



ANNO VICESIMO NONO

ELIZABETHAE II REGINAE

A.D. 1980

No. 90 of 1980

An Act to amend the Country Fires Act, 1976

[Assented to 4 December 1980]

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 "Country Fires Act Amendment Act, 1980".

(2) The Country Fires Act, 1976, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Country Fires Act, 1976-1980".

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Repeal of
s. 16 and
substitution
of new section.

3. Section 16 of the principal Act is repealed and the following section is substituted:

Functions
of the
Board.

16. (1) The Board is, subject to this Act, responsible for the organization and control of fire-fighting services outside fire brigade districts.

(2) The Board shall—

(a) advise the Minister upon any matter affecting the administration of this Act referred by the Minister to the Board for advice, or upon any matter that should, in the opinion of the Board, be brought to the attention of the Minister;

(b) keep methods of fire-fighting under constant review and report to the Minister from time to time upon the most modern and effective methods of fire-fighting;

and

(c) carry out such other functions as are assigned to the Board by or under this Act.

(3) The Board may test and appraise fire-fighting equipment and other equipment that may be of use for fire-fighting and publish the results of the appraisal for the benefit of C.F.S. organizations.

(4) The Board may disseminate information on fire-fighting methods.

4. Section 28 of the principal Act is amended by striking out from subsection (4) the passage "the Minister" twice occurring and substituting, in each case, the passage "the Minister, the Minister administering the Fire Brigades Act, 1936-1976,".

Amendment of s. 28—
Fire-fighting Advisory Committee.

5. Section 32 of the principal Act is amended by striking out from subsection (1) the passage "the previous financial year" twice occurring and substituting, in each case, the passage "the year ending on the thirty-first day of March in the previous financial year".

Amendment of s. 32—
Apportionment of insurers' contribution.

6. Section 39 of the principal Act is amended—

(a) by striking out paragraph (b) of subsection (2) and substituting the following paragraph:

(b) he may burn off bush or standing grass at any time on or after the prescribed day provided that he complies with the rules for burning off land;;

and

(b) by striking out subsection (5) and substituting the following subsection:

(5) The Board may, by order published in the *Gazette*—

(a) fix a day as the prescribed day for the purposes of this section in relation to the whole, or a specified part, of the State;

or

(b) vary or revoke an order previously published under this subsection.

Amendment of s. 39—
Restriction on lighting of fires in the open air during the fire danger season.

7. Section 52 of the principal Act is amended—

(a) by inserting in subsection (6) after the passage "a fire control officer" the passage "(other than the Director)";

and

(b) by inserting the following subsections after subsection (6):

(7) The Director or a fire control officer to whom he has delegated his powers under this subsection may assume command of fire-fighting operations at the scene of a fire.

(8) Where the Director or his delegate assumes command of fire-fighting operations under subsection (7), a person engaged in those operations is subject to the authority of the Director or his delegate and shall obey his directions.

Amendment of s. 52—
Power of fire control officer in controlling and suppressing fires.

(9) A delegation by the Director under subsection (7) in relation to a fire on a government reserve must be to a fire control officer who is an officer of the Board, a forester or a person holding a prescribed office.

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

K. D. SEAMAN, Governor