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[1955

BUSH FIRES ACT, 1954.

Department of Lands and Surveys, Perth, 28th September, 1955.

HIS Excellency the Governor in Executive Council, under the provisions of the Bush Fires Act, 1954, has been pleased to make the regulations set forth in the Schedule hereunder.

> F. C. SMITH, Under Secretary for Lands.

Schedule.

BUSH FIRES ACT, 1954.

Regulations.

Part I.—Preliminary.

Citation.

1. These regulations may be cited as the Bush Fires Act, 1954, Regulations.

Repeal.

All regulations heretofore made under and for the purposes of the Bush Fires Act, 1937-1950, are hereby repealed.

Interpretation.

- 3. In these regulations unless the context requires otherwise-"Act" means the Bush Fires Act, 1954;
 - "Appendix" means the Appendix to these regulations;
- "secretary" means the secretary of the Board and includes any person acting as secretary during the absence of the secretary;

expressions used in these regulations have the same respective meanings as in the Act.

Part II.—Business of Board.

Meetings.

- 4. (1) The Board shall meet on such dates, at such places and such times as the Board may from time to time by resolution determine.
- (2) The chairman may call a special meeting of the Board at any time and shall do so if requested at any time by any three members of the Board.
- (3) The secretary shall cause to be given to each member of the Board either personally, by post or by telegraph, notice of every ordinary and every special meeting of the Board at least seven clear days before the date fixed for the meeting, except that if in the opinion of the Chairman, it is desirable in the case of emergency so to do, shorter notice of a special meeting may be given to each member of the Board.

- (4) If at the time appointed for the meeting of the Board, a quorum is not present, half-hour after the time so appointed shall be allowed for the formation of a quorum and if at the expiration of that period no quorum is present, the chairman may declare the meeting lapsed.
- (5) Where a meeting lapses through want of a quorum, the business set down for that meeting shall be the business of or be included in the business of the next ordinary meeting of the Board.
- (6) At all meetings of the Board, every member present shall vote on resolutions and matters submitted at such meetings.
- (7) The secretary shall keep proper minutes of all resolutions, business and proceedings made or transacted at each meeting of the Board. Such minutes shall be submitted to the members for confirmation either at the same or a subsequent meeting and when confirmed, shall be signed by the chairman.
- (8) An entry in the minute book, which is signed by the chairman, that a resolution has been carried or lost at any meeting shall be conclusive evidence of that fact.
- (9) The order of business at ordinary meetings of the Board shall be as determined by the Board.
- (10) A resolution of the Board shall not be revoked or altered, unless notice of the intention to propose the revocation or alteration is given in writing to each of the members of the Board two days at least before the meeting at which the revocation or alteration is to be proposed.
- (11) Where a member intends to propose the revocation or alteration of a resolution of the Board he may, in lieu of giving notice to each member personally as required by subregulation (10) of this regulation, at any meeting of the Board give notice in writing of his intention to propose the revocation or alteration at the next following meeting of the Board.
- (12) Where notice of motion has been given as provided for in subregulation (11) of this regulation, the secretary shall, when giving notice of the next meeting to members of the Board, annex thereto a copy of the notice of motion.

Correspondence.

5. All correspondence by the Board shall be signed by the chairman or the secretary or any other persons as authorised by the Board.

Accounts.

6. All accounts due and payable by the Board shall be passed by the Board by a resolution duly carried at a meeting of the Board but the secretary may authorise payment when necessary in anticipation of and subject to the confirmation of the Board.

Part III.—Fire Protected Areas.

Permit to Burn Within a Fire Protected Area.

- 7. For the purposes of this Part of these regulations "authorised officer" means an officer acting with authority of the Minister to grant written permission to a person under section 16 (2) of the Act and includes every forest officer appointed under the Forests Act, 1931-1954 so acting.
- 8. (1) Any owner or occupier of land within a fire protected area desiring to obtain permission in pursuance of subsection (2) of section 16 of the Act to set fire to the bush upon the land shall lodge an application, signed by him, in the Form 1 in the Appendix with the nearest authorised officer within the fire protected area or if there be no authorised officer within the fire protected area, with the Minister, for a permit to burn as hereinafter prescribed.
- (2) An application under subregulation (1) of this regulation may be accepted in the form of a letter provided that the full information contained in the Form 1 in the Appendix is supplied in the letter.

- 9. (1) The Minister or authorised officer upon receipt of an application under the preceding regulation shall consider the application and provided he is satisfied that proper precautions have been or will be taken by the applicant to confine the fire within the boundaries of the land in respect of which the application is made and that there is no undue risk of the fire getting out of control, shall issue to the applicant a permit to burn in accordance with the Form 2 in the Appendix.
- (2) A permit to burn shall contain such conditions relating to the precautionary measures to be taken by the permit holder to control the fire as the Minister or authorised officer issuing the permit may consider necessary.
- (3) The holder of a permit to burn, shall, upon demand, produce the permit to an authorised officer, a bush fire control officer or an officer of the Board.
- 10. Any person acting under the instructions of an authorised officer may enter upon any land in respect of which a permit to burn has been granted or application has been made therefor for all or any of the following purposes:—
 - (a) investigating the dangers likely to arise by burning;
 - (b) being present at burning operations;
 - (c) investigating steps taken to prevent the spread of fire subsequent to the main burning.
- 11. The holder of a permit to burn shall not set fire to any part of the bush at any time unless—
 - (a) he has delivered or caused to be delivered at least four days notice in writing of his intention to do so to each owner or occupier of all lands adjoining the land upon which the bush proposed to be burnt is situated;
 - (b) he has himself arranged for and provided at least three men to be constantly in attendance at the fire from the time it is lit until it is completely extinguished to assist in keeping the fire under control and preventing it from spreading beyond the land on which the burning is to take place.
- 12. For the purposes of these regulations delivery of a notice required to be given to an owner, occupier or other person may be given by any of the following methods:—
 - (a) personally or in writing as will ensure (except in the case mentioned in paragraph (c) of this regulation) that every owner, occupier or other person is made aware of the intention to burn and the date and time thereof; or
 - (b) by delivering it at the premises on which the person to whom notice is to be given lives or carries on business or by leaving it with a person who is apparently over the age of sixteen years who resides or is employed on the premises; or
 - (c) where the person to whom the notice is to be given is not at the time residing on the adjoining land by posting not less than eight days prior to the first day on which it is intended to burn the bush the notice by prepaid letter addressed to the last known place of abode or business of the person.
- 13. The holder of a permit to burn shall take such precaution as may be required by any authorised officer for the purpose of preventing the spread of fire from the land in respect of which the permit is granted on to any State forest, timber reserve or other Crown land or upon any adjoining holding.
- 14. In the event of any fire escaping beyond the boundaries of the land in respect of which a permit to burn has been granted, the holder of the permit shall, if possible, immediately notify the nearest authorised officer and within 24 hours of the suppression of the fire shall report in full the circumstances causing the escape of the fire to the authorised officer by whom the permit to burn was granted.

