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Crown Law Department,

Perth, 26th February, 1964.

THE undermentioned regulations made under the provisions of the Bush Fires Act, 1954, and amended prior to the 27th November, 1963, are reprinted, as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,
Under Secretary for Law.

BUSH FIRES ACT, 1954.

REGULATIONS

Published in the *Government Gazette* on the 14th day of October, 1955, and incorporating amendments thereto published in the *Government Gazette* on the 21st January, 1957, the 24th November, 1959, the 25th March, 1960, the 15th November, 1960, the 26th October, 1962, and the 16th October, 1963; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister dated 26th February, 1964.

BUSH FIRES ACT, 1954.

Regulations.

Part I.—Preliminary.

Citation.

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

Repeal.

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 All regulations heretofore made under and for the purposes of the Bush Fires Act, 1937-1950, are hereby repealed.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

“clerk” means, in relation to a local authority, the town clerk if that local authority is a city or a town under the Local Government Act, 1960 (as amended), or the shire clerk if that local authority is a shire under that Act;

“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.

Reg. 3
amended by
G.G., 16/10/63.
p. 3075.

(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, 1918 (as amended), so acting.

Reg. 7
amended by
G.G., 16/10/63
p. 3076.

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 land 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.

Reg. 15
amended by
G.G., 24/11/58,
p. 3101.

15. (1) 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.

(2) Where a person has applied to a bush fire control officer for a permit to burn and that officer has refused a permit, or granted a permit which is subject to special conditions, the person shall not apply to another bush fire control officer for a permit to burn in relation to the same bush but he may apply to

the local authority or chief fire control officer in the district and the local authority or chief fire control officer may grant a permit to burn or vary the special conditions of the permit.

15A. Where a local authority issues directions to a bush fire control officer as to the manner in which or the conditions under which permits to burn shall be issued by that officer, he shall comply with those directions.

Reg. 15A
added by
G.G., 21/1/57,
p. 88.

16. For the purposes of this Part of these regulations, the term "authorised officer" means the clerk 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.

Reg. 16
amended by
G.G., 16/10/63,
p. 3076.

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.

Reg. 19
amended by
G.G., 21/1/57,
p. 88.
G.G., 24/11/58,
p. 3101.

(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 burn 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) (a) 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.

(b) A person shall not carry out the burning of an area under the authority of a permit to burn clover on a Sunday or on any day on which that burning is not authorised by the permit.

(5A) Where a time between 4 p.m. and midnight on any day is specified in a permit to burn clover as the time before which the burning shall not be commenced, a person shall, notwithstanding the provisions of paragraph (a) of subregulation (5) of this regulation, not commence the burning before that time.

(5B) An authorised officer, at the direction of a local authority, during such period as the local authority directs, shall specify in a permit to burn clover a stated time, being between 4 p.m. and midnight, before which stated time burning shall not commence.

(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.

Reg. 21
amended by
G.G., 21/1/57,
p. 88.

21. (a) 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 or he may issue a permit subject to such conditions or requisitions as he considers necessary and specifies in the permit.

(b) Where a permit subject to specified conditions or requisitions is issued under this regulation, a person shall not carry out the burning authorised by the permit unless he complies with the conditions and requisitions so specified.

Reg. 21A
added by
G.G., 21/1/57,
p. 88.

21A. A local authority may cause to be incorporated as an additional requirement in a permit to burn clover, a requirement that the permit holder shall advertise particulars of the burning in a manner determined by that authority.

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.

Reg. 22A
added by
G.G., 24/11/58,
p. 3101.

22A. (1) The areas of irrigation to which the provisions of section 24A of the Act apply are the areas of the State represented by the districts of the local authorities set out in the schedule to this regulation.

(2) The provisions of regulations 18, 19, 20, 21, 21A and 22 of these regulations apply to all permits issued pursuant to the provisions of section 24A of the Act.

Added by
G.G., 15/11/60,
p. 3508;
substituted
by G.G.,
16/10/63,
p. 3076.

