



ANNO DECIMO SEPTIMO

**ELIZABETHAE II REGINAE**

A.D. 1968

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**No. 60 of 1968**

An Act to amend the Bush Fires Act, 1960.

[Assented to 23rd December, 1968.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

**Short titles.**

**1.** (1) This Act may be cited as the "Bush Fires Act Amendment Act, 1968".

(2) The Bush Fires Act, 1960, as amended by this Act, may be cited as the "Bush Fires Act, 1960-1968".

(3) The Bush Fires Act, 1960, is hereinafter referred to as "the principal Act".

**Amendment of  
principal Act,  
s. 4—  
Transitional  
provisions.**

**2.** Section 4 of the principal Act is amended by striking out the word "affected" and inserting in lieu thereof the word "effected".

**Amendment of  
principal Act,  
s. 5—  
Arrangement.**

**3.** Section 5 of the principal Act is amended by striking out the passage "Sections 8-37" and inserting in lieu thereof the passage "Sections 8-37a".

**Amendment of  
principal Act,  
s. 6—  
Interpretation.**

**4.** Section 6 of the principal Act is amended—

(a) by striking out from subsection (1) the definitions of "producer gas" and "producer gas equipment";

and

(b) by inserting after the definition of "the Subsidies Fund" the following definitions :—

“supervisor” means a person appointed pursuant to the regulations to be a supervisor of fire control officers, and “deputy supervisor” means a person so appointed to be a deputy supervisor of fire control officers.

5. Section 9 of the principal Act is amended by striking out from subsection (2) the word “re-election” and inserting in lieu thereof the word “re-appointment”.
6. Section 16 of the principal Act is amended by striking out from subsection (2) the word “re-election” and inserting in lieu thereof the word “re-appointment”.
7. Section 28 of the principal Act is amended by striking out from paragraph (a) of subsection (1) the word “fifteen” and inserting in lieu thereof the word “thirty”.
8. Section 29 of the principal Act is amended by striking out subsection (2).
9. Section 36 of the principal Act is amended by striking out from subsection (3) the passage “one pound” and inserting in lieu thereof the passage “two dollars”.
10. The following heading and section is enacted and inserted in the principal Act after section 37 :—

*Fire Party Leaders*

37a. (1) The Minister or a council, or any person acting under the written authority of the Minister or a council, may, by instrument in writing, appoint such persons as he or it thinks fit to be fire party leaders.

(2) A fire party leader may be appointed for such period, not exceeding the period expiring on the thirtieth day of June next ensuing after the date of his appointment, as the Minister, council, or other person by whom or which he was appointed thinks fit and specifies in the instrument of his appointment.

(3) A person appointed a fire party leader under this section shall be deemed to be a volunteer fire fighter within the meaning of the Volunteer Fire Fighters Fund Act, 1949-1957.

Amendment of principal Act, s. 9—  
Term of office of Advisory Committee.

Amendment of principal Act, s. 16—  
Term of office of Subsidies Committee.

Amendment of principal Act, s. 28—  
Appointment of fire control officer by councils.

Amendment of principal Act, s. 29—  
Power of Minister to authorize additional fire control officers.

Amendment of principal Act, s. 36—  
Compensation for death and injury of fire control officers and crews.

Enactment of new s. 37a of principal Act—

Fire party leaders.

Amendment of principal Act, s. 41—  
Seasonal alteration of periods.

**11. Section 41 of the principal Act is amended—**

(a) by inserting after the passage “Every such resolution” in subsection (2) the passage “shall specify the commencing day and the last day of the period as altered and”;

and

(b) by inserting after the passage “until notice of it” in subsection (4) the passage “in a form approved by the Minister”.

Amendment of principal Act, Restriction on burning stubble.

**12. Section 43 of the principal Act is amended by striking out the passage “one hundred pounds; for a subsequent offence—two hundred pounds” and inserting in lieu thereof the passage “two hundred dollars; for a subsequent offence—four hundred dollars”.**

Amendment of principal Act, s. 49—  
Rules for burning stubble.

