

BUSH FIRES.

16° GEO. V., No. XXVII.

No. 27 of 1925.

AN ACT to further amend the Bush Fires Act, 1902.

[Assented to 16th December, 1925.]

BE it enacted by the King'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 :—

Short title.

1. This Act may be cited as the *Bush Fires Act Amendment Act, 1925*, and shall be read as one with the Bush Fires Act, 1902, hereinafter referred to as the principal Act.

Amendment of section 2.

2. The following words are hereby added to section two of the principal Act, namely, “and shall be administered by the Minister for Lands, hereinafter referred to as ‘the Minister.’”

Amendment of section 6.

3. A proviso is hereby added to section six of the principal Act as follows :—

Provided that, subject to section seven, it shall be lawful during such prohibited times for any owner or occupier of land to burn off the bush between two plough breaks or spade breaks, between the hours of eight o'clock in the evening and twelve o'clock midnight, for the purpose only of protecting any dwelling-house or other building or stack of hay, wheat, or other produce within ten chains of a dwelling-house or other building.

Provided also that the outer break shall not be distant more than ten chains from the property to be protected.

Amendment of section 16.

4. Section sixteen of the principal Act is amended by substituting the word “Minister” for the words “Colonial Treasurer.”

5. A section is inserted in the principal Act as follows :— Fire protected areas.

7A. (1.) The Governor may, by a notice published in the *Gazette*, declare any defined portion of the State to be a fire protected area.

(2.) Within any such area it shall be unlawful for any person to set fire to the bush on any land, or at any time, without the permission of the Minister, or an officer acting with his authority.

Penalty: Fifty pounds.

Provided that such permission shall be granted subject only to the compliance by the applicant with such conditions as may be prescribed by regulations under this Act to restrict the fire to the land on which the burning off is carried out.

(3.) Section five of this Act shall not apply to a fire protected area, but section seven shall apply.

(4.) Notwithstanding that permission is granted as aforesaid, nothing in this section shall be deemed to relieve any person from liability for any actionable damage sustained by any other person in consequence of the burning-off operations.

6. A section is inserted in the principal Act as follows :— Regulations.

16A. The Governor may make regulations for the purposes of this Act, and may prescribe a penalty not exceeding twenty pounds for any breach thereof.

7. (1.) Section two of the Bush Fires Amendment Act, 1904, is hereby amended by inserting after the words "railway reserve" the words "or any land under the control of the Conservator of Forests." Amendment of section 2 of No. 36 of 1904.

(2.) In reprinting the principal Act under the provisions of the Amendments Incorporation Act, 1923, section two of the Bush Fires Amendment Act, 1904, shall be inserted as a subsection of section five of the principal Act, and the words "under this section" shall be substituted for the words "under section five of the principal Act."