Schedule.

Shire of Dardanup.
Shire of Harvey.
Shire of Waroona.

22B. (1) A person shall not burn bush under a permit issued pursuant to the provisions of section 24A of the Act for the purpose of conducting to the early germination of subterranean clover on any land within the areas described in subregulation (1) of regulation 22A unless the bush to be burnt is on land to which a method of irrigation is available.

Reg. 22B
added by
G.G., 24/11/58,
p. 3101.

(2) Any requisition of a bush fire control officer shall be complied with by a person burning bush referred to in subregulation (1) of this regulation.

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 clerk of the local authority 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.

Reg. 26
amended by
G.G., 16/10/63,
p. 3076.

(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 clerk of the local authority 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.

Reg. 27
amended by
G.G., 16/10/63,
p. 3076.

27. Upon receipt of an application for a permit to burn plants other than flax or the refuse of a plant the clerk of the local authority 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 10 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.

Reg. 31
amended by
G.G., 16/10/63,
p. 3076.

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 clerk 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.

Reg. 33
amended by
G.G., 16/10/63,
p. 3076.

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 clerk of the local authority

within whose district the burning is to take place or with the nearest authorised officer for a permit to burn fiax, 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 clerk of the local authority, 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 clerk of the local authority, 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 clerk of the local authority 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 fiax, 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 clerk of the local authority 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 clerk of the local authority 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 fiax, 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.

Reg. 35
amended by
G.G. 16/10/63,
p. 3076.

35. The clerk of the local authority 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.

Reg. 37
amended by
G.G. 24/11/58,
p. 3102.

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 tank spray and pump unit ready for immediate use for extinguishing fire. The container of the unit shall have a capacity of at least two and one-half gallons and shall be kept filled with clean water to at least three-quarters of its capacity. The tank 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 arrester 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 and Motor Powered Machines.

Heading
amended by
G.G., 25/3/60,
p. 865.

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.

Reg. 38A
added by
G.G., 21/1/57,
p. 88.

38A. (1) Where in the opinion of a bush fire control officer the operation on any day of any harvesting machine or tractor on any land is likely to cause a bush fire, that officer may by wireless

broadcast or by written notice served on a person or by oral direction but subject to such directions as may be given by the local authority—

- (a) prohibit that person from operating any harvesting machine or tractor on that land on that day or during specified periods on that day;
- (b) restrict the use of harvesting machines or tractors on that land on that day or during specified periods on that day in accordance with conditions stipulated by the officer.

(2) The person on whom a notice is served or a direction is given in accordance with subregulation (1) of this regulation, shall comply with the terms and conditions of that notice or direction.

(3) A person shall, when required by a local authority, provide a plough or other specified machine appliance or fire-fighting equipment in or in the vicinity of any land or paddock where harvesting operations are being carried on.

38B. (1) Where, in the opinion of the bush fire control officer, the operation of any power saw, bag loader or other plant or equipment activated by internal combustion engine on any land in the district may constitute a fire hazard, he may, by wireless broadcast from a radio station giving broadcast coverage to the district, by publication in a newspaper circulating in the district, or by written notice or oral direction given to any person or persons and subject to such direction as may be given by the local authority, prohibit the operation of any such power saw, bag loader or other plant or equipment until further notice, unless the operator shall first have provided at the site of operation such fire-fighting equipment, supply of water and other means of extinguishing fire as the bush fire control officer may direct.

Reg. 38B
added by
G.G., 25/3/60,
p. 865.

(2) Any person who operates any power saw, bag loader or other plant or equipment activated by internal combustion engine except as prescribed by this regulation is guilty of an offence.

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.

Motor Vehicles.

39A. (1) A person shall not operate any motor vehicle on land, the whole or any part of which is under crop or pasture or stubble, if—

- (a) the exhaust pipes of the vehicle are not clean, sound and free from gas leaks;
- (b) there is emitted from the vehicle any smoke, carbon, sparks or oily substance the emission of which could be prevented by the fitting of any available appliance designed to prevent that emission.