Part IV.—Burning During Restricted Times and Prohibited Times.

Restricted Burning Times.

- 15. A local authority or a bush fire control officer issuing a permit to burn under the provisions of section 18 of the Act shall do so in the Form 3 in the Appendix.
- 16. For the purposes of this Part of these regulations, the term "authorised officer" means the secretary of the local authority or an officer duly appointed by the Board, to grant a permit to burn clover, notice of whose appointment has been published in the *Government Gazette* and in at least one newspaper circulating in the district in which the officer resides.
- 17. The local authority for the district in which an officer appointed by the Board under the provisions of regulation 16 of these regulations resides shall be notified forthwith in writing of his appointment by the Board.

Permit to Burn Clover During Prohibited Burning Time.

- 18. (1) An application for a permit to burn clover during prohibited burning times for the purpose of facilitating the collection of clover burr shall be made in accordance with the Form 4 in the Appendix and shall be lodged with the nearest authorised officer who may require the applicant to make the statutory declaration contained in the form.
- (2) An application for a permit to burn clover may be accepted in the form of a letter provided that the full information contained in the Form 4 is supplied in the letter.
- 19. (1) Subject to regulations 20 and 21 of these regulations and upon receipt of an application together with such fee, not exceeding £4 4s. as may be prescribed by by-law of the local authority in whose district the land is situated, for a permit to burn clover, the authorised officer shall consider the application and if satisfied that the application should be granted shall issue a permit in the Form 5 in the Appendix.
- (2) The application for the permit to burn clover shall be received by the authorised officer to whom the application is made, at least seven days before the day upon which it is intended to commence burning.
- (3) The authorised officer to whom the application for the permit is made shall, before granting such permit, enter upon the land of the applicant to inspect the area proposed to be burned.
- (4) If the permit to burn clover applied for is granted the holder thereof shall, before commencing to burn under the authority of the permit—
 - (a) deliver or cause to be delivered to each owner or occupier of all lands adjoining the area to be burnt, and where the authorised officer who granted the permit is not an officer of the local authority within whose district the area to be burnt is situated, to such local authority or to the bush fire control officer of such local authority at least four days notice in writing of his intention to burn such area; and
 - (b) if the area to be burnt is situated within two miles of a State forest, deliver or cause to be delivered personally to a forest officer employed in connection with such State forest at least four days notice in writing of his intention to burn such area.
- (5) The burning of an area under the authority of a permit to burn clover shall be carried out between the hours of four o'clock in the afternoon and midnight of the same day and not at any other periods of the day.
- (6) The owner or occupier of the area to be burned shall himself arrange for and provide at least three men to be constantly in attendance at the fire in the area from the time it is lit until it is completely extinguished, to assist in keeping the fire under control and preventing it from spreading beyond the area proposed to be burned.
- 20. No permit shall be granted under regulation 19 of these regulations for the burning of any subterranean clover growing upon any land situate in any locality within the district of a local authority specified by the local authority in a notice in writing given by it to the duly authorised officer for the district of the local authority, whereby the local authority objects to

the issue or grant of a permit for the purpose aforesaid on the ground that the burning of the clover in respect of which the permit is applied for may be a source of danger to lands adjoining the land on which the proposed burning is intended to take place.

- 21. The duly authorised officer may refuse to issue or grant a permit under regulation 19 of these regulations, or may, on refunding to the owner or occupier who paid the fee in respect thereof, cancel any permit already issued or granted thereunder, when in any case after inspection he is satisfied that, notwithstanding that all the precautions required to be taken under the regulation in connection with the proposed burning are taken, the proposed burning may nevertheless be or become a source of danger by escaping from the land on which it is intended to carry out the burning.
- 22. In the event of any fire escaping beyond the boundaries of the area in respect of which a permit to burn has been granted, the holder of the permit shall, if possible, immediately notify the nearest bush fire control or authorised officer and within 24 hours of the suppression of the fire shall report in full the circumstances causing the escape to the authorised officer by whom the permit was granted.

Charcoal Burning.

- 23. (1) Every person proposing to light a fire or fires for the conversion of any bush into charcoal at any time during the period commencing on the first day of October and ending on the thirty-first day of May next ensuing in every yearly period as provided for in paragraph (b) of subsection (1) of section 25 of the Act shall, at least seven days before lighting the fire, give notice in writing of the intention to the local authority in whose district the land on which the fire is to be lit is situate, and, in the event of the land on which the fire is to be lit being within two miles of a State forest, to the local forest officer.
- (2) The notice shall specify the land on which the burning is to take place and the period during which the fire is to be kept burning.
- (3) The local authority, through its bush fire control officer or the local forestry officer as the case may be, may, within the period specified in subregulation (1) of this regulation, direct that such further measures or precautions be taken, as in the opinion of the bush fire control officer or forestry officer, are considered necessary to prevent the fire from spreading or escaping, and when the bush fire control officer or forest officer has given the directions, the fire shall not be lit until the directions have been complied with.

Part V.—Permit to Burn Plants.

Division 1.—Permit to Burn Plants (other than flax) During Prohibited Burning Times.

