



ANNO QUADRAGESIMO SEXTO ET QUADRAGESIMO
SEPTIMO

VICTORIÆ REGINÆ.

A.D. 1883.

No. 288.

An Act to amend the "Fire Brigades Act, 1882."

[*Assented to, November 22nd, 1883.*]

WHEREAS it is desirable to amend the "Fire Brigades Act, 1882"—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly, in this present Parliament assembled, as follows:

Preamble

1. This Act may be cited as the "Fire Brigades Act Amendment Act, 1883," and shall be taken and read, so far as is consistent with the tenor thereof, as part of the "Fire Brigades Act, 1882," hereinafter called the principal Act.

Title and Incorporation.

2. The third section of the principal Act is hereby repealed; and in lieu thereof it is enacted, as follows:—Every company now carrying on within this province the business of insuring against loss or damage by fire, and which is not already registered as hereinafter mentioned, or which shall hereafter so carry on such business, shall, within thirty days after the passing of this Act, or within thirty days after commencing such business (whichever shall last happen), obtain from the Registrar of Companies a certificate of registration, and shall pay to him the sum of Five Pounds Five Shillings for such certificate; and notice of such registration shall be published by such Registrar in the *Government Gazette*.

Insurance Companies to be registered.

Fee payable.

3. All companies which commenced business as aforesaid, after thirty days from the passing of the principal Act, are hereby exempted

Exemption from penalties under repealed clause.

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exempted from all penalties incurred by them in consequence of their not having obtained the certificate of registration required by that Act.

Appointment of Board.

4. The sixth section of the principal Act is hereby repealed, and in lieu thereof, it is Enacted as follows:—The Governor shall annually, in the month of January in each and every year, appoint seven persons to be the Fire Brigades Board, one of whom shall be appointed on the nomination of the Council of the Municipality of Adelaide, one on the nomination of the whole of the Local Fire Brigades Boards, and three on the nomination of the Insurance Companies doing business within the Municipality of Adelaide, and the members of such Board shall continue in office until their successors are appointed. In the event of the Local Fire Brigades Boards not agreeing on the nomination of one person to represent such Boards, the Governor shall appoint to represent such Local Fire Brigades Boards, the person nominated by the majority in number of such last-mentioned Boards.

On failure of nomination of members, Governor may appoint.

If the Council of the Municipality of Adelaide, or the Local Fire Brigades Boards, or the Fire Insurance Companies, shall fail to exercise their respective rights to nominate a member or members of the Board, at some time within twenty-one days after such right to nominate shall accrue, the Governor shall appoint such persons as he may think fit to the places in respect of which such right of nomination has failed to be exercised.

Vacancies, how to be filled.

If any vacancy shall occur in the Board by reason of the death, resignation, or removal of any member appointed on the nomination of the Municipality of Adelaide, or of the Local Brigades Boards, or of the Fire Insurance Companies, as aforesaid, or of any member appointed by the Governor, by reason of such failure to nominate as aforesaid, and the Municipality of Adelaide, or the Local Brigades Board, or the Fire Insurance Companies, as the case may be, shall fail to nominate any other person or persons to fill such vacancies within twenty-one days after such vacancies occurring, such vacancies shall be filled up by the Governor.

5. The thirteenth section of the "Fire Brigades Act, 1882," is hereby repealed, and in lieu thereof it is enacted as follows:—The Municipality of Adelaide shall pay to the Board, in quarterly payments, on the first days of January, April, July, and October in each year, out of the funds derived from extraneous sources beyond the city rates, a sum of money being one-sixth of the moneys laid out by the Board within the limits of the Municipality in respect of the objects of this Act during the preceding three months, but so that the total amount to be paid by the Municipality during any year shall not exceed the sum of Five Hundred Pounds.

Payments by Municipalities and District Councils to Local Fire Brigades Boards.

6. Wherever a Local Fire Brigades Board shall be established by the Governor on the application of any Municipality or District Council

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Council, as provided by the fifth section of the principal Act, such Municipality or District Council shall pay to the Fire Brigades Board, in quarterly payments, on the first days of January, April, July, and October in each year, out of the funds of the Municipality or District Council, a sum of money being one-sixth of the sum laid out by the Fire Brigades Board in respect of the objects of this Act within the limits of such Municipality or District Council, but so that the total contribution of the Municipality or District Council for each year shall not exceed Five Hundred Pounds.

7. And all moneys expended within the limits of such Municipality or Council in respect of the objects of this Act shall be paid by the Board, and shall be deemed portion of the outlay of the Board within the meaning of the "Fire Brigades Act, 1882," and shall be contributed by the Treasurer, the Insurance Companies, and the Municipality or Council, in the same proportion as in that Act provided; and for the purposes of this section the word "Municipality," whenever it occurs in section 13 of the said Act, shall be read as if the words "Municipality or Council" had been inserted in lieu thereof.

How moneys expended by Municipality or Council are to be contributed.

8. Every Local Fire Brigades Board to be appointed under the principal Act shall, immediately upon appointment, become a corporation with perpetual succession and a common seal, under the corporate name of "The Local Fire Brigades Board of _____," the blank being filled up with the name of the Municipality or District Council, and by such corporate name may sue and be sued, and may acquire and deal with real and personal estate for the purposes of this and the principal Act, and the chairman and one other member or any three members shall be a quorum.

Incorporation of Local Fire Brigades Boards.

9. Whenever any member of the Local Fire Brigade Board shall cease to be mayor or chairman, or member of the Municipal or District Council, as the case may be, or shall by writing, signed by him and addressed to the chairman of the Local Fire Brigades Board, resign his seat on such Board, a vacancy shall occur therein, and the Governor may thereupon fill up such vacancy by appointing another person, qualified as provided by the principal Act.

Vacancies in Local Fire Brigades Boards.

10. Upon the appointment of a Local Fire Brigades Board, as provided by the principal Act, the duty of extinguishing fires and protecting and saving life and property in cases of fire, within the limits of the Municipality or District Council respectively, shall be entrusted to such Local Fire Brigades Boards; and, subject to the provisions of the principal Act, the superintendents, officers, and firemen of the Brigades appointed by them shall perform the duties, enjoy the advantages and immunities, and be subject to the liabilities, provided by the principal Act in the case of the Fire Brigades Board, and the superintendent, officers, and firemen appointed by such last-mentioned Board, and the provisions of that Act, *mutatis mutandis*, shall apply to Local Fire Brigades Boards.

The principal Act to apply to Local Fire Brigades Boards.

11. The

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Salaries of Local Fire Brigades to be under control of the Board created by the principal Act.

11. The power conferred by the principal Act on the Fire Brigades Board, of exercising control over the Local Fire Brigades Boards, shall extend to all expenditure, including the rate of pay to be given by the last-named Boards to the superintendent, officers, and firemen of any Fire Brigade employed or appointed by such last-named Boards within the limits of the Municipality or District Council, as the case may be.

No payment to the Board in respect of property owned by Government.

12. Notwithstanding anything contained in the principal Act respecting the payment to be made by the owner of any uninsured house or other building for the services described in the Schedule to the principal Act, no payment shall be made to the Board for any such services in respect of any property owned by Her Majesty's Government.

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

WILLIAM C. F. ROBINSON, Governor.