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Crown Law Department,
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THE undermentioned regulations made under the provisions of the Fire Brigades Act, 1942, and amended from time to time up to and including the 23rd August, 1972, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General.

W. J. ROBINSON,
Under Secretary for Law.

FIRE BRIGADES ACT, 1942.

FIRE BRIGADES ACT REGULATIONS.

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Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General, dated 2nd February, 1973.

FIRE BRIGADES ACT, 1942.

FIRE BRIGADES ACT REGULATIONS.

1. These regulations may be cited as the Fire Brigades Act Regulations.

2. These regulations are divided into Parts, as follows:—
 Part I: r.r. 3 to 43—Election of Members of the Board.
 Part IA: r.r. 43A to 43F—Disputed Returns.
 Part II: r.r. 44 to 53—Proceedings and Business of the Board.
 Part III: r.r. 54 to 59—Financial Provisions.
 Part IV: r.r. 60 to 78—Pension or Superannuation **Fund**.
 Part V: r.r. 79 to 93—Long Service Leave.
 Part VI: r.r. 94 to 157—Permanent Fire Brigades.
 Part VII: r.r. 158 to 214—Volunteer Fire Brigades.
 Part VIII: r.r. 215 to 218—Private Fire Brigades.
 Part IX: r.r. 219 to 229—Miscellaneous.
 First Appendix—Forms of Debenture and Agreement.
 Second Appendix—Forms of Nomination and Voting Papers.

Reg. 2
amended by
G.G. 1/4/60,
p. 980.

2A. When the day prescribed or appointed by these regulations for the doing of any act, matter or thing under these regulations, or when any period of time allowed for the doing of any such act, matter or thing falls or expires (as the case may be) on a Sunday or a Bank Holiday or a Public Holiday such day or period of time shall be extended so as to include the day next following such Sunday, Bank Holiday or Public Holiday as aforesaid.

Reg. 2A
added by
G.G. 24/3/44,
p. 270.

PART I.—ELECTION OF MEMBERS OF THE BOARD.

Chief Executive Officer to Furnish Information.

3. The Chief Executive Officer of the Board shall, on demand, forthwith furnish the returning officer with such information as may be required for the purpose of conducting any election under the provisions of the Act and these regulations.

Reg. 3
amended by
G.G. 6/1/66,
p. 12.

Nomination and Voting Papers.

4. Nomination and voting papers shall be according to the respective forms prescribed in the Second Appendix to these regulations.

First Elections.

5. The procedure prescribed in these regulations for periodical elections shall, as far as is possible, be applied to the said first elections.

Periodical Elections by the Insurance Companies.

6. On the first day of October in each year the returning officer shall forward a nomination paper to each insurance company.

Reg. 6
amended by
G.G. 24/3/44,
p. 270.

7. Each such company may nominate one or more candidates for election as a member of the Board to represent the insurance companies, and the completed nomination paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the 21st day of October.

Reg. 7
amended by
G.G. 24/3/44,
p. 270.

8. Where the number of candidates nominated does not exceed the number of vacancies to be filled, the returning officer shall, by notice in the *Government Gazette*, declare such candidate or candidates (as the case requires), duly elected.

Reg. 9
amended by
G.G. 24/3/44,
p. 270.

9. Where the number of candidates nominated is in excess of the number of vacancies to be filled, the returning officer shall, not later than the 11th day of November, forward a voting paper or voting papers (as the case requires, under regulation 10) to each insurance company.

Reg. 10
amended by
G.G. 19/2/64,
p. 678.

10. The number of voting papers to be allotted to insurance companies shall be according to the following scale:—

(a) Insurance companies (other than marine insurance companies), each company:—

Amount of contribution numerator declared in latest return lodged with the Board—	Number of Voting Papers.
Not exceeding \$4,000	One
Exceeding \$4,000 but not over \$10,000	Two
Exceeding \$10,000	Three

(b) Marine insurance companies, each company One

Reg. 11
amended by
G.G. 11/9/53,
p. 1690.

11. (a) Each insurance company shall mark the voting paper by placing the numeral 1 opposite the name of the candidate for whom the company votes as its first preference, and shall give contingent votes for all the remaining candidates by placing the numerals 2, 3 and so on (as the case requires) opposite their names so as to indicate by such numerical sequence the order of preference and shall sign the declaration in the form of voting paper contained in Part 4 in the Second Appendix to these regulations.

(b) Any voting paper which is not marked and signed as specified in this regulation shall be informal.

Reg. 12
amended by
G.G. 24/3/44,
p. 270.

12. The completed voting paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the eighth day of December.

13. The counting of votes shall be according to the preferential system of voting as employed in State Parliamentary Elections, and laid down in the Electoral Act, 1907-1942,¹ so far as it is applicable.

14. In the case of an equality of votes, the returning officer shall have a casting vote.

15. The returning officer shall count the votes on the ninth day of December and, by notice in the *Government Gazette*, declare the candidate or candidates (as the case requires) receiving the largest number of votes to be duly elected.

Periodical Elections by the Council of the City of Perth.

16. The returning officer shall during the month of October in each election year advise the Town Clerk that an election is due.

17. The member to be elected by the Council of the City of Perth shall be elected at a meeting of the council to be held during the month of November in each election year.

18. The name of the person elected shall forthwith be communicated by the Town Clerk to the returning officer, who shall, by notice in the *Government Gazette*, declare such person duly elected.

Periodical Elections by the Local Authority.

19. The Council of each municipality and the Board of each road district mentioned in Part II, III and IV respectively of the Second Schedule to the Act, or as may be added thereto or excised therefrom under section 5, may take part in the elections held in respect to each of such groups of municipalities and road districts.

¹ Now Electoral Act, 1907-1970.

20. On the 1st day of September in each year the returning officer shall forward a nomination paper to each local authority in the respective groups for which an election is to be held.

Reg. 20
amended by
G.G. 4/5/51,
p. 1232.

21. Each such local authority may nominate a candidate for election as a member of the Board to represent the local authorities comprised in such local authority's group, and the completed nomination paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the 21st day of October.

Reg. 21
amended by
G.G. 24/3/44,
p. 270.