**13. Section 49 of the principal Act is amended—**

(a) by striking out from paragraph (b) of subsection (1) the passage “forty-eight hours and not less than six hours” and inserting in lieu thereof the passage “seven days and not less than four hours”;

and

(b) by inserting after the word “clerk” in paragraph (c) of subsection (1) the passage “, or a member of the office staff, of the council”.

Amendment of principal Act, s. 50—  
Burning stubble in township allotments.

**14. Section 50 of the principal Act is amended by striking out from paragraph (c) the passage “forty-eight hours and not less than six hours” and inserting in lieu thereof the passage “seven days and not less than four hours”.**

Amendment of principal Act, s. 52—  
Restrictions on burning scrub.

**15. Section 52 of the principal Act is amended by striking out the passage “one hundred pounds; for a subsequent offence—two hundred pounds” and inserting in lieu thereof the passage “two hundred dollars; for a subsequent offence—four hundred dollars”.**

Amendment of principal Act, s. 54—  
Rules for burning scrub.

**16. Section 54 of the principal Act is amended—**

(a) by striking out from paragraph (c) of subsection (1) the passage “forty-eight hours or less than six hours” and inserting in lieu thereof the passage “seven days or less than four hours”;

and

(b) by inserting after the word “clerk” in paragraph (d) of subsection (1) the passage “, or a member of the office staff, of the council”.

**17.** Section 55 of the principal Act is amended by inserting after the passage "the burning of" in subsection (2) the passage "scrub or standing".

Amendment of principal Act s. 55—  
Burning scrub or stubble during prohibited or conditional period under Minister's permit.

**18.** Section 57 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "of its members" and inserting in lieu thereof the passage "persons, each of whom is a member of the council, a supervisor or a deputy supervisor";

Amendment of principal Act, s. 57—  
Exemption and permit committee.

(b) by striking out from subsection (1) the passage "for purpose of section 56 and may delegate to the committee its powers to grant exemptions under that section" and inserting in lieu thereof the passage "and may delegate to the committee its powers to grant permits under section 50 of this Act and to grant exemptions under section 56 of this Act";

and

(c) by striking out subsection (2) and inserting in lieu thereof the following subsections:—

(2) A permit or exemption granted by a committee to which a council has delegated the powers referred to in subsection (1) of this section, shall be deemed to be, and shall have effect as, a permit or exemption granted by the council.

(3) A decision to grant a permit or exemption made by any two members of a committee to which a council has delegated the powers referred to in subsection (1) of this section shall be a decision of the committee.

**19.** Section 59 of the principal Act is amended—

(a) by inserting after the word "on" the passage "Good Friday, Christmas Day or";

Amendment of principal Act, s. 59—  
Burning scrub or stubble on Sundays.

and

(b) by striking out the passage "fifty pounds; for a subsequent offence—one hundred pounds" and inserting in lieu thereof the passage "one hundred dollars; for a subsequent offence—two hundred dollars".

**20.** Section 60 of the principal Act is amended by striking out from paragraph (b) of subsection (2) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 60—  
Burning scrub or stubble on Saturdays and holidays.

Amendment of  
principal Act,  
s. 61—  
Power to  
restrict fires  
in open air.

**21.** Section 61 of the principal Act is amended—

(a) by inserting after subsection (2) the following subsections :—

(2a) The Minister may, by notice published in the *Gazette*, declare that during the prohibited burning period and the conditional burning period or either of them it shall be unlawful to light or maintain a fire in the open air in the portion of the State, specified in the notice, being a portion of the State outside the area of a council, except in places, structures or circumstances (if any) specified in the notice.

(2b) The Minister may, by notice published in the *Gazette*, revoke or vary a notice published under subsection (2a) of this section. ;

and

(b) by striking out subsection (3) and inserting in lieu thereof the following subsection :—

(3) A person shall not light or maintain a fire contrary to the terms of a resolution or notice in force under this section.

Penalty: For a first offence—One hundred dollars; for a subsequent offence—Two hundred dollars.