- 24. For the purposes of this Part of these regulations-
 - "authorised officer" means any officer duly appointed by the Board, as such for the purposes of this part notice of whose appointment has been published in the *Government Gazette* and in at least one newspaper circulating in the district in which the officer resides.
- 25. The local authority for the district in which an officer appointed by the Board under the provisions of regulation 24 of these regulations resides shall be notified forthwith in writing of his appointment by the Board.
- 26. (1) Whenever the Governor by proclamation, pursuant to the provisions of section 26 of the Act, has authorised the burning of any specified plant other than flax, or the refuse thereof, during the prohibited burning times or any period thereof, any person desirous of burning the plant, other than flax or the refuse thereof, within the area and within the times to which the proclamation relates, shall lodge an application, signed by him in Form 6 in the Appendix with the secretary of the road board within whose district the burning is to take place or with the nearest authorised officer for a permit to burn the plant, other than flax or the refuse thereof.
- (2) An application under subregulation (1) of this regulation may be accepted in the form of a letter provided that the full information contained in the Form 6 in the Appendix is supplied in the letter.

- (3) The secretary of the road board or the authorised officer with whom the application is lodged may require the applicant to make the statutory declaration contained in the form of application.
- 27. Upon receipt of an application for a permit to burn plants other than flax or the refuse of a plant the secretary of the road board or the authorised officer shall consider the application, and if satisfied that the application should be granted, shall issue a permit in the Form 7 in the Appendix.
- 28. The area of ground on which the plants other than flax or refuse of the plants are to be burnt shall be so cleared or prepared that the fire shall not in any circumstances be able to run along the ground.
- 29. The plants other than flax or refuse of the plants to be burnt shall be placed in heaps and so that each heap shall not be more than three feet high measured from the ground, and shall not cover an area of ground exceeding that which would be contained within the circumference of a circle having a diameter of six feet and so that there shall be a distance of at least ten feet between the base of any one heap and that of any other heap.
- 30. The heaps mentioned in regulation 29 of these regulations shall be distant approximately one-half chain from any brush fence in the vicinity thereof, and at least one chain from the nearest boundary of any pastoral or agricultural property adjoining the land upon which the heaps are situated.
- 31. The person proposing to burn plants other than flax or the refuse of the plants shall— $\,$
 - (a) four days at least before doing so, deliver or cause to be delivered notice in writing of his intention so to do personally to each owner or occupier of all land adjoining the land upon which the plants other than flax or the refuse of the plants will be burnt, and also to the secretary or bush fire control officer of the local authority in whose district or adjacent thereto the said lastmentioned land is situated, and, if the area to be burnt is situated within two miles of a State forest, to a forest officer employed in connection with the State forest;
 - (b) before commencing burning operations, provide and have available at the place thereof at least eight gallons of water in suitable containers which may be conveniently used for extinguishing fire;
 - (c) provide at least three men to be constantly in attendance at the burning operations from the time when the fire is lit until it is completely extinguished, and to assist in keeping the fire under control and prevent it from spreading beyond the land on which the burning operations are conducted;
 - (d) carry out the burning operations only between the hours of 8 p.m. and midnight;
 - (e) cause all ash resulting from the burning operations to be covered completely with earth or sand before 10 o'clock in the morning on the day next following the burning operations.
- 32. In the event of any fire escaping beyond the boundaries of the area in respect of which a permit to burn has been granted, the holder of such permit shall, if possible, immediately notify the nearest bush fire control or authorised officer and shall within 24 hours of the suppression of the fire report in full the circumstances causing the escape to the authorised officer by whom the permit was granted.

Division 2.—Permit to Burn Flax.

- 33. (1) Whenever the Governor by Proclamation, pursuant to the provisions of section 26 of the Act, has authorised the burning of flax, or the refuse thereof, during the prohibited burning times or any period thereof, any person desirous of burning flax, or the refuse thereof, within the area and within the times to which the proclamation relates shall lodge an application, signed by him, in the Form 8 in the Appendix with the secretary of the road board within whose district the burning is to take place or with the nearest authorised officer for a permit to burn flax, or the refuse thereof.
- (2) An application under subregulation (1) of this regulation may be accepted in the form of a letter provided that the full information contained in the Form 8 is supplied in the letter.

- (3) The secretary of the road board, or the authorised officer with whom the application is lodged may require the applicant to make the statutory declaration contained in the form of the application.
- (4) Subject to regulations 34 and 35 of these regulations a permit to burn shall not be granted unless and until the applicant for the permit satisfies the secretary of the road board or the authorised officer to whom the application is made that—
 - (a) the land to be burned at one time and under the permit applied for does not exceed the area as fixed by the secretary of the road board or the authorised officer when granting the permit, and in any event does not exceed one hundred acres;
 - (b) the area has been surrounded by a firebreak to a width of not less than twenty feet;
 - (c) if the area to be burned is carrying any standing trees (whether green or ring-barked), that all grass and debris has been raked to a distance of not less than six feet from the base of each standing tree.
- 5. A permit to burn flax, or the refuse thereof, shall be in the Form 9 in the Appendix.
- (6) The application for the permit to burn shall be received by the secretary of the road board or the authorised officer to whom the application is made, at least seven days before the day upon which it is intended to commence burning.
- (7) The secretary of the road board or authorised officer to whom the application for the permit is made shall, before granting the permit, enter upon the land of the applicant to inspect the area proposed to be burned.
- (8) If the permit to burn applied for is granted the holder of the permit shall, before commencing to burn under the authority of the permit
 - (a) deliver or cause to be delivered in the manner prescribed in regulation 12 to each owner or occupier of all lands adjoining the area to be burnt, and, where the authorised officer who granted the permit is not an officer of the local authority within whose district the area to be burnt is situated, to the local authority or to the bush fire control officer of the local authority at least four days notice in writing of his intention to burn the area; and
 - (b) if the area to be burnt is situated within two miles of a State forest, deliver or cause to be delivered to a forest officer employed in connection with the State forest at least four days notice in writing of his intention to burn the area.
- (9) The burning of an area under the authority of a permit to burn flax, or the refuse thereof, shall be carried out between the hours of six o'clock in the afternoon and midnight of the same day and not at any other periods of the day.
- (10) No fire is to be lit if the fire hazard is as defined by the Forests Department or the Perth Weather Bureau to be above "average summer."
- (11) The owner or occupier of the area to be burned shall himself arrange for and provide at least three men to be constantly in attendance at the fire in the area from the time it is lit until it is completely extinguished, to assist in keeping the fire under control and preventing it from spreading beyond the area proposed to be burned.
- 34. No permit shall be granted for the burning of flax growing upon any land situate in any locality within the district of a local authority specified by the local authority in a notice in writing given by it to the duly authorised officer for the district of the local authority, whereby the local authority objects to the issue or grant of any such permit for the purpose aforesaid on the ground that the burning of the flax in respect of which the permit is applied for may be a source of danger to lands adjoining the land on which the proposed burning is intended to take place.