22. If not more than one candidate is nominated to represent any one of the said groups of municipalities and road board districts, as set out in Parts II, III, and IV of the Second Schedule to the Act, or as may be added thereto or excised therefrom under section 5, the returning officer shall, by notice in the *Government Gazette*, declare such candidate duly elected.

23. If more candidates than one are nominated for any of the said groups, the returning officer shall, not later than the 11th day of November, forward a voting paper to each municipal council and road board concerned.

Reg. 23
amended by
G.G. 24/3/44,
p. 270.

24. Each such municipal council and road board shall be entitled to one vote in the said election.

25. (a) Each such municipal council and road board of the several groups shall, on the occasion of any ordinary or special meeting in accordance with a resolution of the meeting mark the voting paper by placing the numeral 1 opposite the name of the candidate for whom the council or board votes as its first preference, and shall give contingent votes for all the remaining candidates by placing the numerals 2, 3, and so on (as the case requires), opposite their names, so as to indicate by such numerical sequence the order of preference.

Reg. 25
amended by
G.G. 11/9/53,
p. 1691.

(aa) The declaration in the form of voting paper contained in Part 4 in the Second Appendix to these regulations shall be signed by the Chairman and another person in the presence of each other at the meeting at which the resolution was passed.

(b) Any voting paper which is not marked and signed as specified in this regulation shall be informal.

26. The completed voting paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the eighth day of December.

Reg. 26
amended by
G.G. 24/3/44,
p. 270.

27. The counting of votes shall be according to the preferential system of voting as employed in State Parliamentary Elections, and laid down in the Electoral Act, 1907-1942,¹ so far as it is applicable.

28. In the case of an equality of votes, the returning officer shall have a casting vote.

29. The returning officer shall count the votes for each group concerned on the ninth day of December and, by notice in the *Government Gazette*, declare the candidate receiving the largest number of votes to be duly elected.

Periodical Elections by the Volunteer Fire Brigades.

30. The volunteer fire brigades registered with the Board under section 49 of the Act may take part in the elections.

31. On the 1st day of September in each election year the returning officer shall forward a nomination to each volunteer fire brigade.

Reg. 31
amended by
G.G. 4/5/51,
p. 1232.

32. Each such brigade may nominate a candidate for election as a member of the Board to represent the volunteer fire brigades, and the completed nomination paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the 21st day of October.

Reg. 32
amended by
G.G. 24/3/44,
p. 270.

¹ Now Electoral Act, 1907-1970.

33. If not more than one candidate is nominated the returning officer shall, by notice in the *Government Gazette*, declare such candidate duly elected.

Reg. 34
amended by
G.G. 24/3/44,
p. 270.

34. If more candidates than one are nominated by the said volunteer fire brigades, the returning officer shall, not later than the 11th day of November, forward a voting paper to each brigade concerned.

35. Each such volunteer fire brigade shall be entitled to one vote in the said election.

Reg. 36
amended by
G.G. 11/9/53,
p. 1691.

36. (a) Each such brigade shall, on the occasion of any ordinary or special meeting in accordance with a resolution of the meeting, mark the voting paper by placing the numeral (1) opposite the name of the candidate for whom the brigade votes as its first preference, and shall give contingent votes for all the remaining candidates by placing the numerals 2, 3, and so on (as the case requires), opposite their names, so as to indicate by such numerical sequence the order of preference.

(aa) The declaration in the form of voting paper contained in Part 4 in the Second Appendix to these regulations shall be signed by the Chairman and another person in the presence of each other at the meeting at which the resolution was passed.

(b) Any voting paper which is not marked and signed as specified in this regulation shall be informal.

Reg. 37
amended by
G.G. 24/3/44,
p. 271.

37. The completed voting paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the 8th day of December.

38. The counting of votes shall be according to the preferential system of voting as employed in State Parliamentary Elections, and laid down in the Electoral Act, 1907-1942,¹ so far as it is applicable.

39. In the case of an equality of votes the returning officer shall have a casting vote.

40. The returning officer shall count the votes on the 9th day of December and, by notice in the *Government Gazette*, declare the candidate receiving the largest numbers of votes to be duly elected.

Extraordinary Vacancies.

41. Every extraordinary vacancy in the office of a member of the Board shall be filled by appointment or election, as the case may require, under and subject to the provisions of section 11 of the Act, and the procedure prescribed in these regulations for periodical elections shall apply, so far as is possible.

Telegraphic Communications.

42. In all cases where it is impracticable to communicate any matter by post without occasioning undue delay any telegraphic advice communicated in the ordinary course shall suffice for the purpose of these regulations.

Declaration of Appointment or Election.

43. (a) The publication in the *Government Gazette* of the names of members of the Board appointed by the Governor shall be conclusive evidence of their appointment.

(b) The publication in the *Government Gazette* by the returning officer of the names of elected members of the Board shall be conclusive evidence that the elections at which such members were elected were held in accordance with the Act and these regulations and that such members were duly elected.

¹ Now Electoral Act, 1907-1970.

PART IA.—DISPUTED RETURNS.

Part 1A
added by
G.G. 1/4/60,
p. 980.

43A. (1) An application for determination of a question or dispute which has arisen as to the regularity or validity of an election held under the provisions of the Act or the voting at the election, shall be in the form specified in Part 5 of the Second Appendix to these regulations and shall be lodged in duplicate with the returning officer.

Reg. 43A
added by
G.G. 1/4/60,
p. 980.

(2) The time after the completion of an election within which an application under subregulation (1) of this regulation in respect of the election may be lodged shall be three months.

43B. Within seven days of the lodgment of the application referred to in regulation 43A of these regulations the returning officer shall give notice in writing to the Minister that a question or dispute has arisen as to the regularity or validity of the election, or the voting at the election.

Reg. 43B
added by
G.G. 1/4/60,
p. 980.

43C. (1) The stipendiary magistrate appointed by the Minister to determine the question or dispute shall fix a time and place for the hearing of the application and thereupon shall issue a summons requiring the returning officer, the applicant, the person returned at the election, and any other persons to appear before him on the day and at the place named in the summons.

Reg. 43C
added by
G.G. 1/4/60,
p. 980.

(2) The summons referred to in subregulation (1) of this regulation shall be in the form specified in Part 6 of the Second Appendix to these regulations.

