



ANNO VICESIMO SECUNDO

# GEORGI V REGIS.

## A.D. 1931.

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### No. 2023.

An Act to further amend The Bush Fires Act, 1913.

[Assented to, November 12th, 1931.]

**B**E it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Bush Fires Act Amendment Act, 1931". Short titles.

(2) The Bush Fires Acts, 1913 and 1926, and this Act may be cited as the "Bush Fires Acts, 1913 to 1931".

(3) The Bush Fires Act, 1913, is hereinafter referred to as "the principal Act". No. 1123 of 1913.

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation.

3. Section 6 of the principal Act is amended by inserting after paragraph v. of subsection (2) thereof the following subsections:— Amendment of principal Act, s. 6—  
Burning of stubble in certain circumstances.

(3) It shall not be deemed a contravention of this section if a District Council causes stubble to be burnt, or a fire lighted and maintained for the purpose of burning any stubble on any street, road, or reserve vested in or under the control of the Council in any case where all the following conditions are strictly observed, namely:—

1. Before the fire is lighted the land immediately adjoining on all sides the whole of the land on which the burning

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is to take place shall, throughout the whole length of every such side, either be ploughed to a width of at least six feet or be cleared of all scrub, stubble, and other inflammable material to a width of at least twelve feet :

II. Not less than twelve hours before the fire is lighted, notice of intention to burn the stubble shall be given to every owner or occupier or person in charge of any land or building immediately adjoining the land whereon the burning is to take place, who resides within five miles of the last-mentioned land. Any land or building shall be deemed to be immediately adjoining any land as aforesaid notwithstanding that they are separated by a road : Provided that the land or building shall not be deemed to be immediately adjoining as aforesaid in any case where the road is formed and metalled to a width of more than ten feet :

III. Four men at least shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control, and prevent it from spreading beyond the land whereon the burning is to take place :

IV. No such fire shall be lighted before nine o'clock in the forenoon, and every such fire shall be thoroughly extinguished before nine o'clock in the evening of the same day.

(4) It shall not be deemed a contravention of this section if a person burns stubble or lights or maintains a fire for the purpose of burning any stubble in or on any irrigation channel or lucerne field in any case where—

(a) the consent of the District Council or body corporate exercising the powers of a District Council in the area in which the land is situated is obtained to such burning ; and

(b) all the conditions contained in paragraphs I. to IV., inclusive, of subsection (3) hereof, and all such further conditions as the said Council or body corporate may prescribe are strictly observed.

Amendment of  
principal Act, s. 9—  
Burning of scrub.

4. Section 9 of the principal Act is amended—

(a) by striking out the word “fifteen” in the first line of paragraph I. hereof, and by inserting in lieu thereof the word “thirty-three” :

(b) by inserting therein after paragraph II. thereof the following paragraph :—

IIA. Not less than fourteen days before a fire is lighted for the purpose of burning an area of scrub of more

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more than five hundred acres, notice of intention to burn the scrub shall, if the land is situated within a District Council District, be given to the Council thereof :

- (c) by adding at the end of paragraph III. thereof the following passage :—

In any case where notice is given to a Council pursuant to paragraph IIA. hereof, and the Council or the Chairman of the Council is of opinion that more than four men will be necessary in order to control the fire and prevent it from spreading as aforesaid, the Council or Chairman may not later than ten days after the giving of the notice as aforesaid, give notice to the person aforesaid directing him to have present at the fire such number of men (but not exceeding three) additional to those hereinbefore provided for as the Council or Chairman thinks fit :

- (d) by inserting therein after paragraph III. thereof the following paragraph :—

IIIA. The fire shall be first lighted from the leeward side of the scrub to be burnt before the fire shall be lighted from the windward side of such scrub :

- (e) by striking out the word “Two” in the third to last line thereof and by inserting in lieu thereof the word “Five” ; and

- (f) by striking out the word “Five” in the last line thereof and by inserting in lieu thereof the word “Ten” .

5. Section 15 of the principal Act (as amended by section 7 of the Bush Fires Act Amendment Act, 1926) is further amended by striking out the word “ten” in the sixth line thereof and inserting in lieu thereof the word “fifteen” .

Amendment of principal Act, s. 15—  
Lighting of fires.

6. The principal Act is amended by inserting therein the following section :—

Amendment of principal Act—

17A. No person shall, during the period between the thirtieth day of November and the first day of the following April, light or maintain any fire in any appliance which is used as a rabbit fumigator.

Prohibition on using rabbit fumigator during summer.

Penalty—Not less than Two Pounds nor more than Twenty Pounds.

7. Section 24 of the principal Act is amended—

Amendment of principal Act, s. 24—  
Fire control officers.

- (a) by adding at the end of subsection (1) thereof the words “and may from time to time appoint as additional officers any persons (but not exceeding fifteen in number) who are officers under this Act appointed in respect of any adjoining Municipality or District” ; and

(b) by

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(b) by inserting therein after subsection (6) thereof the following subsection :—

(6A) Every forester and assistant forester employed in the Woods and Forests Department of the State shall *ex officio* be deemed to be an officer under this Act, and shall have and may exercise throughout the whole State all the powers of an officer under this Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

A. HORE-RUTHVEN, Governor.