- 35. The secretary of the road board or the duly authorised officer may refuse to issue or grant a permit when in any case after inspection he is satisfied that, notwithstanding that all the precautions required to be taken under the regulations in connection with the proposed burning are taken, the proposed burning may nevertheless be or become a source of danger by escaping from the land on which it is intended to carry out the burning.
- 36. In the event of any fire escaping beyond the boundaries of the area in respect of which a permit to burn has been granted, the holder of the permit shall, if possible, immediately notify the nearest bush fire control or authorised officer and within 24 hours of the suppression of the fire shall report in full the circumstances causing the escape to the authorised officer by whom the permit was granted.

Part VII.—Operations of Tractors and Engines.

Tractors.

- 37. (1) For the purposes of this regulation, a tractor is a tractive unit designed for hauling, drawing, pulling or pushing any trailer, semi-trailer, agricultural machine or appliance, and includes a tractor with wheels or tracks, a bulldozer, and a road-grader.
- (2) It shall be unlawful for any person to operate during prohibited times and at any time between the 1st day of October and the ensuing 30th day of April in any yearly period, any tractor unless—
 - (a) Fire Extinguisher: There is carried on the tractor, a fire extinguisher comprised of a knapsack spray and pump unit ready for immediate use for extinguishing fire. The container of the unit shall have a capacity of at least three gallons and shall be kept filled with clean water to at least three-quarters of its capacity. The knapsack spray and pump unit and all parts thereof shall be maintained in a sound, clean and efficient condition at all times when the tractor is in operation during the periods specified.
 - (b) Exhaust System: The exhaust pipe is vertical and the exhaust system, including pipes, is maintained in a sound and efficient condition;
 - (c) Spark Arrester: The exhaust pipe is fitted with an efficient spark arrested of suitable design for the type of tractor to which it is attached. The spark arrester fitted in accordance with this regulation must be maintained in a clean, sound and efficient condition at all times when the tractor is in operation during the periods specified.

Harvesting Machines.

38. It shall be unlawful for any person to operate any harvesting machine or header in any crop unless there is carried on the machine a knapsack spray and pump unit ready for immediate use in accordance with the provisions of regulation 37 of these regulations.

Chaff Cutting Plants.

- 39. (1) It shall be unlawful for any person to operate any plant or machinery for cutting chaff unless at least one knapsack spray and pump unit, ready for immediate use in accordance with the provisions of regulation 37 of these regulations, is provided at the site of the plant together with not less than 30 gallons of water in a suitable container.
- (2) Any requisition of a bush fire control or forestry officer shall be complied with by any person operating the plant.

Part VIII.—Miscellaneous. Bush Fire Control Officer.

40. (1) A local authority shall advertise pursuant to subsection (2) of section 38 of the Act in a newspaper circulating in its district, notice of the appointment of every bush fire control officer appointed by the local authority.

(2) Notice of the appointment and advertisement shall be forwarded by the local authority to the Board within seven days after the appointment for publication in the Government Gazette.

Bush Fire Brigades.

- 41. (1) An application by a local authority desiring to register a bush fire brigade and an application by an association of persons desiring to be registered as a bush fire brigade under and for the purposes of the Act, pursuant to subsection (2) of section 41 of the Act shall be made in accordance with the Forms 10 and 11 respectively in the Appendix.
- (2) Every application under this regulation shall be in accordance with the by-laws made by the local authority for the purpose of establishing bush fire brigades, which have been approved by the Governor, or, in the case of an application by any association or persons, by a copy of its rules made for the purpose.
- 42. (1) The Board shall cause to be kept a card system of registration of bush fire brigades and bush fire brigade officers in Form 12 in the Appendix.
- (2) Upon registration the Board shall issue to the local authority or association of persons, as the case may be, a certificate of registration in the Form 13 in the Appendix.
- (3) A local authority, or the secretary of an association of persons registered as a bush fire brigade as the case may require shall within fourteen days after any change—
 - (a) in the name of a bush fire brigade; or
- (b) in the appointment or election of officers of a bush fire brigade; forward notice in writing of the change to the Board, and the Board shall thereupon make the necessary alterations to the register of bush fire brigades and bush fire brigade officers.

Return of Fire Losses.

43. The local authority for the district shall send to the Board in the month of June in each year, particulars of losses caused by fires in the municipality or road district as the case may be, in respect of which the local authority is constituted, in Form 14 in the Appendix.

Reports of Fires.

44. A bush fire control officer or the senior bush fire brigade officer attending a fire shall forward to the Board and to the local authority within seven days, a report on the fire in Form 15 in the Appendix.

Returns of Bush Fire Control and Bush Fire Brigade Officers.

- 45. For the purposes of subsection (1) of section 50 of the Act the local authority shall in the month of August in every year send or cause to be sent to the Board, a statement in Form 16 in the Appendix.
- 46. Any person committing a breach of any of these regulations or failing to comply with any condition upon which a permit to burn is granted shall be guilty of an offence and liable upon summary conviction to a penalty not exceeding fifty pounds.

Approved by His Excellency the Governor in Executive Council.

R. H. DOIG, Clerk of the Council.

Appendix.

Form 1.

Western Australia.

Bush Fires Act, 1954.

Regulation 8.

APPLICATION FOR A PERMIT TO SET FIRE TO AND BURN THE BUSH WITHIN A FIRE PROTECTED AREA.