Reg. 39A
added by
G.G., 21/1/57,
p. 88.

(2) A person operating a motor vehicle within the district of a local authority shall comply with any requisition of the authority or a bush fire control officer which is made under the Act and communicated to him by an officer of the authority or the bush fire control officer.

39AA. G.G. 26/10/62, p. 3482, disallowed. G.G. 30/11/62, p. 3838.

Reg. 39B
added by
G.G., 21/1/57,
p. 88.

Aeroplanes.

39B. (1) A person shall not operate on any land an aeroplane which is being used for the purpose of or in connection with crop dusting, spraying, spreading of fertiliser or other agricultural purpose unless there is available at the site of landing and taking off a fire extinguisher comprising a knapsack spraying unit ready for immediate use together with not less than 30 gallons of water in a suitable container.

(2) Before the owner or occupier of land uses or permits the use of any part of the land as a landing ground for an aeroplane referred to in subregulation (1) of this regulation, he shall prepare to the satisfaction of the local authority a fire break around the area of the landing ground.

(3) A bush fire control officer may, subject to the directions if any of the local authority by which he was appointed, issue to a person operating an aeroplane referred to in subregulation (1) of this regulation or to the owner or occupier of land used for the landing or taking off of the aeroplane such directions as he considers necessary for the prevention of fire on that land and the person, owner or occupier as the case may be, shall comply with these directions.

Part VIIB
added by
G.G., 24/11/58,
p. 3482.

Part VIIB.—Control of Welding Apparatus and Explosives.

Welding Apparatus.

39C. (1) A person shall not operate welding apparatus of any kind on land, the whole or any part of which is under crop or pasture or stubble, unless at least one tank spray and pump unit, ready for immediate use in accordance with regulation 37 of these regulations, is provided at the place where welding operations are carried on.

(2) A bush fire control officer may, subject to the directions, if any, of the local authority by which he was appointed, issue to a person operating a welding apparatus referred to in subregulation (1) of this regulation, or to the owner or occupier of the land upon which the welding operations are carried on, such directions as he considers necessary for the prevention of fire on that land and the person, owner, or occupier, as the case may be, shall comply with those directions.

Explosives.

39D. (1) A person shall not use explosives on land unless—

- (a) all inflammable material on the ground within a radius of 10 feet of a lighted fuse or explosive has been removed; and
- (b) at least one tank spray and pump unit ready for immediate use in accordance with regulation 37 of these regulations, is provided at the place where the explosives are being used.

(2) A bush fire control officer may, subject to the directions, if any, of the local authority by which he was appointed, issue to a person using explosives upon land referred to in subregulation (1) of this regulation or the owner or occupier of that land such directions as he considers necessary for the prevention of fire on that land and the person, owner or occupier as the case may be, shall comply with those directions.

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 of 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 municipal district, in respect of which the local authority is constituted, in Form 14 in the Appendix.

Reg. 43 amended by G.G., 16/10/63, p. 3076.

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.

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.

I (a)....., of (b)....., the owner (or occupier) of (c)..... Location No....., hereby apply, under the provisions of section 16 (2) of the Bush Fires Act, 1954, for a permit to set fire to and burn

the 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....., 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....., 19....., for the 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.

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)....., of (b)....., the owner (or occupier) of (c)....., location No....., situated within a fire protected area, within the meaning of section 16 of the Bush Fires Act, 1954, to set fire to and burn the bush upon the said location betweeno'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 to the application for this permit for the purpose of....., subject to the provisions of the said Act and the regulations made thereunder and to the due observance and performance of the conditions (if any) endorsed on this permit.

Given under my hand at..... this.....day of....., 19.....

.....
Authorised Officer.

.....
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 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.

Form 3
amended by
G.G., 16/10/63,
p. 3076.

PERMIT TO SET FIRE TO THE BUSH.

