

FIRE BRIGADES.

No. 42 of 1966.

AN ACT to amend the Fire Brigades Act, 1942-1964.

[Assented to 4th November, 1966.]

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

1. (1) This Act may be cited as the *Fire Brigades Act Amendment Act, 1966*. Short title and citation.

(2) In this Act the Fire Brigades Act, 1942-1964, is referred to as the principal Act. Reprinted as Approved for Reprint 12th July, 1960, and amended by Acts Nos. 5 of 1961, 34 of 1963 and 3 of 1964.

(3) The principal Act as amended by this Act may be cited as the Fire Brigades Act, 1942-1966.

S. 2
amended.

2. Section two of the principal Act is amended by substituting for the word, "ADMINISTRATIVE" in line ten, the word "OTHER".

S. 4
amended.

3. Section four of the principal Act is amended by substituting for the interpretation, "Year", the following interpretation—

"Year" means, until the thirtieth day of September, one thousand nine hundred and sixty-seven, year ending the thirtieth day of September, and from that date until the thirtieth day of June, one thousand nine hundred and sixty-eight, the period of nine months ending that latter date, and thereafter means year ending the thirtieth day of June. .

S. 15
amended

4. Section fifteen of the principal Act is amended—

(a) by adding after the section number, "15." in line one, the subsection designation, "(1)"; and

(b) by adding after paragraph (e), the following subsection—

(2) Notwithstanding the provisions of subsection (1) of this section, a member of the Board whose seat as such a member becomes vacant in the circumstances set out in paragraph (b) of that subsection shall continue to hold office until the vacancy so occasioned is filled by the election of a new member pursuant to the provisions of section eleven of this Act, and while continuing to hold that office shall have and may exercise all the rights and powers of a member of the Board as fully and effectually as he could have done prior to his seat as a member of the Board becoming vacant. .

5. Section seventeen of the principal Act is amended— S. 17 amended.

- (a) by deleting the paragraph designation, “(a)” in line one of subsection (1); and
- (b) by deleting paragraph (b) of subsection (1).

6. Section eighteen of the principal Act is amended by substituting for the words, “a year” in line two of subsection (1), the words, “in each calendar year”. S. 18 amended.

7. Section twenty-eight of the principal Act is repealed and re-enacted with amendments as follows— S. 28 repealed and re-enacted.

28. (1) The Board shall in every year furnish a report to the Minister upon all proceedings and accounts of the Board under this Act during the previous year and a report generally upon all matters which have come within the scope of the Board during that previous year, and such report shall be laid before both Houses of Parliament.

(2) The report referred to in subsection (1) of this section shall be furnished in the month of December where the previous year is one ending the thirtieth day of September, and in the month of September where the previous year is one ending the thirtieth day of June. .

8. The heading immediately preceding section twenty-nine of the principal Act is amended by substituting for the word, “ADMINISTRATIVE” in line two, the word, “OTHER”. Heading preceding s. 29 amended.

9. Section twenty-nine of the principal Act is amended by substituting for the word, “administrative” where it occurs in line three of subsection (1), and again in line three of subsection (2), the word, “other”, in each case. S. 29 amended.

S. 33
amended.

10. Section thirty-three of the principal Act is amended by substituting for the words, "fifty pounds" in the last line of subparagraph (ii) of paragraph (e), the passage, "one hundred dollars, and also to a further penalty not exceeding four dollars for every day during which the offence continues after that conviction".

S. 34
amended.

11. Section thirty-four of the principal Act is amended by adding after the words, "the officer" in line two, the words, "or any member of the brigade who for the time being is".

S. 35
amended.

12. Section thirty-five of the principal Act is amended—

(a) by substituting for the word, "administrative" where it occurs in—

(i) each of lines three and five of paragraph (d);

(ii) the last line of paragraph (e);

(iii) line three of paragraph (g); and

(iv) line three of paragraph (h),

the word, "other", in each case; and

(b) by substituting for the words, "twenty pounds" in lines three and four of paragraph (y), the words, "one hundred dollars".

S. 36
amended.

13. Section thirty-six of the principal Act is amended—

(a) by inserting after the word, "every" in line one of subsection (1), the word, "calendar";

(b) by substituting for the words, "next following year" in the last line of paragraph (a) of subsection (1), the words, "year ending the next following thirtieth day of June";

- (c) by inserting after the word, "one" in line four of paragraph (c) of subsection (1), the word, "such";
- (d) by deleting the words, "in the city of Perth municipal district" in lines two and three of the proviso to subsection (2); and
- (e) by substituting for the words, "the next succeeding clause" in the last line of the proviso to subsection (2), the passage, "subsection (3) of this section".

14. Section thirty-seven of the principal Act is ^{S. 37} amended—

- (a) by substituting for the words, "annual expenditure" in line one of subsection (1), the words, "expenditure for each year";
- (b) by substituting for the word, "annually" in line four of subsection (1), the words, "in each year";
- (c) by substituting for subsection (2) the following subsections—

(2) The Treasurer of Western Australia shall contribute sixteen per centum, the local authorities twenty per centum, and the insurance companies sixty-four per centum, of the amount of the estimated expenditure for each of the respective years ending the thirtieth day of September, one thousand nine hundred and sixty-seven and the thirtieth day of June, one thousand nine hundred and sixty-eight, and for each year ending the thirtieth day of June thereafter.