Amendment of  
principal Act,  
s. 62—  
Clearance  
around certain  
fires in open  
air.

**22.** Section 62 of the principal Act is amended by striking out from subsections (1) and (3) the passage “fifty pounds; for a subsequent offence—one hundred pounds” and inserting in lieu thereof in each case the passage “one hundred dollars; for a subsequent offence—two hundred dollars”.

Amendment of  
principal Act,  
s. 63—  
Fires for lime  
and charcoal  
burning.

**23.** Section 63 of the principal Act is amended by striking out the passage “fifty pounds; for a subsequent offence—one hundred pounds” and inserting in lieu thereof the passage “one hundred dollars; for a subsequent offence—two hundred dollars”.

Amendment of  
principal Act,  
s. 64—  
Fires in  
honey-houses,  
etc.

**24.** Section 64 of the principal Act is amended by striking out the passage “Fifty pounds” and inserting in lieu thereof the passage “One hundred dollars”.

Amendment of  
principal Act,  
s. 65—  
Warning of  
day of serious  
fire risk.

**25.** Section 65 of the principal Act is amended by striking out from subsection (4) the passage “one hundred pounds; for a subsequent offence, two hundred pounds” and inserting in lieu thereof the passage “two hundred dollars; for a subsequent offence, four hundred dollars”.

**26.** Section 67 of the principal Act is amended by striking out the passage "Fifty pounds" and inserting in lieu thereof the passage "One hundred dollars".

Amendment of principal Act, s. 67—

Requirements as to stationary engines.

**27.** Section 68 of the principal Act is amended—

(a) by striking out the passage "an inflammable crop" and inserting in lieu thereof the passage "or transporting an inflammable crop, or of spreading lime or fertilizer ;

Amendment of principal Act, s. 68—

Equipment on engines.

and

(b) by striking out the passage "Fifty pounds" and inserting in lieu thereof the passage "One hundred dollars".

**28.** Section 69 of the principal Act is amended by striking out the passage "Fifty pounds" and inserting in lieu thereof the passage "One hundred dollars".

Amendment of principal Act, s. 69—

Spark arresters.

**29.** Section 70 of the principal Act is amended by striking out the passage "Twenty-five pounds" and inserting in lieu thereof the passage "Fifty dollars".

Amendment of principal Act, s. 70—

Fire extinguishers on caravans.

**30.** Section 71 of the principal Act is amended by inserting at the end thereof the passage "Penalty : One hundred dollars".

Amendment of principal Act, s. 71—

Use of aircraft for spraying.

**31.** Sections 72, 73, 74 and 75 of the principal Act are respectively amended by striking out the passage "Fifty pounds" occurring in each of those sections and inserting in lieu thereof in each case the passage "One hundred dollars".

Amendment of principal Act, ss. 72-75—

Decimal currency.

**32.** Section 76 of the principal Act is amended by striking out the passage "Twenty-five pounds" wherever it occurs and inserting in lieu thereof, in each case, the passage "Fifty dollars".

Amendment of principal Act, s. 76—

Ignitable wadding prohibited.

**33.** Section 77 of the principal Act is amended—

(a) by inserting at the end of subsection (7) the passage "Penalty : For a first offence—One hundred and fifty dollars ; for a subsequent offence—Three hundred dollars " ;

Amendment of principal Act, s. 77—

Fire protection at sawmills and other premises.

and

(b) by inserting at the end of subsection (8) the passage "Penalty : For a first offence—One hundred and fifty dollars ; for a subsequent offence—Three hundred dollars".

Amendment of principal Act, s. 78—  
Prohibition of sales of certain matches.

**34.** Section 78 of the principal Act is amended by striking out from subsection (1) the passage “Twenty-five pounds” and inserting in lieu thereof the passage “Fifty dollars”.

Amendment of principal Act, s. 82—  
Provision of fire-fighting equipment.

**35.** Section 82 of the principal Act is amended by striking out from subsection (4) the passage “Fifty pounds” and inserting in lieu thereof the passage “One hundred dollars”.

