

FIRE BRIGADES (AMENDMENT) ACT, 1977

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 28, 1977.

An Act to amend the Fire Brigades Act, 1909, to bring the Board of Fire Commissioners of New South Wales under the control and direction of the Minister, and in certain other respects. [Assented to, 13th April, 1977.]

BE

Fire Brigades (Amendment).

BE 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:—

1. This Act may be cited as the "Fire Brigades Short title. (Amendment) Act, 1977".

2. The Fire Brigades Act, 1909, is amended in the manner set forth in Schedule 1. Amendment
of Act No.
9, 1909.

3. The repeal by this Act of section 39 (1) of the Fire Brigades Act, 1909, as in force immediately before the commencement of this Act, does not affect the liability of an insurance company to send to the Board of Fire Commissioners of New South Wales the return referred to in that subsection that was required to be sent in February, 1977, or the power of that board to notify some other time at which that return shall be sent. Savings.

SCHEDULE 1.

Sec. 2.

AMENDMENTS TO THE FIRE BRIGADES ACT, 1909.

(1) Section 7 (5)—

After section 7 (4), insert:—

(5) In the exercise of its functions, the board shall be subject in all respects to the control and direction of the Minister.

SCHEDULE

Fire Brigades (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE FIRE BRIGADES
ACT, 1909—*continued.*

(2) (a) Section 36 (1) (a)—

Omit “annually”, insert instead “, in respect of the year commencing 1st January, 1977,”.

(b) Section 36 (1) (a)—

Omit “the thirty-first day of December then last past”, insert instead “31st December, 1976,”.

(c) Section 36 (1) (a1), (a2)—

After section 36 (1) (a), insert :—

(a1) Every insurance company shall, in respect of the year commencing 1st January, 1978, pay to the fund a sum equivalent to a percentage, to be fixed by the board, of the total amount of the premiums subject to contribution as hereinafter provided received by or due to the company during the period 1st January, 1977, to 30th June, 1977, in respect of insurances against loss of or damage to any property within the State of New South Wales under the classes of policies of insurance enumerated in Column 1 of Schedule 4.

(a2) Every insurance company shall, in respect of the year commencing 1st January, 1979, and in respect of each subsequent year, pay to the fund a sum equivalent to a percentage, to be fixed by the board, of the total amount of the premiums subject to contribution as herein-

SCHEDULE

Fire Brigades (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE FIRE BRIGADES
ACT, 1909—*continued.*

after provided received by or due to the company during the year ended 30th June then last past in respect of insurances against loss of or damage to any property within the State of New South Wales under the classes of policies of insurance enumerated in Column 1 of Schedule 4.

(d) Section 36 (1) (b), (c)—

After “paragraph (a)” wherever occurring, insert “, (a1) or (a2)”.

(e) Section 36 (1A)—

Omit “January”, insert instead “July”.

(3) (a) Section 39 (1), (1A), (1B)—

Omit section 39 (1), insert instead :—

(1) Every insurance company shall, in the month of September, 1977, or at such other time as the board may notify, send to the board a return in or to the effect of the prescribed form showing the total amount of the premiums received by or due to the company for the period 1st January, 1977, to 30th June, 1977, in respect of insurances against loss of or damage to any property within the State of New South Wales under the classes of policies of insurance enumerated in Column 1 of Schedule 4.

SCHEDULE

Fire Brigades (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE FIRE BRIGADES
ACT, 1909—*continued.*

(1A) Every insurance company shall, in the month of September, 1978, and in the month of September in each subsequent year, or at such other time as the board may notify, send to the board a return in or to the effect of the prescribed form showing the total amount of the premiums received by or due to the company for the year ended 30th June then last past in respect of insurances against loss of or damage to any property within the State of New South Wales under the classes of policies of insurance enumerated in Column 1 of Schedule 4.

(1B) A return referred to in subsection (1) or (1A) shall be accompanied by a certificate in the prescribed form from an auditor.

(b) Section 39 (2)—

Omit “any such company fails to send to the board such return or certificate”, insert instead “an insurance company referred to in subsection (1) or (1A) fails to send to the board the return or certificate referred to in subsection (1) or (1A)”.

(4) (a) Section 40A (3) (e)—

After section 40A (3) (d), insert :—

(e) Each member of the Committee is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of him.

SCHEDULE

Fire Brigades (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE FIRE BRIGADES
ACT, 1909—*continued.*

(b) Section 40A (6) (b)—

Omit “and the expenses and fees payable to
members of the Committee”.
