

BUSH FIRES.

No. 15 of 1965.

AN ACT to amend section twenty-five of, and to add section twenty-five A to the Bush Fires Act, 1954-1964.

[Assented to 1st October, 1965.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Bush Fires Act Amendment Act, 1965.*

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approved
for reprint
3rd July,
1961, as
amended by
Acts Nos.
11 of 1963 and
23 of 1964.

(2) In this Act the Bush Fires Act, 1954-1964, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Bush Fires Act, 1954-1965.

2. Subsection (1) of section twenty-five of the principal Act is amended by substituting for the word, "During" in line one, the passage, "Subject to section twenty-five A of this Act, during".

S. 25
amended.

3. The principal Act is amended by adding after section twenty-five thereof the following section—

S. 25A
added.

25A. (1) Where the Minister is advised in writing by the Board that in the opinion of the Board, the occupier of any land on or under which is conducted any industry, trade or process has taken adequate precautions for the—

Power
of Minister
to exempt
from
provisions of
section
twenty-five
of this Act.

- (a) prevention of the spread or extension;
- (b) control; and
- (c) extinguishment, if necessary,

of any fire that is to be lit on the land in the open air during the restricted burning times or the prohibited burning times, for the purpose of burning any trade refuse from or in connection with that industry, trade or process, including the burning during testing operations of gas or oil during the operation of drilling for petroleum, the Minister may, in respect of any such fire as is so lit, exempt the occupier and any person acting under his instructions, either wholly or partially from the operation of the provisions of section twenty-five of this Act.

(2) An exemption granted by the Minister under this section—

- (a) shall be in writing signed by the Minister;
- (b) may be revoked at any time by the Minister by notice in writing signed by him and served on the occupier to whom the exemption was granted;

- (c) is subject to such conditions as the Minister thinks fit to impose and specifies in the exemption;
- (d) authorises the person to whom it is granted and any person acting under his instructions to light and maintain, subject only to the conditions of the exemption, any fire authorised to be lit and maintained pursuant to the authority of the exemption; and
- (e) exempts any fire to which the exemption relates from the operation of section forty-six of this Act.

(3) The Minister may at any time, by notice in writing signed by him and served on the occupier to whom the exemption was granted, revoke or vary, whether by way of addition or substitution, any conditions specified in the exemption.

(4) A person to whom an exemption is granted under this section shall observe and carry out any conditions specified therein.

Penalty: One hundred pounds. .