1 (a)	OI	(D)(d)
the owner (or occupier)	of (c)	Location No
		16 (2) of the Bush Fires Act,
1954, for a permit to se	et fire to and burn the	e bush upon the said location

between o'clock a.m. (or p.m.) on the day of. 19, and o'clock a.m. (or p.m.) on the day of. 19, and o'clock a.m. (or p.m.) on the day of. 19, over an area of acres shown on the sketch annexed hereto and situated within an area declared to be a fire protected area by notice published in the Government Gazette on the day of purpose of (d) and I hereby undertake to have (e) men constantly in attendance at the fire from the time it is lit until it is completely extinguished to assist in keeping the fire under control and to prevent it from spreading beyond the land on which the burning is to take place.
Date
Applicant.
Note.—This application should be addressed to the nearest authorised officer within the fire protected area or if there be no such officer to the Hon. Minister for Lands, Perth.
(Sketch.)
(a) Name of applicant in full. (b) Address, (c) Name of location. (d) State whether for the purpose of clearing the land, destroying the undergrowth, burning firebreaks, etc. (e) Minimum number of men three.
Mary to Printed States Administration of the Control of the Contro
Form 2.
Western Australia.
Bush Fires Act, 1954.
Regulation 9.
Permit No
PERMIT TO BURN THE BUSH WITHIN A FIRE PROTECTED AREA.
Authority is hereby granted to (a)
Given under my hand atthisday of,
Authorised Officer.
A 33
Address. Note.—This permit must be produced to an authorised officer upon
demand. (a) Name in full. (b) Address. (c) Name of location. (d) As in application.
(Endorsed on Form .)
Conditions. The permit holder shall not commone hurning operations at any time.
The permit holder shall not commence burning operations at any time during the currency of the permit if it is inadvisable to do so owing to hot, strong winds or other climatic conditions making burning operations dangerous.

In the event of it being inadvisable to burn during the currency of the permit or if for any other reason burning does not take place during the currency of the permit a fresh permit must be obtained before burning is commenced.

At least three men to be constantly in attendance at the fire from the time it is lit until it is completely extinguished.

Before commencing burning operation, the holder of a permit must deliver or cause to be delivered to each owner or occupier of all lands adjoining the area to be burnt at least four days notice in writing of his intention to burn such area.

Form 3.

Western Australia.

Bush Fires Act, 1954.

Regulation 15.

PERMIT TO SET FIRE TO THE BUSH.

Subject to the provisions of the Bush Fires Act, 1954, and	
made thereunder and to the due observance and performance	of the conditions
endorsed on this permit including the provisions of section	
Act (a summary of conditions in section 18 is printed on t	
permission is hereby granted to Mr	• • • • • • • • • • • • • • • • • • • •
of to set fire to the bush on locations	
on the day of , 19, 19	

Note.—This permit is not valid during a declared prohibited burning time and is issued subject to the provisions of section 46 of the Bush Fires Act and may be revoked or suspended by a bush fire control officer, if, in his opinion, the fire, if lit, would become a source of danger.

Dated this day of 19 19

A bush fire control officer is not compelled to inspect an area to be burnt before issuing a permit to burn. The onus lies on the person not only to comply with the provisions of the Bush Fires Act but also to ensure there is no danger of the fire escaping. The issue of this permit in no way affects that responsibility.

Plan and any special conditions to be observed:-

Signed.....Bush Fire Control Officer.

Bush Fires Act, 1954.

Summary of Provisions of Section 18.

- (1) Subject to the provisions of section 64 of this Act (section 64 exempts a bush fire control officer from the requirements of this section in certain cases) no person shall at any time between the first day of October and the next ensuing thirty-first day of May in any yearly period set fire to the bush on any land, unless the following conditions are complied with, namely:—
 - (a) He has delivered or caused to be delivered at least four days notice in writing or otherwise as provided in paragraph (a) of section nineteen of this Act of his intention to burn the bush to each of the following persons—
 - (i) the owner or occupier of all land adjoining the land upon which or upon a part of which the bush proposed to be burnt is situated;
 - (ii) the secretary and a bush fire control officer of the local authority in whose district the bush proposed to be burnt is situated:

- (iii) a forest officer if the land upon which the bush proposed to be burnt is situated within two miles of forest land and the burning operations are intended to take place on a day between the 15th of December and the next 15th day of April in any yearly period:
- (b) the notice delivered by him under paragraph (a) of this subsection—
 - (i) contains full particulars of the locality where the bush proposed to be burnt is situated;
 - (ii) specifies a day or days, not less than four days or more than twenty-eight days from the date of the notice upon which the burning is to take place;
- (c) he has obtained a permit in writing to burn the bush from a bush fire control officer of the local authority in whose district the land upon which the bush proposed to be burnt is situated, or from the secretary of the local authority if a bush fire control officer is not available;
- (d) the land immediately adjoining on all sides the whole of the land on which the burning is to take place has, throughout the whole length of every side either been ploughed or has been cleared of all bush and other inflammable material to a width of at least ten feet or such width as is specified in the permit issued under paragraph (c) of this subsection;
- (e) he has himself arranged for and provided in order to assist in keeping the fire under control and preventing it from spreading beyond the land on which the burning is to take place, at least three men, who shall be constantly in attendance at the fire from the time it is lit until in the opinion of a bush fire control officer or bush fire brigade officer it is safe;
- (f) the fire is lit on a day other than a Sunday;
- (g) (i) that where for any day specified in the notice required under paragraph (a) of this subsection, the fire hazard forecast issued by the Perth Weather Bureau in respect of the locality where the bush proposed to be burnt is situated, is "dangerous," the person who has received a permit under paragraph (c) of this subsection shall not burn bush in the locality on that day but may burn bush in the locality on the first day next following that day on which the fire hazard forecast issued by the Perth Weather Bureau in respect of the locality is below "dangerous";
 - (ii) that where a day specified in the notice is varied in accordance with the provisions of the last preceding subparagraph, the person who has received a permit in writing to burn under paragraph (c) of this subsection notifies the bush fire control officer or the secretary who issued the permit and the persons mentioned in paragraph (a) of this subsection of the variation in the day for burning.
- (2) Any person who by any act or omission commits any contravention of this section shall be guilty of an offence.

Penalty.—For a first offence £100, with a minimum of £5 or imprisonment for three months, and for every subsequent offence £500, with a minimum of £20 or six months imprisonment.