Amendment of principal Act, s. 86—  
Powers of fire control officer and fire party leader.

**36.** Section 86 of the principal Act is amended—

(a) by inserting after the passage “a fire control officer” in subsection (3) the passage “or, subject to subsection (3a) of this section, a fire party leader” ;

and

(b) by inserting after subsection (3) the following subsection :—

(3a) The powers conferred under paragraphs (g) and (j) of subsection (3) of this section shall not be exercisable by a fire party leader.

Amendment of principal Act, s. 89—  
Power of fire control officers as to certain fires.

**37.** Section 89 of the principal Act is amended by striking out from subsection (2) the passage “fifty pounds ; for a subsequent offence—one hundred pounds” and inserting in lieu thereof the passage “one hundred dollars ; for a subsequent offence—two hundred dollars”.

Amendment of principal Act, s. 90—  
Power of fire control officer to prohibit fires.

**38.** Section 90 of the principal Act is amended—

(a) by striking out from paragraph (a) of subsection (1) the passage “, during the prohibited burning period or the conditional burning period” ;

(b) by inserting after the word “day” in subsection (1) the passage “or during the period (being a period of not more than seven days)” ;

(c) by striking out from paragraph (a) of subsection (2) the passage “during the prohibited burning period or the conditional burning period” ;

(d) by inserting after the word “day” in subsection (2) the passage “or during the period (being a period of not more than seven days)” ;

and

- (e) by striking out from subsection (3) the passage “fifty pounds; for a subsequent offence—one hundred pounds” and inserting in lieu thereof the passage “one hundred dollars; for a subsequent offence—two hundred dollars”.

**39.** Section 91 of the principal Act is amended—

- (a) by inserting after the passage “fire control officer” wherever it occurs in subsection (1) the passage “or fire party leader”;

and

- (b) by striking out from subsection (1) the passage “Fifty pounds” and inserting in lieu thereof the passage “One hundred dollars”.

Amendment of  
principal Act,  
s. 91—  
Hindering  
fire control  
officer or fire  
party leader.

**40.** Section 92 of the principal Act is amended by striking out from subsection (2) the passage “Twenty pounds” and inserting in lieu thereof the passage “Forty dollars”.

Amendment of  
principal Act,  
s. 92—  
Power of  
police to  
block traffic.

**41.** Section 93 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage “or a fire control officer” and inserting in lieu thereof the passage “, a fire control officer or a fire party leader”;

and

- (b) by striking out from subsection (2) the passage “Twenty pounds” and inserting in lieu thereof the passage “Forty dollars”.

Amendment of  
principal Act,  
s. 93—  
Power to  
demand name  
and address.

**42.** Section 94 of the principal Act is amended by striking out the passage “Not less than five or more than fifty pounds” and inserting in lieu thereof the passage “One hundred dollars”.

Amendment of  
principal Act,  
s. 94—  
Covering or  
interfering  
with fire plugs,  
etc.

**43.** Section 95 of the principal Act is amended by striking out from subsection (1) the passage “ten pounds” and inserting in lieu thereof the passage “twenty dollars”.

Amendment of  
principal Act,  
s. 95—  
Misuse of  
fire alarms.



Amendment of  
principal Act,  
s. 97—

Immunity of  
fire control  
officers and  
fire party  
leaders.

**44.** Section 97 of the principal Act is amended—

(a) by inserting after the passage “fire control officer,” first occurring in subsection (1) the passage “a fire party leader,”;

and

(b) by inserting after the passage “fire control officer” secondly occurring in subsection (1) the passage “or a fire party leader”.

Amendment of  
principal Act,  
s. 107—

Regulations.

**45.** Section 107 of the principal Act is amended—

(a) by inserting after the passage “fire control officers” wherever it occurs in paragraphs (a), (b) and (c) the passage “and fire party leaders”;

and

(b) by striking out from paragraph (g) the passage “fifty pounds” and inserting in lieu thereof the passage “one hundred dollars”.

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

J. W. HARRISON, Governor.