43D. On the appearance before him of the parties, or in default of such appearance, the magistrate may, upon proof of service of the summons issued by him, proceed to hear the subject matter of the application and determine the question or dispute.

Reg. 43D
added by
G.G. 1/4/60,
p. 980.

43E. For the purposes of the hearing of an application under this Part of these regulations, the magistrate has and may exercise, in addition to the powers conferred by the Act and these regulations, the powers conferred upon Justices of the Peace under the Justices Act, 1902, in all respects so far as concerns the powers relating to the summoning of witnesses, the taking of evidence and the conduct of proceedings, as though the application were a matter which may be heard and determined by Justices under that Act.

Reg. 43E
added by
G.G. 1/4/60,
p. 980.

43F. When the magistrate has as required by the Act and these regulations determined the question or dispute, he shall forward forthwith a copy in writing of his determination to the Minister and to the returning officer.

Reg. 43F
added by
G.G. 1/4/60,
p. 980.

PART II—PROCEEDINGS AND BUSINESS OF THE BOARD.

Office.

44. The office of the Board shall be at the Headquarters Fire Station, Perth, or at such other place as the Board may from time to time determine.

45. The office of the Board shall be open for the transaction of business during such hours as the Board may from time to time determine.

Meetings.

46. The Board shall meet for the transaction of ordinary business on such days and at such time and place as the Board shall from time to time determine.

47. The President may, or on the written requisition of three members of the Board the Secretary shall, call special meetings of which each member shall receive at least seven days' notice.

Committees.

48. The Board may delegate any of its powers to committees, duly appointed by the Board, but any committee so formed shall, in the exercise of its powers so delegated, conform to any direction that may be imposed upon it by the Board. Each such committee shall report to the Board. The President shall be *ex officio* a member of all committees.

Debate.

49. The debate on all questions at meetings of the Board shall be conducted in accordance with the rules, forms, and usages which govern debates in the Legislative Assembly of the State Parliament, so far as the same are applicable or can be made applicable thereto.

Minutes.

50. A record of all proceedings of the Board and of every committee, with the names of the members who attend each meeting, shall be made in books kept for the purpose under the direction of the Board and committees, and shall be signed at the next or some subsequent meeting of the Board or committee.

Common Seal.

Reg. 51
amended by
G.G. 6/1/66,
p. 12.

51. The common seal shall be placed in the custody of the Chief Executive Officer who shall keep it securely locked up in the office or have same deposited with the bankers of the Board for safe custody. The seal shall not be affixed to any document, except by the order of the Board as recorded in the minutes, and, when affixed, must be witnessed by at least two members of the Board, and by the Chief Executive Officer or any other officer authorised by the Board in that behalf.

Amendment, Rescission, or Extension of Regulations.

52. Any member may, on giving seven clear days' notice, submit to the Board at its ordinary meeting, or at a special meeting, any motion for the purpose of recommending to the Governor in Council the making, altering, amending, rescinding, or extending of any regulation authorised under the existing Fire Brigades Act.

Reg. 53
substituted
by
G.G. 6/1/66,
p. 12.

53. The Board shall appoint a person to be the Chief Executive Officer of the Board.

PART III—FINANCIAL PROVISIONS.

54. [*Regulation 54 and heading thereto revoked by G.G. 28/9/60, p. 2983.*]

Travelling Allowances.

Reg. 55
amended by
G.G. 9/11/51,
p. 3074;
G.G. 19/7/56,
p. 1786;
G.G. 29/6/61,
p. 2044;
G.G. 8/1/65,
p. 10.

55. (1) Members and officers of the Board, when attending demonstrations, competitions, conferences, or inspections, or engaged in other Board business, shall be entitled to and shall be paid the special allowances set forth in the following scale, namely:—

(a) For journeys within the State occupying more than one day:—

(i) Members of the Board—\$7 per diem;

(ii) Officers of the Board—Subject to any award or industrial agreement, officers of the Board shall be entitled to and shall be paid travelling allowances on the same scale and basis as paid from time to time to officers employed within the State of Western Australia under the Public Service Act, 1904-1950.¹

(b) For journeys within the metropolitan area or occupying less than one day, members and officers of the Board shall be allowed out-of-pocket expenses reasonably incurred by them.

¹ Now Public Service Act, 1904-1972.

- (c) Members and officers of the Board, when travelling beyond the limits of the State on the authority of the Board, shall, except when at sea, or on the Commonwealth Railway between Kalgoorlie and Port Pirie, receive the following allowances:—

Members of the Board—\$13 per diem;

Officers of the Board—As shown in paragraph (a) (ii) of this regulation unless it can be shown to the satisfaction of the Minister that such amount is insufficient to meet their reasonable out-of-pocket expenses.

- (d) Members and officers of the Board when travelling by steamer or other vessel, or on the Commonwealth Railway between Kalgoorlie and Port Pirie, in which the fare paid includes subsistence, shall receive the following allowances:—

Members of the Board—An allowance equal to 15 per cent. of the passage money, calculated on single fare in lieu of the ordinary travelling allowance.

Officers of the Board—As shown in paragraph (a) (ii) of this regulation.

(2) In addition to the foregoing allowances, members and officers of the Board shall be allowed first-class railway and steamer fares, where such expense is incurred by them when travelling on Board business; and, in the case of a member of the Board resident in the country, the Board may provide him with a seasonal railway ticket.

(3) All expenditure incurred by the Board under this regulation shall be charged to the administration costs of the Board, excepting that incurred in connection with demonstrations, which shall be charged to demonstration costs.

Disbursements.

56. All payments of \$2 and over shall be made by cheque upon the bankers of the Board, signed by any two of the persons from time to time appointed by resolution of the Board for that purpose.

Reg. 56
substituted
by
G.G. 31/8/55,
p. 2077.
Amended by
G.G. 6/1/66,
p. 12.

Debentures.

57. A debenture issued by the Board to secure money borrowed by way of overdraft from a bank, and an agreement relating thereto, may be in the forms in Parts 1 and 2 of the First Appendix hereto, or to the effect thereof, and in such case it shall not be obligatory that a sinking fund should be provided for the redemption thereof.

