

## FIRE BRIGADES.

### No. 42 of 1970.

#### AN ACT to amend the *Fire Brigades Act 1945*. [1 December 1970.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—(1) This Act may be cited as the *Fire Brigades Act 1970*.

Short title and citation.

(2) The *Fire Brigades Act 1945*, as subsequently amended, in this Act referred to as the Principal Act.

**2** Section nine of the Principal Act is amended by omitting from paragraph (h) of subsection (2) the words “two hundred dollars” and substituting therefor the words “four hundred dollars”.

Duties and powers of the Commission.

**3** After section nine of the Principal Act the following section is inserted:—

“9A The Minister may, by writing under his hand, direct the Commission to perform any of its duties or exercise any of its powers under this Act that he may specify and the Commission shall comply without delay.”

Power of Minister.

**4** After section eleven of the Principal Act the following section is inserted in Part III:—

“11A—(1) Subject to this section, the *State Employees (Long-Service Leave) Act 1950* (in this section referred to as ‘the State Act’) has effect, on and after the commencement of the *Fire Brigades Act 1970*, as if the Commission were a State authority within the meaning of that Act.

Long-service leave.  
Cf. 9 Geo. V No. 70, s. 34A.

“(2) In relation to an officer or employee of the Commission, the Commission shall be deemed to be the prescribed authority for the purposes of the State Act.

“(3) Subsection (3) of section seven and subsection (4) of section eight of the State Act do not apply to an officer or employee of the Commission.

“(4) Nothing in this section alters or affects any rights accrued, or confers any rights or any further rights, in respect of the death of any person before the commencement of this section, or in respect of the termination, before the commencement of this section, of the office or employment of any person who was not immediately before the commencement of this section an employee within the meaning of the State Act or an officer or employee of the Commission.

“(5) A person who on the commencement of this section becomes an employee within the meaning of the State Act becomes entitled to leave under the State Act as if the *Fire Brigades Act* 1970 had commenced fifteen years earlier than it did, but his service before the real commencement of that Act qualifying him for such leave shall be deemed to be less by a third than it is and in no case more than ten years.”.

Charges for services rendered at fires.

**5** Section twenty-three of the Principal Act is amended by inserting in subsection (6), after the word “on”, the words “, or that it deems unjust or unfair to,”.

**6** After section thirty-one A of the Principal Act the following section is inserted:—

Long-service leave.  
Cf. 9 Geo. V  
No. 70, s. 34A.

“31B—(1) Subject to this section, the *State Employees (Long-Service Leave Act)* 1950 (in this section referred to as ‘the State Act’) has effect, on and after the commencement of the *Fire Brigades Act* 1970, as if a board were a State authority within the meaning of that Act.

“(2) In relation to an officer or member of a brigade, the board maintaining that brigade shall be deemed to be the prescribed authority for the purposes of the State Act.

“(3) Subsection (3) of section seven and subsection (4) of section eight of the State Act do not apply to an officer or member of a brigade.

“(4) Nothing in this section alters or affects any rights accrued, or confers any rights or any further rights, in respect of the death of any person before the commencement of this section, or in respect of the termination, before the commencement of this section, of the employment of any person who was not immediately before the commencement of this section an employee within the meaning of the State Act or an officer or member of a brigade.

“(5) A person who on the commencement of this section becomes an employee within the meaning of the State Act becomes entitled to leave under the State Act as if the *Fire Brigades Act* 1970 had commenced fifteen years earlier than it did, but his service before the real commencement of that Act qualifying him for such leave shall be deemed to be less by a third than it is and in no case more than ten years.”.

Expenditure outside Act.

**7** Section fifty-one of the Principal Act is amended by omitting the words “one hundred dollars” and substituting therefor the words “two hundred dollars”.

- 8** The sixth schedule to the Principal Act is amended— The sixth  
schedule.
- (a) by inserting in sub-paragraph (2) of paragraph 5 after the word “fire” (second occurring) the words “or against loss of gross profit, loss of net profit, payment of standing charges, or increase in cost of working, caused by the interruption of business caused by fire”; and
- (b) by omitting from sub-paragraph (5) of that paragraph the word “paragraph” and substituting therefor the words “paragraphs 2 and”.

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## RAILWAY MANAGEMENT.

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### No. 43 of 1970.

## AN ACT to amend the *Railway Management Act* 1935. [1 December 1970.]

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—(1) This Act may be cited as the *Railway Management Act* Short title  
and citation.  
1970.

(2) The *Railway Management Act* 1935, as subsequently amended, is in this Act referred to as the Principal Act.

- 2** Section twenty-six of the Principal Act is amended— Powers of  
Commission  
as to  
carriage by  
road of  
goods, &c.
- (a) by omitting paragraphs (a) and (e) of subsection (1) thereof;
- (b) by omitting subsection (2) thereof;
- (c) by omitting from subsection (3) thereof the words “, by public notice, fix the rates and charges to be paid” and substituting therefor the words “fix such rates and charges as it thinks fit as the rates and charges to be paid to it”; and
- (d) by omitting subsections (5) to (15) thereof.