(2a) For the purposes of subsection (2) of this section, the term “estimated expenditure” shall not include any moneys expended or proposed to be expended in relation to or arising either directly or indirectly from war or warlike operations. ; and

- (d) by adding after the word, “year”, being the last word in subsection (3), the passage, “to and including the year ending the thirtieth day of September, one thousand nine hundred and sixty-seven, by three equal payments on the first day of October, January and April in the year ending the thirtieth day of June, one thousand nine hundred and sixty-eight, and thereafter by equal quarterly payments on the first day of July, October, January and April in each year ending the thirtieth day of June”.

S. 39
amended.

15. Section thirty-nine of the principal Act is amended—

- (a) by substituting for the passage, “, in every year” in line six of subsection (2), the passage, “in each year to and including the calendar year one thousand nine hundred and sixty-seven, and in the month of March in every calendar year thereafter”; and
- (b) by substituting for the words, “five pounds” in line eight of subsection (6), the words, “ten dollars”.

S. 40
amended.

16. Section forty of the principal Act is amended—

- (a) by substituting for the word, “shilling” in the last line of subsection (2), the words, “amount of twenty cents or multiple thereof”;

- (b) by substituting for the words, "ten pounds per annum" in the last line of subsection (3), the words, "twenty dollars in each year"; and
- (c) by substituting for the passage, "two pounds ten shillings, quarterly," in lines six and seven of subsection (4), the words, "five dollars".

17. Section forty-two of the principal Act is amended by substituting for the words, "twenty pounds and not exceeding fifty pounds" in line nine of subsection (3), the words, "forty dollars and not exceeding one hundred dollars".

S. 42
amended.

18. Section forty-three of the principal Act is amended—

S. 43
amended.

- (a) by substituting for the words, "five pounds" in line six of subsection (1), the words, "ten dollars";
- (b) by substituting for the words, "fifty pounds" in line seven of subsection (1), the words, "one hundred dollars"; and
- (c) by substituting for the words, "two pounds" in line eight of subsection (1), the words, "four dollars".

19. The principal Act is amended by adding after section forty-six, the following section—

S. 46A
added.

46A. (1) The Board may establish Replacement Funds into which shall be paid such amounts—

Establish-
ment of
Replacement
Funds.

- (a) as the Board from time to time deems necessary; and
- (b) as provided for in the approved estimates of the Board each year.

(2) The Board may from time to time apply any of the moneys in the Replacement Funds towards the purchase, construction, renewal, maintenance or replacement of land, buildings, machinery or plant. .

S. 46B
added.

20. The principal Act is amended by adding after section forty-six A, as added by this Act, the following section—

Estimated
expenditure
may be
placed in
separate
account.

46B. The Board may whenever it deems necessary place expenditure provided for in the estimates to the credit of an appropriate account into and from which moneys receivable and payable in connection with the undertaking or matter shall be paid and withdrawn, and any sum unused standing to the credit of any such account may be credited to expenditure in such year as the Board approves. .

S. 53
repealed.

21. Section fifty-three of the principal Act is repealed.

S. 59
amended.

22. Section fifty-nine of the principal Act is amended by substituting for the words, “fifty pounds” in line eleven, the words, “one hundred dollars”.

S. 60
amended.

23. Section sixty of the principal Act is amended—

(a) by adding after the word, “officer” where it occurs in each of lines three and four of subsection (1), the words, “or member”, in each case; and

(b) by deleting the words, “by order of any such officer” in lines two and three of subsection (2).

S. 62
amended.

24. Section sixty-two of the principal Act is amended by substituting for the words, “twenty pounds” in the last line of subsection (3), the words, “forty dollars”.

25. Section seventy-two of the principal Act is amended— S. 72
amended.

- (a) by substituting for the words, “ten pounds” in line five, the words, “forty dollars”; and
- (b) by substituting for the words, “one pound” in line six, the words, “four dollars”.

26. The Third Schedule to the principal Act is deleted and the following Schedule substituted— Third
Schedule
substituted.

THE THIRD SCHEDULE.

Maximum Scale of Fees and Charges allowed for Attendance at any Fire.

	\$
For use of each motor engine	10.00
For use of each hand reel	3.50
For the Chief Officer, for first hour	2.10
For the Chief Officer, per hour for each succeeding hour	1.00
For each officer and member of a brigade and turncock, when called out to any fire, for the first hour	0.50
For each officer and member of a brigade and turncock, when called out to any fire, for the second hour	0.30
For each officer and member of a brigade and turncock, when called out to any fire, for each succeeding hour	0.20
For wages for each extra man engaged by the Chief Officer at any fire, for the first hour	0.20
For wages for each extra man engaged by the Chief Officer at any fire, for the second hour	0.15
For wages for each extra man engaged by the Chief Officer at any fire, for each succeeding hour	0.10