Subject to the provisions of the Bush Fires Act, 1954, and the regulations made thereunder and to the due observance and performance of the conditions endorsed on this permit including the provisions of section 18 of the said Act (a summary of conditions in section 18 is printed on the back hereof) permission is hereby granted to Mr....., of....., to set fire to the bush on locations.....on theday of....., 19.....

Dated this.....day of....., 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.

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 the 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 clerk 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 clerk 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 clerk 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.

Form 4
amended by
G.G., 16/10/63
p. 3076.

APPLICATION FOR PERMIT TO BURN CLOVER DURING
A PROHIBITED BURNING TIME.

I (a).....of (b).....the owner (or occupier) of (c).....location No....., upon which subterranean clover is growing, hereby apply pursuant to section 24 of the Bush Fires Act, 1954, for a permit to burn upon the said location a total area of.....acres (not to exceed 75 acres), shown on the annexed sketch upon the following day, namely:—

....., 19.....acres
, 19.....acres
, 19.....acres

such days being within a time of the year during which it has been declared, by notice published in the *Government Gazette* 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.

.....
Applicant.

To.....

Note.—This application must be lodged with the nearest authorised officer at least seven days before the day upon which it is intended to commence burning.

(Sketch.)

(a) Name in full of applicant. (b) Address. (c) Name of location.
(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 the area described in the above application and shown on the annexed sketch.

(2) That such area has been surrounded by a firebreak to a width of not less than ten feet.

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

(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.

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, Shire Clerk, 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 PROHIBITED BURNING TIME.

I, (a).....of (b).....a duly authorised officer within the meaning of the regulations made under and for the purposes of the Bush Fires Act, 1954, having been satisfied that the provisions of paragraph (b) of section 24 of the said Act have been complied with hereby grant authority to (c).....of (d).....the owner (or occupier) of (e).....location No.....to burn upon the said location a total area shown on the annexed sketch of.....acres of subterranean clover upon the following days, namely:—

....., 19..... acres
....., 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.....

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.

Form 6
amended by
G.G., 16/10/63.
p. 3076.

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

I, (a).....of (b).....the owner (or occupier) of (c).....location No..... hereby apply pursuant to the regulations made under the provisions of section 26 of the Bush Fires Act, 1954, for a permit to burn upon the said location (d).....upon the following days, viz.:—

-, 19.....heaps
-, 19.....heaps
-, 19.....heaps

such days being within a time of the year which it has been declared by notice published in the *Government Gazette* 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.

..... Applicant.

To.....

Note.—This application must be lodged with the clerk of the local authority within whose district the proposed burning is to take place, or the nearest authorised officer at least seven days before 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, Shire Clerk, 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 amended by G.G., 16/10/63, p. 3076-7.

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).....of (b).....the Town/Shire Clerk of the.....or a duly authorised officer within the meaning of the regulations made under and for the purpose of the Bush Fires Act, 1954, having been satisfied that the regulations made in this behalf have been complied with, hereby grant authority to (c).....of (d).....the owner (or occupier) of (e).....location No.....to burn upon the said location (f).....upon the following days, viz.:—

-, 19.....heaps
-, 19.....heaps
-, 19.....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.....thisday of....., 19.....

Town/Shire Clerk of the..... or Authorised Officer.

- (a) Name of Town/Shire Clerk or authorised officer, in full and occupation. (b) Address. (c) Name of permit holder. (d) Address. (e) Name of location. (f) Description of the plants and/or refuse thereof to be burned.

(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 clerk of the local authority 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 clerk of the local authority 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 Clerk of the local authority 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 10 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 clerk or bush fire control officer of the local authority in whose district or adjacent thereto the said last-mentioned 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 amended by G.G., 16/10/63, p. 3077.

Form 8. Western Australia. Bush Fires Board. Bush Fires Act, 1954. Regulation 33 (1).

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

I, (a).....of (b).....the owner (or occupier) of (c).....location No.....upon which flax is growing, hereby apply pursuant to section 26 of the Bush Fires Act, 1954, for a permit to burn upon the said location a total area of.....acres shown on the annexed sketch upon the following days, viz.:—

....., 19.....acres
....., 19.....acres
....., 19.....acres

such days being within a time of the year during which it has been declared by notice published in the Government Gazette on theday 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.