Delivery of Notices.—Delivery of a notice required by this section may be effected as follows:—

- (a) Personally or in writing as will ensure (except in the case mentioned in paragraph (c) of this section) that every owner, occupier or other person is made aware of the intention to burn and the date and time thereof; or
- (b) by delivering it at the premises on which the person to whom notice is to be given lives or carries on business or by leaving it with a person who is apparently over the age of sixteen years who resides or is employed on the premises; or

(c) where the person to whom the notice is to be given is not at the time residing on the adjoining land by posting not less than eight days prior to the first day on which it is intended to burn the bush the notice by prepaid letter addressed to the last known place of abode or business of the person.

Form 4.

Western Australia.

Bush Fires Board.

Bush Fires Act, 1954.

Regulation 18.

APPLICATION FOR PERMIT TO BUR A PROHIBITED BURNING	
I (a)of (b)	the
owner (or occupier) of (c)	location No, y apply pursuant to section 24 upon the said location a total
, 19	acres
, 19	acres
, 19	acres
such days being within a time of the year during by notice published in the Government Gazet the said Act, to be unlawful to set fire to the but of the State named in the said notice within we situated.	te pursuant to section 17 of ash within the district or part
A	pplicant.
То	
Note.—This application must be lodged with at least seven days before the day upon which burning.	
(Sketch.)	
(a) Name in full of applicant. (b) Addres (To be endorsed on Form	ss. (c) Name of location.
Statutory Declaration	on.
I, (a), the declare as follows:—	ne applicant herein, do hereby
(1) That the land to be burned does not ex with the area described in the above applicatio sketch.	

(2) That such area has been surrounded by a firebreak to a width of

(3) That the area to be burned is/is not carrying standing trees (whether

(4) That such area if carrying standing timber has been grazed during the growing period of the clover crop to reduce the amount of dead litter to a minimum, and that all grass and debris has been raked to a distance of not less than six feet from the base of each standing tree.

not less than ten feet.

green or ringbarked).

And I made this solemn declaration by virtue of section 106 of the Evidence

Act, 1906.
Declared atin the State of Western Australia this, 19
Signature of Applicant.
Before me—
Note.—The declaration may be made before a Justice of the Peace, a Commissioner for Declarations, Town Clerk, Secretary of a Road Board, Electoral Registrar, Postmaster, Classified Officer in the State or Commonwealth Public Service, Classified State School Teacher, or a member of the Police Force.
Form 5.
Western Australia.
Bush Fires Board.
Bush Fires Act, 1954.
Regulation 19. Permit No
PERMIT TO BURN CLOVER DURING A PROHIBITED BURNING TIME.
I (a)
, 19acres
, 19 acres
, 19 acres
subject however, to the provisions of the said Act and the regulations made thereunder and to the due observance and performance of the conditions endorsed on this permit.
Given under my hand at this day of 19, 19
Authorised Officer.
(a) Name of authorised officer in full and occupation; (b) address; (c) name of permit holder; (d) address; (e) name of location.
(To be endorsed on Form .)
Regulation 19 to the Bush Fires Act, 1954, reads in part as follows:-
(4) If the permit to burn clover applied for is granted the holder thereof shall, before commencing to burn under the authority of the permit—
(a) deliver or cause to be delivered to each owner or occupier of all lands adjoining the area to be burnt, and where the authorised officer who granted the permit is not an officer of the local authority within whose district the area to be burnt is situated, to such local authority or to the bush fire control officer of such local authority at least four days notice in writing of his intention to burn such area; and
(b) if the area to be burnt is situated within two miles of a State forest, deliver or cause to be delivered personally to a forest officer employed in connection with such State forest at least four days notice in writing of his intention to burn such area.

- (5) The burning of an area under the authority of a permit to burn clover shall be carried out between the hours of four o'clock in the afternoon and midnight of the same day and not at any other periods of the day.
- (6) The owner or occupier of the area to be burned shall himself arrange for and provide at least three men to be constantly in attendance at the fire in the area from the time it is lit until it is completely extinguished, to assist in keeping the fire under control and preventing it from spreading beyond the area proposed to be burned.

Form 6.

Western Australia.

Bush Fires Board.

Bush Fires Act, 1954.

Regulation 26.

APPLICATION FOR A PERMIT TO BURN PLANTS (OTHER THAN FLAX) OR THE REFUSE THEREOF DURING A PROHIBITED BURNING TIME.

	DOL DOLLING H III	OILLDIALD DOINGING TIME.			
occupier) of (c) to the regulations made u	location No	the owner (or hereby apply pursuant f section 26 of the Bush Firestion (d)			
	, 19	heaps			
	, 19	heaps			
***************************************	, 19	heaps			
such days being within a time of the year which it has been declared by notice bublished in the <i>Government Gazette</i> on the day of , 19, pursuant to section 17 of the said Act, to be unlawful to set fire to the bush within the district or part of the State named in the said notice within which the location aforesaid is situated.					
		pplicant.			
ro					
,					
Board within whose distri	ict the proposed bur at least seven days be	th the secretary of the Road ning is to take place, or the efore the day upon which it is			

intended to commence burning.

(a) Name of applicant in full. (b) Address. (c) Name of location. (d) Description of the plants and/or refuse thereof to be burned.

(To be endorsed on Form

Statutory Declaration.

- I. (a)..., the applicant herein, do hereby declare as follows:-
- (1) That the land to be burned does not exceed in extent and is identical with that described in the above application.
- (2) That the provisions of the regulations respecting firebreaks have been carried out.
- (3) That the area to be burned is/is not carrying standing trees (whether green or ringbarked).

(4) That if such area is carrying standing timber, all grass and debris has been raked to a distance of not less than six feet from the base of each standing tree.
And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.
Declared at in the State of Western Australia this day of , 19
Signature of Applicant.
Before me:
Note.—The declaration may be made before a Justice of the Peace, a Commissioner for Declarations, Town Clerk, Secretary of a Road Board, Electoral Registrar, Postmaster, Classified Officer of the State or Commonwealth Public Service, Classified State School Teacher, or a member of the Police Force.
Form 7.
Western Australia.
Bush Fires Board.
Bush Fires Act, 1954.
Regulation 27.
Permit No
PERMIT TO BURN PLANTS (OTHER THAN FLAX) OR THE REFUSE THEREOF DURING A PROHIBITED BURNING TIME.
I, (a)
heaps
, 19 heaps
heaps
subject however, to the provisions of the said Act and the regulations made thereunder and to the due observance and performance of the conditions endorsed on this permit.
Given under my hand at this day of , 19
Secretary of
(To be endorsed on back of Form 7.)
Regulations dealing with the burning of plants (other than flax) and

the refuse thereof read as follows:-

26. (1) Whenever the Governor, by proclamation, pursuant to the provisions of section 26 of the Act, has authorised the burning of any specified plant other than flax or the refuse thereof, during the prohibited burning times or any period thereof, any person desirous of burning the plant, other than flax or the refuse thereof, within the area and within the times to which the proclamation relates, shall lodge an application, signed by him in Form 6 in the Appendix with the Secretary of the Road Board within whose district the burning is to take place or with the nearest authorised officer for a permit to burn the plant, other than flax or the refuse thereof.