58. Where the Board borrows money from a lender, otherwise than by way of overdraft from a bank, the debenture or debentures issued by the Board to secure the money so borrowed may be in such form as shall be mutually agreed upon by the Board and the lender and as may be approved by the Governor, and, subject to the Act and to the approval of the Governor, the provision of a sinking fund by the Board for the purpose of paying off such debenture or debentures may be dispensed with.

Marine Insurance Companies.

59. Every marine insurance company carrying on business of marine insurance in the State of Western Australia and not otherwise contributing to the funds of the Board, shall contribute to the said board, for the protection of the interests insured under their policy on wharves and jetties, the sum of twenty dollars annually, in advance, on the first day of January in each and every year: Provided that in any year the annual contribution payable by any marine insurance company may, with the approval in writing of the Board, be paid by four equal quarterly instalments on the first days of January, April, July, and October in such year.

Establishment of Replacement Funds.

Reg. 59A
added by
G.G. 19/7/56,
p. 1786.

59A. (1) The Board may establish Replacement Funds into which shall be paid such amounts—

(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.

PART IV.—PENSION OR SUPERANNUATION FUND.

Interpretation.

Reg. 60
amended by
G.G.
20/11/57,
p. 3397;
G.G. 2/4/68,
p. 862.

60. In the regulations contained in this Part:—

“accounting period” means—

(a) for each year up to and including the 30th day of September, 1957, a period of 12 months expiring on the 30th day of September in each year;

(b) for the year 1958, the period from and including the 1st day of October, 1957, to and including the 30th day of June, 1958;

(c) for each period of 12 months expiring on the 30th day of June in any year subsequent to the 30th day of June, 1958, a period of 12 months expiring on the 30th day of June in each year.

“Board” means the Western Australian Fire Brigades Board.

“employee” means any person who is employed by or under the Board in a permanent capacity and is by the terms of his employment required to give his whole time to the duties of his employment.

“Fund” means the Western Australian Fire Brigades Board Superannuation Fund.

“salary” means salary or wages and includes the value of service and rent allowances and house allowed free, but does not include bonuses, overtime, or any allowances other than those mentioned herein.

“subscriber” means an employee who has become a contributor to the Fund.

Establishment and Title.

61. (1) A pension or superannuation Fund for the employees contributing thereto heretofore established as on and from the first day of October, 1939, shall be and is hereby continued.

(2) The full title of the Fund shall be the Western Australian Fire Brigades Board Superannuation Fund.

(3) The date of the commencement of the Fund shall be the first day of October, 1939, hereinafter referred to as the “date of commencement,” and the regulations contained in this Part shall apply and have effect accordingly.

Management.

62. (1) The Board shall control the said Fund.

(2) The procedure of the Board as to the management of the Fund, the execution of deeds and documents, and all other matters connected with the Fund, shall, in so far as it is not inconsistent with these regulations, from time to time be regulated by the Board in accordance with resolutions thereof.

(3) Subject to the discretion of the Board, the expenses of management and administration of the Fund shall be borne by the Board out of its funds: Provided that the Board may at any time decide that the Fund shall bear the whole or any portion of the expenses of management and administration of the Fund.

Subscribers.

63. (1) As soon as it is practicable to do so after the commencement of this Part, but not later than a date to be fixed by the Board, every employee who is employed by or under the Board at the date when the regulations contained in this Part come into operation and is not already a subscriber to the Fund, shall signify to the Board, by writing under his hand, whether he does or does not intend to become a subscriber to the Fund.

(2) Every such employee who prior to the date so fixed states that he intends to become a subscriber to the Fund, shall thenceforward, so long as he continues in the service of the Board, be a subscriber to the Fund, and shall be bound in all respects by these regulations.

(3) Any such employee not already a subscriber as aforesaid who prior to the date fixed as aforesaid states that he does not intend to become a subscriber to the Fund, or fails to state that he intends to become a subscriber, shall not, except with the specific consent of the Board, at any time thereafter be admitted as a subscriber to the Fund.

64. Any person appointed by the Board as an employee after the date of coming into operation of the regulations contained in this Part shall, on and from the date of his appointment, and so long as he continues in the service of the Board, be a subscriber to the Fund.

Contributions.

65. (1) Every subscriber to the Fund shall contribute thereto a sum equal to 5 per cent. of his salary, and such contributions shall be deducted by the Board by weekly instalments as the salary is or may become due or payable.

(2) The Board shall, in respect to each subscriber, contribute to the Fund by weekly instalments a sum equal to the percentage of each subscriber's salary as is set out in the table hereunder:—

Where the subscriber's age next birthday after "date of commencement" is	The percentage of salary to be contributed by the Board shall be—
63	% 22
62	16
61	12
60	9
59	7
58 and under	5

Provided that the Board's liability to contribute a higher percentage than 5 per cent. shall be restricted to subscribers who are employees at the date of commencement.

(3) For the purpose of these regulations the date of a contribution to the Fund shall be deemed to be the day when the payment of salary from which such contribution is deducted became due, although such payment of salary may not in fact be made until a later date.

(4) Notwithstanding anything to the contrary contained elsewhere in this regulation, whenever a subscriber, having been granted leave of absence from his employment for the purpose, either by reason of enlistment or being called up, is engaged on war service continuously during the time of war, the following provisions shall apply, namely:—

- (a) his liability to contribute as a subscriber under this regulation shall be suspended whilst he is so engaged in such war service;
- (b) subject, as in this subparagraph hereinafter provided, the Board shall continue to make its contributions under this regulation in respect of such subscriber:

Provided that the liability of the Board under this subparagraph shall cease upon the happening of any of the following events:—

- (i) the death of the subscriber during the period of his war service;
 - (ii) the incapacitation of the subscriber during the period of his war service to an extent or in a manner which renders him physically or mentally unfit to resume his employment under the Board, upon his discharge from war service; or
 - (iii) the failure of the subscriber to report to the Board for resumption of his duty as an employee within such period of time as the Board considers reasonable, after his discharge from war service.
- (c) wherever the terms "time of war," "war," and "war service" are used in this paragraph, such terms shall have the same meanings respectively as they have when used in the Commonwealth Defence Act as amended from time to time.
- (d) All expenditure incurred by the Board under this paragraph shall be charged to the administration costs of the Board.

Investments.

Reg. 66
amended by
G.G.
20/11/57,
p. 3397.

