No. 2258.

An Act to require certain district councils to provide fire-fighting appliances to prevent the spread of fire, and to provide for the appointment of additional fire control officers in certain cases, and to repeal certain provisions of the Bush Fires Act, 1933, relating to the giving of notices.

[Assented to, 2nd January, 1936.]

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, 1935”.

(2) The Bush Fires Act, 1933 (which is hereinafter referred to as “the principal Act”), and this Act may be cited together as the “Bush Fires Acts, 1933 and 1935”.

2. Section 4 of the principal Act is amended—

(a) by striking out the proviso to subdivision III. of subsection (2) thereof; and

(b) by striking out the proviso to subdivision II. of subsection (4) thereof.

3. Section 5 of the principal Act is amended by striking out the proviso to subdivision II. of subsection (1) thereof.

4. Section 8 of the principal Act is amended by striking out the proviso to subdivision II. of subsection (1) thereof.
5. The principal Act is amended by inserting therein after section 28 the following section:—

28A. (1) The Governor may, from time to time, on the petition of at least two occupiers of land within the area of any district council, by proclamation declare that this section shall apply to the area of the district council or to any part of any such area. The Governor may, from time to time, by proclamation revoke any proclamation made as aforesaid.

(2) The district council of any area or part thereof to which this section applies, shall within the area or part, as the case may be, provide adequate fire-fighting appliances for the purpose of preventing the spread of bush fires.

(3) For the purpose of deciding what fire-fighting appliances are adequate for the said purpose, the council may take into regard any fire-fighting appliances within the area or part, as the case may be, of any person other than the council which are available for the purpose of preventing the spread of bush fires.

(4) The council may expend any portion of its rates for the purposes of this section.

(5) If the Minister is of opinion that any council is neglecting to provide fire-fighting appliances as required by this section, he may from time to time give notice in writing to the council requiring the council to provide such fire-fighting appliances. If within one month after the giving of notice as aforesaid, the council neglects to provide fire-fighting appliances as required by this section, the council shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

6. Section 29 of the principal Act is amended by inserting therein after subsection (2) thereof the following subsection:—

(2A) If the Minister is satisfied that in order to meet the requirements of any area, it is desirable that the number of fire control officers should be greater than the number authorised to be appointed pursuant to subsection (1), the Minister may by notice in writing authorise the council to appoint an additional number of fire control officers fixed by the Minister, but not exceeding fifteen, and the council may from time to time appoint additional fire control officers, but not exceeding the number so authorised. The authority of the Minister may be revoked by the Minister by notice in writing.

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

W. DUGAN, Governor.