

**FIRE BRIGADES (AMENDMENT) ACT.**

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**Act No. 17, 1955.**

An Act to make provision for and in relation to the ordinary working hours of certain firemen and officers of fire brigades employed by the Board of Fire Commissioners of New South Wales; for this purpose to amend the Fire Brigades Act, 1909, and certain other Acts; and for purposes connected therewith. [Assented to, 18th April, 1955.]

Elizabeth II,  
No. 17, 1955.

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140 **Fire Brigades (Amendment) Act.**

No. 17, 1955.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title and citation.

**1.** (1) This Act may be cited as the "Fire Brigades (Amendment) Act, 1955."

(2) The Fire Brigades Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Fire Brigades Act, 1909-1955.

Amendment of Act No. 9, 1909. New sec. 27B.

**2.** (1) The Fire Brigades Act, 1909, as amended by subsequent Acts, is amended by inserting next after section 27A the following new section:—

Special provisions as to ordinary working hours.

27B. (1) As from a day to be appointed by the Governor and notified by proclamation published in the Gazette, which day is in this section referred to as the appointed day, the following provisions shall have effect:—

- (a) the ordinary hours of duty and leave of firemen and officers of fire brigades of or below the rank of district officer employed by the board on a full-time basis shall be so arranged as to provide that such hours be worked on a system of three shifts per day;
- (b) the average ordinary working hours for firemen and officers of fire brigades employed by the board shall be forty per week over the cycle of weeks for which the roster of ordinary hours of duty and leave operates.

(2) The Industrial Commission of New South Wales shall, upon application made at any time after the date upon which the assent of Her Majesty to the Fire Brigades (Amendment) Act, 1955, is signified, make such variations of any award affecting firemen or officers of fire brigades of or below the rank of district officer employed by the board

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on a full-time basis, as may be necessary to carry <sup>No. 17, 1955.</sup> into effect the provisions of paragraphs (a) and (b) of subsection one of this section.

Any variation made pursuant to the direction contained in this subsection shall be made so as to take effect as from the appointed day.

(3) Where after the date upon which the assent of Her Majesty to the Fire Brigades (Amendment) Act, 1955, is signified, the Industrial Commission of New South Wales makes—

- (a) a new award affecting firemen or officers of fire brigades of or below the rank of district officer employed by the board on a full-time basis it shall, in such award, include such terms as may be necessary to carry into effect the provisions of paragraphs (a) and (b) of subsection one of this section;
- (b) an award affecting officers of fire brigades above the rank of district officer employed by the board, it shall, in such award, include such terms as may be necessary to carry into effect the provisions of paragraph (b) of subsection one of this section.

Such terms may, if the Commission thinks fit, be expressed to take effect as from the appointed day, and in such case other terms may be included to take effect under the award until the appointed day.

In determining the terms relating to average ordinary working hours which are to be included in any such award and to take effect thereunder until the appointed day, the Commission shall have regard to the general purposes of this Act, and shall make provision for such reduction in the average ordinary working hours of firemen and officers of fire brigades as may be practicable having regard to the availability of suitable men for any additional appointments or promotions which may be rendered necessary by such reduction.

(4)

No. 17, 1955.

(4) Nothing in this section shall be construed as limiting the authority of the Industrial Commission of New South Wales to make any variation of an award or any new award affecting firemen or officers of fire brigades of or below the rank of district officer employed by the board on a full-time basis granting terms and conditions not less advantageous than those referred to in paragraphs (a) and (b) of subsection one of this section, or to make any award affecting officers of fire brigades above the rank of district officer employed by the board granting terms and conditions not less advantageous than those referred to in paragraph (b) of subsection one of this section; and to make such variation or award so as to take effect at any time after the date upon which the assent of Her Majesty to the Fire Brigades (Amendment) Act, 1955, is signified.

(5) Nothing in this section shall be construed as requiring the ordinary hours of duty and leave of officers of fire brigades employed in the Sydney and Newcastle Fire Districts on special duties and station officers employed outside the said Districts at fire stations where there are not more than two station officers employed to be so arranged as to provide that such hours be worked on a system of three shifts per day.

(6) Wages and salaries fixed in respect of firemen or officers of fire brigades by any award in force upon the appointed day referred to in subsection one of this section or any award made after such appointed day shall not be reduced by reason of any reduction of the average ordinary working hours for firemen and officers of fire brigades by or under this section.

(2) (a) This subsection shall commence upon the appointed day referred to in subsection one of section 27B of the Fire Brigades Act, 1909-1955.

(b)

**Pastures Protection (Amendment) Act.**

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(b) The Fire Brigades Act, 1909, as amended by subsequent Acts, is further amended by omitting section 27A.

**No. 17, 1955.**

Further amendment of Act No. 9, 1909.

Sec. 27A.

(Special provisions as to ordinary working hours.)

(c) The Industrial Arbitration Act, 1940-1954, is amended by omitting from section 63B the figures and letter "27A" and by inserting in lieu thereof the figures and letter "27B".

Amendment of Act No. 2, 1940.

Sec. 63B.

(Saving of sec. 27A of Act No. 9, 1909.)

(d) The Industrial Arbitration Act, 1940, as amended by subsequent Acts and by this Act, may be cited as the Industrial Arbitration Act, 1940-1955.

Citation.