66. (1) All moneys constituting the Fund, notwithstanding that the same have been credited to the respective accounts of the separate subscribers, may be treated as one fund for the purpose of investment, and may be invested by the Board in any securities which are or may be prescribed by any Act or Acts of the Parliament of Western Australia then in force relating to investments by trustees, but the Board shall not be responsible for any loss resulting from any such investment.

(2) All revenue derived from the investment of money constituting the Fund, less any expenses incurred, shall, at the end of each accounting period be credited to the respective accounts of the separate subscribers in the proportion that the amount standing to the credit of each subscriber bears to the total at credit of all the subscribers at the close of the previous accounting period.

Payments.

67. The Board shall decide upon all claims upon the Fund.

Reg. 68
substituted
by
G.G. 2/4/68,
p. 863-4.

68. (1) Subject to these regulations, the Board shall pay from the Fund—

- (a) on the retirement or death of a subscriber—
 - (i) the total amount standing to the credit of his account in the Fund at the date of his retirement or death; and
 - (ii) where his retirement or death occurs during the currency of an accounting period, a further amount as interest calculated at the rate of six per centum per annum on the balance standing to the credit of his account in the Fund at the end of each completed month between the end of the immediately preceding accounting period and the date of retirement or death;
- (b) on voluntary termination by a subscriber of his services with the Board, except on retirement or resignation to avoid dismissal—
 - (i) the total amount of his contribution to the Fund; and
 - (ii) a further amount as interest calculated at the rate of six per centum per annum on the total amount of his contributions to the Fund at the end of each completed accounting period between the date of his first contribution and the termination of his services,

but the Board may increase the amounts payable under this paragraph to a total sum not exceeding—

- (iii) the total amount standing to the credit of his account in the Fund at the date of the termination; and

- (iv) where the termination occurs during the currency of an accounting period, a further amount as interest calculated at the rate of six per centum per annum on the balance standing to the credit of his account in the Fund at the end of each completed month between the end of the immediately preceding period and the date of the termination;
 - (c) on the dismissal of a subscriber by the Board or his resignation to avoid dismissal, the total amount of his contributions to the Fund.
- (2) Subject to these regulations, where the Board suffers or may suffer a pecuniary loss by reason of a breach of trust or other wrongful act by a subscriber—
- (a) the Board may appropriate the amount standing to the credit of his account in the Fund or any part of that amount and apply it in satisfaction or part satisfaction of the loss or hold it as a contingency against a possible loss but shall give notice of any such appropriation to the person otherwise entitled to benefit from the Fund and account to him for it; and
 - (b) where as a result of that breach or wrongful act the subscriber is dismissed by the Board or resigns to avoid dismissal, the Board shall pay from the Fund, subject to any necessary later adjustment of any amount appropriated as a contingency, only a sum equal to the balance of the total of his contributions to the Fund after deduction of the amount appropriated.
- (3) On the retirement, voluntary termination of services, or dismissal or resignation to avoid dismissal of a subscriber the Board shall pay to the subscriber the amount or amounts payable pursuant to subregulation (1) or (2) of this regulation.
- (4) On the death of a subscriber the Board may, in its absolute discretion, pay the amount or amounts payable pursuant to subregulation (1) or (2) of this regulation or any part of them to his legal personal representative or some other person who in the opinion of the Board has a right either moral or legal to such amount or amounts or any part of them.
- (5) Where there is an amount remaining to the credit of an account of a subscriber in the Fund after payments of an amount or amounts pursuant to subregulations (1) or (2) and (3) or (4) of this regulation the Board shall transfer the amount to the credit of the accounts of the remaining subscribers at the end of the current accounting period in the same proportion as that referred to in subregulation (2) of regulation 66 of these regulations.

69. For the purposes of regulation 68 of these regulations—

“retirement” means retirement from service with the Board of a subscriber who has—

- (a) reached the compulsory retiring age determined by the Board for the particular type of service or any extension of that age agreed between the Board and the subscriber;
- (b) elected to retire after reaching the age of 55 years and after subscribing to the Fund for a period of not less than ten years;
- (c) had his services terminated by the Board without fault on his part;
- (d) been declared by the Board as medically unfit to discharge his duties in his service with the Board; or
- (e) where a female, terminated her services with the Board to be married and has been married within three months of the termination and produced to the Board satisfactory evidence of her marriage.

Reg. 69
substituted
by
G.G. 2/4/68
p. 864.

70. Except as provided in regulation 68 hereof, any benefits derivable from the Fund shall not be in any way assigned or charged or passed by operation of law to any person other than the subscriber or beneficiary.

71. Any sum due or payable to any subscriber under these regulations shall be paid only if the cash is available for the purpose; until paid, however such sum shall carry interest at the rate of three per centum per annum on the lowest monthly balance of such subscriber's account.

Accounts.

Reg. 72
amended by
G.G. 31/8/55,
p. 2077;
G.G. 6/1/66,
p. 12.

72. (1) A bank account or accounts, in the name of the Fund, shall be opened by the Board at a savings bank or other bank.

(2) All moneys received on behalf of the Fund from any source whatsoever shall be forthwith paid into the said account or accounts.

(3) All payments on behalf of the Fund shall be made out of the account or accounts, by means of a withdrawal form or cheque (as the case may require), drawn against the account or accounts and signed by any two of the persons from time to time appointed by resolution of the Board for that purpose.

73. (1) The Board shall keep separate ledger accounts in the respective names of all the subscribers to the Fund, to which shall be credited in separate columns the contributions of each subscriber, the contributions by the Board on his behalf, and his share of the profits as set out in paragraph (2) of regulation 66 hereof.

(2) The Board shall keep separate books of account, in which shall be recorded the financial transactions of the Fund.

Reg. 74
amended by
G.G.
20/11/57,
p. 3397.

74. (1) At the end of each accounting period a statement of receipts and payments and a balance sheet of the Fund shall be drawn up and printed in the Board's annual report.

(2) Each subscriber shall be entitled to receive annually a statement of the amount standing to his credit at the end of the last preceding accounting period.

Audit.

75. The accounts of all moneys received and disbursed by the Board on behalf of the Fund shall be audited once at least in every year by the Auditor General, who shall have, in respect to such accounts, all the powers conferred on him by any law now or hereafter to be in force relating to the audit of the public accounts.

