

FIRE BRIGADES.

16° GEO. V., No. XXXVI.

No. 36 of 1925.**AN ACT to amend the Fire Brigades Act, 1916.**

[Assented to 31st 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 *Fire Brigades Act Amendment Act, 1925*.

Amendment of
Sec. 56.

2. Subsection eight of section fifty of the Fire Brigades Act, 1916 (hereinafter called the *principal Act*), is hereby amended by the addition of a proviso, as follows:—

Provided that, if and whenever such default has been made, and whether the Minister has obtained or acted on such authority as aforesaid or not, then the Supreme Court or a Judge thereof may, on the petition of the holder of any debenture, appoint a receiver of the whole revenue of the Board to which the provisions set forth in the Fourth Schedule to this Act are applicable, and thereupon the said provisions shall apply and have effect: Provided also, that whenever the Minister is authorised as aforesaid under this subsection, the powers conferred by the said schedule on a receiver may be exercised by the Minister.

3. A schedule is added to the principal Act, to stand as the Fourth Schedule, as follows:—

Addition of
Schedule.

THE FOURTH SCHEDULE.

1. A receiver appointed under subsection eight of section fifty or under the provisions of this schedule shall be deemed an officer of, and shall act under the direction of the Supreme Court or a Judge thereof.

2. The Supreme Court or a Judge thereof may from time to time remove any receiver so appointed as aforesaid, and on the death or removal of any such receiver may appoint some other person in his place.

3. The receiver so appointed shall be entitled to receive and recover from the Colonial Treasurer, and from the local authorities and insurance companies, respectively, the whole of the annual contributions in respect of interest on debentures and contributions to the sinking fund for the redemption thereof which have become payable to the Board, or which shall, or would but for the default committed by the Board, become so payable.

4. For the purposes of paragraph three of this schedule a receiver shall be deemed to be the Board, and shall have and may exercise, in the name of the Board, all or any of the powers of the Board, including any power—

- (a) to make any estimate of any expenditure requisite for interest on debentures and contributions to any sinking fund for the redemption thereof;
- (b) to make any determination requisite to be made regarding any annual contribution;
- (c) to enforce the rendering of any necessary returns;
- (d) to exercise any powers of inspection;
- (e) to take any action or legal proceeding for the recovery or collection of any contribution or other moneys.

5. Every such receiver shall be entitled to such commission, as remuneration for his services, as the Supreme Court or a Judge thereof directs.

6. The Supreme Court or a Judge thereof may order the Minister or the Board or any other person to transfer all or any inscribed stock and other securities and fixed deposits standing in their respective names and forming part of any such sinking fund as aforesaid into the name of the receiver, and may likewise order the Minister or any other person to hand over to the receiver any money which such Minister or person has collected in exercise of any authority granted, in consequence of the Board's default, by the Governor or the Supreme Court or a Judge thereof.

7. The receiver shall hold all moneys received and recovered and the proceeds of all inscribed stock and other securities and all fixed deposits forming any sinking fund received by him, after payment of costs and expenses, for the benefit of all holders of debentures of the Board, according to their respective priorities, and, subject thereto, for the Board.

4. In any reprint of the principal Act and its amendments including this Act, the short title may be altered to the *Fire Brigades Act, 1916-1925*, and the said Act and amendments may be cited by that title.

Reprinting prin-
cipal Act with
amendments.