- (2) An application under sub-regulation (1) of this regulation may be accepted in the form of a letter provided that the full information contained in the Form 6 in the Appendix is supplied in the letter.
- (3) The Secretary of the Road Board or the authorised officer with whom the application is lodged may require the applicant to make the statutory declaration contained in the form of application.
- 27. Upon receipt of an application for a permit to burn plants other than flax or the refuse of a plant the Secretary of the Road Board or the authorised officer shall consider the application and if satisfied that the application should be granted, shall issue a permit in the Form 7 in the Appendix.
- 28. The area of ground on which the plants other than flax or refuse of the plants are to be burnt shall be so cleared or prepared that the fire shall not in any circumstances be able to run along the ground.
- 29. The plants other than flax or refuse of the plants to be burnt shall be placed in heaps and so that each heap shall not be more than three feet high measured from the ground and shall not cover an area of ground exceeding that which would be contained within the circumference of a circle having a diameter of six feet and so that there shall be a distance of at least ten feet between the base of any one heap and that of any other heap.
- 30. The heaps mentioned in regulation 29 of these regulations shall be distant approximately one-half chain from any brush fence in the vicinity thereof and at least one chain from the nearest boundary of any pastoral or agricultural property adjoining the land upon which the heaps are situated.
- 31. The person proposing to burn plants other than flax or the refuse of the plants shall—
 - (a) Four days at least before doing so, deliver or cause to be delivered notice in writing of his intention so to do personally to each owner or occupier of all lands adjoining the land upon which the plants other than flax or the refuse of the plants will be burnt and also to the secretary or bush fire control officer of the local authority in whose district or adjacent thereto the said lastmentioned land is situated and if the area to be burnt is situated within two miles of a State forest to a forest officer employed in connection with the State forest;
 - (b) before commencing burning operations, provide and have available at the place thereof at least eight gallons of water in suitable containers which may be conveniently used for extinguishing fire;
 - (c) provide at least three men to be constantly in attendance at the burning operations from the time when the fire is lit until it is completely extinguished and to assist in keeping the fire under control and prevent it from spreading beyond the land on which the burning operations are conducted:
 - (d) carry out the burning operations only between the hours of 8 p.m. and midnight;
 - (e) cause all ash resulting from the burning operations to be covered completely with earth or sand before 10 o'clock in the morning of the day next following the burning operations.
- 32. In the event of any fire escaping beyond the boundaries of the area in respect of which a permit to burn has been granted, the holder of such permit shall if possible, immediately notify the nearest bush fire control or authorised officer and shall within 24 hours of the suppression of the fire report in full the circumstances causing the escape to the authorised officer by whom the permit was granted.

Form 8.

Western Australia.

Bush Fires Board.

Bush Fires Act, 1954.

Regulation 33 (1).

APPLICATION	FOR	A P	ERMIT	TO	BURN	FLAX	AND/OR	FLAX
PEFIISE	DITE	TNG	A PRO	HTR	TTED	RURNI	JG TIME	

I, (a)	reby apply pursuar burn upon the said	location No it to section 26 o location a total a	upon f the Bush Fires rea of
***************************************	, 19		acres
	, 19	****************	acres
***************************************	19		acres
such days being within a by notice published in the ofto be unlawful to set fire named in the said notice	e Government Gaze, 19, pursu to the bush within	ette on the17 nant to section 17 n the district or p	of the said Act part of the State
		Applicant.	•••••
То			
Note.—This application Board within whose distriction in the area authorised officer is intended to commence is intended to commence the second secon	on must be lodged rict the proposed at least seven da burning.	burning is to take ys before the da	ke place, or the y upon which it
(a) Name in full of	applicant. (b) Ad	dress. (c) Name	or location.
(To	be endorsed on F	orm .)	
	Statutory Decla	ration.	
I, (a)as follows:—	, the a	oplicant herein, d	o hereby declare
(1) That the land to with the area described i sketch.	be burned does no n the above applic	t exceed in extent ation and shown	and is identical on the annexed
(2) That such area not less than twenty feet		led by a firebrea	k to a width of
(3) That the area to green or ringbarked).	be burned is/is not	carrying standin	g trees (whether
(4) That such area i barked) and that all gra less than six feet from th	ss and debris has	been raked to a	r green or ring- distance of not
And I make this so Evidence Act, 1906.	demn declaration	by virtue of sec	tion 106 of the
Declared atday of			'estern Australia
Refere me	Signa	ture of Applicant	;

Note.—The declaration may be made before a Justice of the Peace, a Commissioner of Declarations, Town Clerk, Secretary of a Road Board, Electoral Registrar, Postmaster, Classified Officer in the State or Commonwealth Public Service, Classified State School Teacher, or a member of the Police Force.

Form 9.

Western Australia. Bush Fires Board. Bush Fires Act, 1954. Regulation 33 (5).

Per	m	i÷	No
	111	11.	INC

PERMIT TO BURN FLAX AND/OR FLAX REFUSE DURING A PROHIBITED BURNING TIME.

I, (a)
location No, to burn upon the said location a total area shown on the annexed sketch ofacres of flax upon the following days,
V1Z.:—
acres
acres
subject however, to the provisions of the said Act and the regulations made thereunder and to the due observance and performance of the conditions endorsed on this permit.
Given under my hand at this day of
Secretary of the
 (a) Name of Secretary of Road Board or authorised officer in full and occupation. (b) Address. (c) Name of permit holder. (d) Address. (e) Name of location.
(III) he and are III are O

(To be endorsed on Form 9.)