Notices.

Reg. 76
amended by
G.G. 6/1/66,
p. 12.

76. (1) Notices to subscribers may be given by the Board through its Chief Executive Officer to such subscribers personally, or by sending the same through the post in prepaid letters addressed to the respective subscribers at the last known address of each or to the fire station where each is stationed.

(2) Any notice sent by post shall be deemed to have been served on the day following the day on which the envelope or wrapping containing the same is posted, and in proving such service it shall be sufficient to prove that the envelope or wrapper containing the notice was properly addressed and put in the post office.

Variation of Rates of Contribution or Payments from Fund.

Reg. 77
amended by
G.G. 6/1/66,
p. 13.

77. (1) The Board shall not recommend to the Governor any alteration or amendment of the rate of contribution by subscribers or of the payments from the Fund on retirement, dismissal or death, as prescribed in these regulations, unless two-thirds in number of the subscribers to the Fund vote in favour of such alteration or amendment.

(2) Express notice in writing of any such proposed alteration or amendment shall be given by the Board to every subscriber.

(3) For the purpose of taking the votes of the subscribers on any such proposed alteration or amendment, the Board shall cause to be given or sent to every subscriber a voting paper containing a statement of the proposed alteration or amendment and two alternative votes, as follows:—

- (a) One vote for the proposed alteration (or amendment);
- (b) one vote against the proposed alteration (or amendment);

and setting forth the date for the closing of the poll.

(4) The date for the closing of the poll shall be not more than one month and not less than fourteen days after the day when the voting paper is despatched or given by the Board to the subscriber.

(5) The subscriber, when voting, shall strike out on the voting paper the alternative vote which he does not desire to make so that the voting paper will indicate by such striking out the vote of the subscriber.

(6) After indicating his vote in the manner provided in paragraph (5) hereof, the subscriber shall return the voting paper to the Board so that it shall be in the hands of the Board before the time fixed for the closing of the poll.

(7) After the time fixed for the closing of the poll, the votes of the subscribers shall be counted by the chairman, at a duly convened meeting of the Board and in the presence of the members of the Board present at the meeting, and in the presence of two persons to be appointed by the Minister as scrutineers for the purpose of such count.

(8) The result of the poll shall be certified in writing under the hand of the chairman of the Board, countersigned by the scrutineers, and shall be retained in safe keeping by the Chief Executive Officer of the Board.

(9) The Board may do such other acts and things and adopt such other measures and steps in connection with the taking of a vote of the subscribers under this regulation as they may deem necessary to ensure that only subscribers vote and that only voting papers issued by the Board are used in connection with the vote:

Provided that no such acts or things, measures or steps, shall in any way interfere with the secrecy of the vote or be inconsistent with or repugnant to any of the provisions of this regulation.

Winding-up and Distribution.

78. With the consent of the Governor in Council the Board may at any time wind-up and distribute the Fund by paying to each subscriber, subject to the provisions hereof, the amount standing at credit in his account, and thereupon the Fund shall cease to exist, and regulations contained in this Part shall be deemed to be cancelled and to have no effect whatsoever, except for the purpose of determining any right or title or exercising any power or discretion for the time being necessary to be determined or exercised for the purpose of winding-up and distributing the Fund:

Provided always, that in any case at least six months' previous notice in writing shall be given to each subscriber of the intention to wind-up and distribute the Fund.

PART V.—LONG SERVICE LEAVE.

Suspension.

79. Except as hereinafter provided, no long service leave shall be granted or paid for under these regulations during the continuance of the war in which His Majesty is engaged at the date of these regulations coming into operation, or while similar leave is suspended in the State Government's Service, whichever of the said periods shall be the longest.

Purpose.

80. (a) Long service leave shall be granted solely for recuperative purposes.

(b) No employee shall undertake during long service leave, without the consent of the Board, any form of employment for hire or reward. Any contravention of this condition shall render the employee liable to dismissal.

Continuous Service.

81. (a) Subject to these regulations, long service leave shall be credited to full-time employees on the basis of continuous service, which term means service with the Board without a break after having attained the age of eighteen years.

(b) Continuous service shall not include the period during which an employee is on long service leave, or any period exceeding one month during which an employee has leave (other than for enlistment) without pay.

(c) The period during which an employee is granted leave of absence on enlistment for war service shall count as continuous service.

Qualifying Periods.

Reg. 82
amended by
G.G. 8/2/46,
p. 145.

82. (a) Employees who at the date of commencement of these regulations have given ten or more years' continuous service shall be credited with a first period of three months' long service leave as at the date of such commencement.

(b) Employees who at the date of commencement have not given ten years' continuous service shall be credited with a first period of three months' long service leave on the day after such commencement when they shall have completed ten years' continuous service.

(c) Employees referred to in paragraphs (a) and (b) hereof shall be credited with a further period of three months' long service leave for an additional consecutive period of ten years' continuous service and to a further three months' long service leave for each additional consecutive period of seven years' continuous service.

(d) Every employee who commences employment after the date of the commencement of these regulations shall be credited with a period of three months' long service leave for and on the completion of each of the consecutive periods of continuous service as follows: For the first and next succeeding period of ten years, and thereafter for each period of seven years.

Granting of Leave.

83. (a) The day on which an employee shall commence his long service leave shall be solely at the convenience of the Board: Provided that the Board shall, as far as possible, and having regard to the relief available and other factors, grant such leave in the order of priority of length of continuous service.

(b) Wherever possible not less than one month's notice shall be given to an employee of the date on which his long service leave shall commence.

Public Holidays.

84. Any public holidays occurring during the period in which an employee is on long service leave shall be calculated as portion of the long service leave, and extra days in lieu thereof shall not be granted.

Sickness or Accident.

85. (a) Any period during long service leave in which an employee is sick, or disabled through an accident, will be calculated as portion of the long service leave, and extra days in lieu thereof shall not be granted.

(b) Where an employee is sick or disabled through an accident on the day he should have resumed duty after long service leave, he shall, subject to the production of a medical certificate, be treated as absent on sick leave as from such date.

Accumulation.

86. (a) Employees over the age of fifty-five years may, by written application addressed to the Chief Officer, apply for permission to accumulate two periods of long service leave.