Applicant.

To.....

Note.—This application must be lodged with the clerk of the local authority within whose district the proposed burning is to take place, or the nearest authorised officer at least seven days before the day upon which it is intended to commence burning.

(a) Name in full of applicant. (b) Address. (c) Name of location. (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 the area described in the above application and shown on the annexed sketch.

(2) That such area has been surrounded by a firebreak to a width of not less than 20 feet.

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

(4) That such area is carrying standing timber (whether green or ringbarked) 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.

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 of Declarations, Town Clerk, Shire Clerk, 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).

Form 9
amended by
G.G., 16/10/63.
p. 3077.

Permit No.....

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

I, (a).....of (b)....., Town/Shire Clerk of the..... or a duly authorised officer within the meaning of the regulations made under and for the purposes of the Bush Fires Act, 1954, having been satisfied that the provisions of section 26 of the said Act have been complied with hereby grant authority to (c).....of (d)....., the owner (or occupier) of (e)..... location No....., to burn upon the said location a total area shown on the annexed sketch of.....acres of flax upon the following days, viz:—

....., 19..... acres
....., 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.....

Town/Shire Clerk of the.....or an Authorised Officer.

- (a) Name of Town/Shire Clerk or authorised officer in full and occupation. (b) Address. (c) Name of permit holder. (d) Address. (e) Name of location.

(To be endorsed on Form 9.)

Extract from Regulations.

33. (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 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.

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 substituted by G.G., 16/10/63, p. 3077.

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.

I, (a)....., President of the (b)..... Shire Council (or Mayor of the (b)..... City/Town Council), a local authority for the purposes of the Bush Fires Act, 1954, hereby apply, pursuant to subsection (3) of section 41 of the said Act, on behalf of the said..... Council to register a bush fire brigade established by the said..... Council in accordance with the provisions of the said Act, and of the regulations. The said..... Council has agreed by resolution to the formation and registration of this bush fire brigade in accordance with the by-laws of the..... Council relating to the establishment, maintenance and equipment of bush fire brigades in the Municipality of (b)..... and published in the Government Gazette of the.....

The said by-laws shall apply to the bush fire brigade as formed by the resolution.

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.....

President or Mayor.

(a) Name of President or Mayor in full. (b) Name of the Council.

Form 13
amended by
G.G., 16/10/63,
p. 3079.

Form 13.
Western Australia.
Bush Fires Board.
Bush Fires Act, 1954.
Regulation 42 (2).

Certificate No.....

CERTIFICATE OF REGISTRATION OF A BUSH FIRE BRIGADE.

I, (a)....., secretary of the Bush Fires Board, appointed under the Bush Fires Act, 1954, do hereby certify that the (b)..... bush fire brigade in the Municipality of (c)..... was on the..... day of..... 19....., duly registered as a bush fire brigade under and in accordance with the provisions of the said Act.

Given under my hand at..... this..... day of....., 19.....

Secretary Bush Fires Board.

(a) Name of secretary. (b) Name of the bush fire brigade.
(c) Name of local authority.

Form 14
amended by
G.G., 16/10/63,
p. 3079.

Form 14.
Western Australia.
Bush Fires Act, 1954.
Regulation 43.

..... Municipality.

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

Date.	Owner.	Address.	Area Burnt in Acres.			Stock Losses.		Other Losses.	Cause of Fire.	Estimated Financial Loss.	Remarks
			Crop.	Grass-land.	Scrub-land.	Cattle.	Sheep.				

Form 15
amended by
G.G., 16/10/63,
p. 3079.

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

REPORT OF FIRE.

To Secretary,
Bush Fires Board Perth.

- Name of Municipality..... Time.....
- Date of fire..... Time.....
- Under control by date..... Time.....
- Name and address of (a) owner; (b) occupier of premises on which fire originated:
(a)..... (b).....

