, and contributions recovered under this Act shall be paid over to the board of the district within which the same were incurred or became payable, anything in any Act to the contrary notwithstanding.

Appropriation.

37 Where any superintendent, officer, or other person who has been employed by a board in any capacity under this Act and has been discharged therefrom, continues to occupy any house or building that may be provided for his use, or any part thereof, after One week's notice in writing from the board to deliver up possession thereof, it shall be lawful for any police magistrate, on the oath of one witness stating such notice to have been given, by warrant under his hand, to order any constable to enter into the house or building occupied by such discharged superintendent, officer, or other person as aforesaid and to remove him and his family and servants therefrom and afterwards to deliver the possession thereof to the board, as effectually to all intents and purposes as the sheriff having jurisdiction within the place where such house and building is situate might lawfully do by virtue of a writ of possession or a judgment at law.

Recovery of possession of premises from discharged officer of board.

Fire Brigades.

Section 2.

FIRST SCHEDULE.

Number of Act.	Title.
47 Vict. No. 21.....	"The Fire Brigades Act, 1883."
64 Vict. No. 16	"The Fire Brigades Act, 1900."
1 Ed. VII. No. 40	"The Fire Brigades Act, 1901."
8 Ed. VII. No. 34	"The Fire Brigades Act, 1908."

Section 20.

SECOND SCHEDULE.

	£	s.	d.
For superintendent of fire brigades, for first hour if actually attending.....	1	1	0
Ditto, per hour for each succeeding hour, day or night	0	10	0
For each reel or engine (other than a steam or motor pumping engine), with hose, pipes, &c., in attendance at any fire, per hour	1	0	0
For each steam or motor pumping engine, with hose, pipes, &c., in attendance at any fire, per hour	5	0	0
For each fireman when called out to any fire, day or night, for the first hour	0	5	0
Ditto, for each succeeding hour	0	3	0
For each horse for taking a reel or engine to and from any fire within five miles of the station-house, day or night.	0	10	6
For each horse for taking reel or engine to and from any fire elsewhere	0	15	0
For wages for extra men or boys engaged by the superintendent at any fire day or night, the sums actually paid.			