(b) Such applications shall be submitted as early as possible, and shall not be considered unless reasonable notice is given.

Payment for Leave Credited as Due.

87. (1) During the present war, referred to in regulation 79—

- (a) an employee who retires at the age of sixty-five or over, or who retires on account of incapacity due to old age, or through ill-health, or the result of an accident, shall be paid for long service leave as credited due to him;
- (b) an employee who resigns other than for the reasons specified in the preceding paragraph (a) shall not be entitled to payment for any long service leave unless and until he produces authority under the National Security Regulations to change his occupation or leave the Board's service;
- (c) an employee who is dismissed, or who resigns in order to escape dismissal, shall not be entitled to payment for any long service leave credited as due to him.

(2) After conclusion of present war, referred to in regulation 79—

- (a) an employee may, on commencing long service leave, be paid his salary or wages in advance, at his permanent classified rate of pay, for a period equivalent to the leave taken;
- (b) an employee who retires at the age of sixty, or at any time thereafter up to the age of sixty-five or over, or who retires on account of incapacity due to old age, or through ill-health, or the result of an accident, shall be paid for long service leave as credited due to him;
- (c) an employee who resigns other than to escape dismissal, shall be paid for any long service leave credited as due to him;
- (d) an employee who is dismissed, or who resigns in order to escape dismissal, shall be entitled to payment for any long service leave credited as due to him prior to the date of the offence for which he was dismissed or resigned in order to escape dismissal.

Pro rata Leave on Retirement.

88. Where an employee retires or is retired under the circumstances mentioned in paragraph (1) (a) or paragraph (2) (b) of regulation 87, and has served continuously for at least twelve months next before such retirement, such employee shall be paid (in addition to any complete periods of long service leave credited as due to him) for *pro rata* long service leave to the date of retirement:

Provided that, where the employee has any complete period of long service leave credited as due to him, he shall, if required so to do by the Board, take such complete period of long service leave before he reaches the date due for his retirement, and thereafter such employee shall be entitled under this regulation to payment only of *pro rata* long service leave equivalent in respect to that service in relation to which he has not been credited with a complete period of long service leave.

88A. Subject to the provisions of regulation 88, any employee who is retired for any reason other than misconduct or unsatisfactory service or a female employee who resigns on her marriage and who has served continuously for at least three years next before retirement shall be paid for long service leave *pro rata* to the date of retirement.

Reg. 88A
added by
G.G. 8/2/46,
p. 145.

Payment on Death of an Employee.

89. (a) Where a deceased employee does not leave a dependant or dependants, payment for long service leave as credited due to him shall be made to the deceased employee's estate.

(b) Where a deceased employee does leave a dependant or dependants, payment for long service leave as credited due to him shall be made to the dependant or dependants.

(c) In addition, where a deceased employee does leave a dependant or dependants, and he had served continuously for at least twelve months next before his death payment for *pro rata* long service leave to the date of death shall be made to the dependant or dependants.

(d) For the purpose of these regulations a dependant shall mean the deceased employee's widow or children, mother or invalid sister who were dependent upon him.

(e) Where there are two or more dependants as aforesaid, the Board may distribute the payment for long service leave in such manner as it thinks fit.

Board's Superannuation Contributions.

90. Notwithstanding anything contained in Part IV. of these regulations, the Board shall not be liable to contribute for superannuation benefits in respect of long service leave lump sum payments made on the death, resignation, retirement, or dismissal of an employee.

Deductions Through Pay Sheets.

91. Where payment for long service leave is made in a lump sum covering a specific period, the usual weekly deductions from the employee's salary or wages (such as for superannuation, assurance, taxation, etc.,) shall be deducted therefrom in a lump sum to cover a similar period.

Apportionment Over Two Years.

92. Notwithstanding anything contained in this Part of these regulations, the Board may apportion the amount of a payment for long service leave due, into two payments, in cases where two different years are involved.

93. [Revoked by G.G. 6/1/66, p. 13.]

Heading
amended by
G.G. 8/2/46,
p. 144.

PART VI.—PERMANENT FIRE BRIGADES AND PROVISIONS
RELATING TO EMPLOYEES OF THE BOARD.

Ranks and Classes.

Reg. 94
substituted
by
G.G. 6/1/66,
p. 13.

94. Unless otherwise determined by the Board, the brigade shall consist of—

(a) officers of the following ranks—

- (i) Chief Officer;
- (ii) Deputy Chief Officer;
- (iii) Senior Officer;
- (iv) District Officer; and
- (v) Station Officer; and

(b) members, namely—

- (i) Senior fireman;
- (ii) First-class fireman;
- (iii) Second-class fireman;
- (iv) Third-class fireman; and
- (v) Probationer.

Appointments.

95. A candidate for appointment to the brigade must—

- (a) be a British subject;
- (b) be not under 21 nor over 30 years of age (unless he possesses special qualifications, in which case the age limit may be extended to 32 years);
- (c) be not less than 5 ft. 7 in. in height and 37 in. natural chest measurement;
- (d) be free from disease or defect in limb, hearing or sight, and not subject to fits;
- (e) be generally intelligent, and capable of acquiring instruction;
- (f) produce satisfactory testimonials as to character;
- (g) produce a birth certificate or other satisfactory proof of age:

Provided that any condition prescribed by this regulation may be waived at the discretion of the Board.

96. Applications for appointment must be made in person, and each applicant must write his own application, and state his age, occupation, height, chest measurement, and whether married or single.

97. Every approved candidate will be required to undergo a strict medical examination by the Board's medical officer as to physical fitness before being appointed to the service.

98. All candidates for appointment, before signing on, are required to read the Rules and Regulations of the Board, and to sign the declaration hereunder:—"I hereby state that I have read the Rules and Regulations of the Board, and undertake to serve under same."

99. Eligible candidates when finally approved shall be accepted as members of the brigade on probation.

100. All appointments or engagements made by the Board may be cancelled or annulled without any reason being assigned: Provided that, excepting in the case of a dismissal under these regulations, not less than one week's pay shall be granted in lieu of notice.

