



ANNO SEXTO

ELIZABETHAE II REGINAE

A.D. 1957.

No. 48 of 1957.

An Act to amend the Bush Fires Act, 1933-1956.

[Assented to 14th November, 1957.]

BE 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, 1957". Short titles.

(2) The Bush Fires Act, 1933-1956, as amended by this Act, may be cited as the "Bush Fires Act, 1933-1957".

(3) The Bush Fires Act, 1933-1956, is hereinafter referred to as "the principal Act".

2. The following section is enacted and inserted in the principal Act after section 8 thereof :— Enactment of s. 8aa of principal Act—

8aa. The council may from time to time appoint from its members a committee consisting of two or more members and may delegate to the committee the power to grant permits under subsection (4a) of section 4, subsection (1a) of section 5, section 5c, and subsection (4) of section 8 and every permit granted by any such committee shall for the purposes of this Act be deemed to be granted by the council.

Delegation of power by council.

3. The following section is enacted and inserted in the principal Act after section 13a thereof :— Enactment of s. 13b of principal Act—

13b. (1) It shall be a defence to any proceedings for an offence against section 13a if the defendant gives proof that the fire was lighted in accordance with a permit from persons duly appointed for the purpose (hereinafter in this section referred to as "authorized persons")

Exemption from provisions of s. 13a.

to light a fire on the particular day for the purpose of burning scrub or newly cleared land.

(2) The council may, with the approval in writing of the Minister appoint any persons as authorized persons for the purpose of this section. The Minister shall not give any such approval unless he is satisfied that it is in the public interests so to do and that the councils of all areas adjoining the area of the council making the appointment agree thereto. Any such approval may be withdrawn by the Minister at any time.

(3) Every such permit shall be issued jointly by two authorized persons and shall be in writing in the form prescribed by regulation and be subject to such conditions as are set out in that form and may be granted subject to such other conditions, additional to those prescribed by this Act, as the authorized persons deem necessary.

(4) No permit shall be issued in respect of any day within any period during which, pursuant to section 4 or section 7, the lighting of fires is prohibited.

(5) An authorized person shall not issue a permit unless he is satisfied that it would be unlikely that the applicant could satisfactorily burn the scrub or newly cleared land in question on any other day.

(6) Every permit shall be made out in quadruplicate and a copy shall be supplied by one of the authorized persons by whom it is issued to the holder of the permit, the clerk of the council, the nearest member of the police force, and the Minister, and the authorized person shall inform the said clerk and member of the police force either orally or by telephone of the issue of the permit as soon as practicable after the issue thereof.

Amendment of
principal Act,
s. 21a—
Fire protection
at sawmills.

4. Section 21a of the principal Act is amended—

- (a) by inserting after the word "provide" in the third line thereof the words "and maintain" ;
- (b) by adding at the end of paragraph 1 of subsection (1) thereof the words "including the quantity of water to be continuously available, where water tanks are to be placed, and the number, type, and position of the outlets and water mains from those tanks".

Amendment of
principal Act,
s. 29—
Fire control
officers.

5. Section 29 of the principal Act is amended—

- (a) by inserting after the word "State" in the second line of subsection (1a) thereof the words "or of any other authority constituted under the laws of another State to combat bush fires" ;

- (b) by inserting after the word "governing" occurring in the fifth and seventh lines of subsection (1a) thereof and after the word "government" in the ninth line of the said subsection in every case the words "or other";
- (c) by inserting after the word "not" in line sixteen of subsection (6b) thereof the words "except as herein provided";
- (d) by inserting after the word "namely" in line twenty-six of the same subsection thereof the words "such amount or amounts as would have become payable in respect of such person under the Workmen's Compensation Act, 1932-1956, or any amendment thereof, if the accident had arisen out of and in the course of his ordinary employment in respect of which he was at the time of the accident insured by his employer in accordance with the provisions of that Act or where such person was not so insured".
- (e) by striking out the words "five hundred" in paragraph (a) of subsection (6b) thereof and by inserting in lieu thereof the words "one thousand";
- (f) by striking out the word "two" in paragraph (b) of subsection (6b) thereof and by inserting in lieu thereof the word "ten";
- (g) by striking out the words "five hundred" in paragraph (c) of subsection (6b) thereof and by inserting in lieu thereof the words "one thousand".

6. The following section is enacted and inserted in the principal Act after section 30a thereof:—

Enactment of
s. 30b of
principal Act—

30b. (1) All voluntary fire fighting organizations formed for the purpose of combating bush fires outside the parts of the State to which the Fire Brigades Act, 1936-1944, applies, shall be registered with the Minister.

Registration
of voluntary
fire fighting
organizations.

(2) Registration shall be effected in manner prescribed by regulation and such information as is prescribed by regulation relating to any fire fighting organization so registered shall from time to time be supplied to the Minister.

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

R. A. GEORGE, Governor.