Extract from Regulations.

- (8) If the permit to burn flax applied for is granted the holder thereof shall, before commencing to burn under the authority of such permit:-
 - (a) deliver or cause to be delivered in the manner prescribed in regulation 12 to each owner or occupier of all lands adjoining the area to be burnt and where the authorised officer who granted the permit is not an officer of the local authority within whose district the area to be burnt is situated, to the local authority or to the bush fire control officer of the local authority at least four days notice in writing of his intention to burn the area; and
 - (b) if the area to be burnt is situated within two miles of a State forest, deliver or cause to be delivered to a forest officer employed in connection with the State forest at least four days notice in writing of his intention to burn the area.
- (9) The burning of an area under the authority of a permit to burn flax or the refuse thereof, shall be carried out between the hours of six o'clock in the afternoon and midnight of the same day and not at any other periods of
- (10) No fire is to be lit if the fire hazard is as defined by the Forests Department or the Perth Weather Bureau to be above "average summer."
- (11) The owner or occupier of the area to be burned shall himself arrange for and provide at least three men to be constantly in attendance at the fire in the area from the time it is lit until it is completely extinguished to assist in keeping the fire under control and preventing it from spreading beyond the area proposed to be burned.

36. In the event of any fire escaping beyond the boundaries of the area in respect of which a permit to burn has been granted, the holder of the permit shall, if possible, immediately notify the nearest bush fire control or authorised officer and within 24 hours of the suppression of the fire shall report in full the circumstances causing the escape to the authorised officer by whom the permit was granted.

Form 10.
Western Australia.
Bush Fires Board.
Bush Fires Act, 1954.
Regulation 41.

To the Secretary,

Bush Fires Board, Perth.

APPLICATION FOR REGISTRATION OF A BUSH FIRE BRIGADE BY A LOCAL AUTHORITY.

Name of bush fire brigade

Name of Captain Postal Address

Names of Lieutenants Postal Address

Postal Address

Postal Address

Postal Address

Dated at this day of , 19

Chairman or Mayor.

- (a) Name of Chairman or Mayor in full.
- (b) Name of Road Board or Municipal Council.

Form 11.

Western Australia.

Bush Fires Board.

Bush Fires Act, 1954.

Regulation 41.

APPLICATION FOR REGISTRATION OF A BUSH FIRE BRIGADE BY AN ASSOCIATION OF PERSONS VOLUNTARILY FORMED FOR SUCH PURPOSES.

To the Secretary,

Bush Fires Board, Perth.

purpose of taking measures an extinguishment of bush fires beingade in accordance with the	iereby apply	$^{\prime}$ to be reg	istered as	control and a bush fire
Dated atthis				
	*****************	Presiden		•••
	****************	Secretary		•••
Name of bush fire brigade		•		
Name of the captain				
Names of the lieutenants				
Area or ward in which it		that the	bush fire b	rigade shall
Note.—This form must be association.		d by a cop	by of the	rules of the
Bus	Form 12.	ralia. , 1954.		
REGISTER CARD OF B	egulation 42		AND OFFIC	TPDC
Local Authority				No
Name of Brigade				
Certificate No. Date of	Registratio	n.	Registratio	n Cancelled.
1955-56 Name of Captain:	1956-57	1957-58	1958-59	etc., etc.
Names of Lieutenants:				
	1			
	Form 13.			
	'estern Aust ush Fires B			
	sh Fires Act			
R	egulation 42	(2).	ortificata N	0
CERTIFICATE OF REGIS	TRATION (
appointed under the Bush F (b)	ires Act, 1 bush fire b	cretary of 954, do he rigade in th	the Bush lereby certifue (c)	Fires Board, y that the
19, duly registered as a buthe provisions of the said Act.				
Given under my hand at of, 19				
	Secreta	ry Bush Fi	res Board.	
(a) Name of secretary. (b) local authority.				(c) Name of

Form 14. Western Australia. Bush Fires Act, 1954.

Regulation 43.

Road Board/Municipality.

RECORD OF FIRES AND FIRE LOSSES FOR YEAR ENDING 31st MAY

Date	Owner	Address	Area Burnt in Acres. Stock Losses					Other	Cause	Estima- ted	
			Crop	Grass- land	Scrub- land	Cattle	Sheep	Losses	of Fire	Finan- cial Loss	Remarks
										West and the second	

Form 15.
Western Australia.
Bush Fires Board.
Bush Fires Act, 1954.
Regulation 44.
REPORT OF FIRE.

To Secretary,

Bush Fires Board, Perth.

1.	Name of Road District						
2.	Date of fireTime						
3.	Under control by date						
4.	Name and address of (a) owner; (b) occupier of premises on which fire originated: $\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \$						
	(a)(b)						
5.	Cause or supposed cause of fire						
6.	Approximate area burned (in acres) and type of country						
7.	or damaged						
8.	Total estimated loss (approximately): £						
9.	Names of brigades in attendance						
.0.	Number of personnel present (approximately):						
1.							
	Date: / /19 . Signed						

Fire Control Officer or Bush Fire Brigade Officer,

Form 16.
Western Australia.
Bush Fires Act, 1954.
Regulation 45.

.....Road Board.

19 to 19 season.

To the Secretary.

Bush Fires Board, Perth.

RETURN OF BUSH FIRE CONTROL OFFICERS AND BUSH FIRE BRIGADE OFFICERS.

A return in accordance with the provisions of section 50 of the Bush Fires Act, 1954, is submitted hereunder. Application is made for the amendment of the register of bush fire brigades in accordance with the details supplied herein. The bush fire control officers shown have been duly appointed by the abovenamed local authority; notice of their appointment has been published in a newspaper circulating in the district and the Bush Fires Board is requested to gazette the appointments of those officers whose appointments have not been so published.

	Secretary.				
Bush Fire Control Officers:					
Name.	Postal Address.				
Bush Fire Brigades:					
Name of Brigade:					
Captain	Postal Address				
Lieutenants: (1st)	Postal Address				
(2nd)	Postal Address				
(3rd)	Postal Address				
(4th)	Postal Address				
(5th)	Postal Address				
Particulars of Fire Fighting Equipment:					
