

FIRE BRIGADES.

No. 63 of 1979.

AN ACT to amend the Fire Brigades Act, 1942-1978.

[Assented to 12th November, 1979.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Fire Brigades Act Amendment Act, 1979*.

(2) In this Act the Fire Brigades Act, 1942-1978 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Fire Brigades Act, 1942-1979.

2. This Act shall come into operation on a date to be fixed by proclamation.

Short title
and
citation.
Reprinted as
approved for
reprint 16th
February,
1972 and
amended by
Acts Nos.
107 of 1972,
42 of 1975,
76 of 1978
and 85 of
1978.

Commence-
ment.

Section 35A
amended.

3. Section 35A of the principal Act is amended—

- (a) by adding after the section designation “35A.” the subsection designation “(1)”;
- (b) by deleting paragraph (b) and substituting a paragraph as follows—
 - (b) which of the policies so declared are so declared with respect to the whole of the State, generally, and which of them are so declared only with respect to districts that are declared pursuant to subsection (2) of this section to be districts served by permanent fire brigades; ; and
- (c) by adding a subsection as follows—

(2) The Governor may, by Order in Council, declare any district to be a district served by a permanent fire brigade, and may, in like manner, cancel or vary any Order so made. .

Section 36
amended.

4. Section 36 of the principal Act is amended by adding after subsection (3) subsections as follows—

(4) For the purposes of the estimates to be prepared under this section in respect of the year ending the thirtieth day of June, one thousand nine hundred and eighty-one, and each year ending the thirtieth day of June thereafter—

- (a) all of the volunteer brigade districts shall be deemed to together constitute a single district; and
- (b) this section shall apply to and in relation to that single district as a whole and not to or in relation to each volunteer brigade district separately.

(5) In this section and in sections thirty-seven and forty-five of this Act “volunteer brigade district” means any district other than a district that is declared pursuant to subsection (2) of section thirty-five A of this Act to be a district served by a permanent fire brigade. .

5. Section 37 of the principal Act is amended— Section 37 amended.

- (a) by deleting the word “The” in line one of subsection (1) and substituting the passage “Subject to subsection (4) of this section, the”;
- (b) by deleting the word “The” in line one of subsection (2) and substituting the passage “For the purposes of subsection (1) of this section, the”; and
- (c) by adding after subsection (3) subsections as follows—

(4) Notwithstanding subsections (1) and (2) of this section the whole of the expenditure estimated in accordance with subsection (1) of section thirty-six of this Act in respect of the volunteer brigade districts for the year ending the thirtieth day of June one thousand nine hundred and eighty-one and for each year ending the thirtieth day of June thereafter shall be paid to the Board by the Treasurer of Western Australia, out of the consolidated revenue, which is hereby appropriated for that purpose accordingly.

(5) For the purposes of subsection (4) of this section the Treasurer of Western Australia shall pay the amount of the estimated expenditure for each year by four equal quarterly instalments the first of which shall be paid on the first day of July in that year. .

Section 45
amended.

6. Section 45 of the principal Act is amended—

(a) by deleting the word “If” in line one and substituting the passage “(1) Subject to subsections (2) and (3) of this section, if”; and

(b) by adding subsections as follows—

(2) If in the year ending the thirtieth day of June one thousand nine hundred and eighty the amount received by the Board from contributions under this Act in respect of any volunteer brigade district falls short of or exceeds the expenditure within or on account of that district, based on the estimates for the year, then the deficit or excess shall be added to or deducted from, as the case may require, the amount to be paid by the Treasurer of Western Australia under subsection (4) of section thirty-seven of this Act in respect of the year ending the thirtieth day of June one thousand nine hundred and eighty-one.

(3) If in the year ending the thirtieth day of June one thousand nine hundred and eighty-one or in any year ending the thirtieth day of June thereafter the amount received by the Board from the Treasurer of Western Australia under subsection (4) of section thirty-seven of this Act falls short of or exceeds the expenditure within or on account of the volunteer brigade districts, based on the estimate for the year, then the deficit or excess shall be added to or deducted from, as the case may require, the amount to be paid by the Treasurer of Western Australia under that subsection in respect of the next ensuing year. .

7. Subsection (1) of section 65 of the principal Act is amended by adding after the word "district" in line one of paragraph (a) the passage "that is declared pursuant to subsection (2) of section thirty-five A of this Act to be a district served by a permanent fire brigade".

Section 65
amended.