100A. (1) An employee of the Board shall, when so required by, and at the expense of, the Board, submit himself for examination by the Government District Medical Officer who may, however, engage the services of consultants if, in his opinion, the case so requires. Reg. 100A
added by
G.O. 16/4/64,
p. 1935.

(2) The services of an employee certified by the Government District Medical Officer to be physically unfit for further service may be terminated by the Board.

(3) An employee who fails, when required by the Board, to submit himself for examination, is guilty of an act of misconduct and his services may be terminated by the Board.

Promotions.

101. Firemen shall automatically progress from third-class to second-class, and from second-class to first-class, after one year's satisfactory service in the third and second class respectively.

102. Above the rank of first-class, promotion shall not necessarily be by seniority.

103. No first-class fireman shall be promoted to a higher grade unless he has (a), served at least two years at first-class rank; (b), passed an examination in the practical working of fire brigade appliances; (c), satisfied examiners appointed by the Board that he is qualified to take charge at fires and drills, and is able to instruct firemen in the practical working of fire appliances.

Reg. 104
amended by
G.G.
25/11/49,
p. 3015.

104. When a vacancy occurs in a rank higher than first-class, applications shall be invited by the Chief Officer from qualified men in the classes below that in which the vacancy occurs, and, all things being equal, a selection shall be made from such applicants for the vacancy.

105. [*Revoked by G.G. 6/1/66, p. 13.*]

106. [*Revoked by G.G. 6/1/66, p. 13.*]

107. [*Revoked by G.G. 6/1/66, p. 13.*]

108. [*Revoked by G.G. 6/1/66, p. 13.*]

109. [*Revoked by G.G. 6/1/66, p. 13.*]

110. [*Revoked by G.G. 6/1/66, p. 13.*]

111. [*Revoked by G.G. 6/1/66, p. 13.*]

112. [*Revoked by G.G. 6/1/66, p. 13.*]

113. [*Revoked by G.G. 6/1/66, p. 13.*]

113A. [*Added by G.G. 4/5/51, p. 1232; revoked by G.G. 6/1/66, p. 13.*]

Probationers.

114. Every probationer shall serve a term of two months on probation and may, on the expiration of such term, and on the recommendation of the Chief Officer, be appointed by the Board to the class of third-class fireman;

Provided that on such appointment his service as a fireman shall be deemed to commence from the date of his appointment as a probationer.

Third-class Firemen.

115. Third-class firemen shall receive such instruction and perform such duties as the Chief Officer may from time to time direct.

Second-class Firemen.

116. Second-class firemen shall be conversant with the details of a fireman's ordinary duties, and be proficient in drills.

First-class Firemen.

117. First-class firemen shall—

- (a) be competent to describe the various apparatus in the brigade;
- (b) have a knowledge of internal combustion engines;
- (c) be able to instruct a class in elementary drills.

Senior Firemen.

118. Senior firemen shall perform such duties as the Chief Officer may from time to time direct.

General Duties.

119. All officers and firemen shall render immediate obedience to all lawful orders from their senior officers, and must conform to all rules and regulations which have been made or may be made from time to time in the brigade orders.

120. Roll-call shall be at 7 a.m., 8 a.m., 1 p.m., and 6 p.m., and at such other times as the Chief Officer may direct.

121. Firemen shall be held responsible to the officer in charge of the Station that the apartments, bedding, and furniture are kept clean and in good order at all times, and ready for inspection at 10 a.m. each day. Firemen shall be held responsible for any wilful damage during occupancy, of such quarters.

Reg. 122
amended by
G.G. 6/1/66,
p. 13.

122. (1) Every officer and fireman must serve wherever the Chief Officer may direct and attend all fire calls while on duty.

(2) An officer directed to serve outside the Metropolitan Fire District shall, if required, reside in premises provided for that purpose by the Board.

122A. [Added by G.G. 4/5/51, p. 1232; repealed by G.G. 12/11/54, p. 1901.]

123. The general duties of officers and firemen shall be as defined from time to time by resolution of the Board, and shall be conveyed to those concerned by the Chief Officer.

Transfers.

Reg. 123A
added by
G.G.
12/11/54,
p. 1901.

123A. A fireman who is—

(a) recruited on the Goldfields and who has served at Kalgoorlie or Boulder or both for a period of five years; or

(b) recruited elsewhere than on the Goldfields and who has served at Kalgoorlie or Boulder or both for a period of two years,

may apply for a transfer and the Board shall give consideration to the transfer within twelve months of the receipt of the application.

Uniforms.

124. The uniform of the brigade shall consist of a tunic, undress jacket, woollen sweater for winter, light coat for station work, trousers, peak cap, boots, flap cap, helmet, axe, hose and nozzle spanner, belt and two pouches, or as may be otherwise determined from time to time by the Board.

125. Uniform shall be worn at all times when on duty. At fires every officer and fireman must appear in full uniform. When on duty other than at fires officers and firemen shall wear such uniform as the Chief Officer may direct.

126. All articles of uniform issued are and shall remain the property of the Board.

127. If an officer or fireman leaving the service fails to return any of the Board's property in proper order, allowing for fair wear and tear, the Board may deduct from any moneys due to him such sum as will indemnify the Board against loss.

Leave.

128. Officers shall receive such sick, annual and other leave (other than long service leave) as may be determined by resolution of the Board from time to time.

129. Firemen shall receive such sick, annual and other leave (other than long service leave) as determined by an industrial award or agreement: Provided that further sick leave, with or without pay, may be granted at the discretion of the Board.

130. Medical certificates shall be furnished as to an officer's or fireman's fitness or otherwise for duty on application for sick leave, and before resuming duty. Provided that the Chief Officer may dispense with certificates in cases where the sick leave does not exceed one day.

131. The Board or the Chief Officer may, for sufficient reason, defer any or all leave.

Accidents.

Reg. 132
amended by
G.G. 24/3/44,
p. 271.

132. Any officer or fireman who has established a claim under the Workers' Compensation Act, 1912-1941¹, and any amendments thereof, by reason of personal injury by accident arising out of or in the course of his employment shall be entitled to leave of absence from duty, and shall receive during the period of incapacity such sum weekly as shall, together with any weekly amount received as compensation, including child allowance (if any), under the Workers' Compensation Act, 1912-1941¹, and any amendments thereof, be equal to the amount of his weekly wages:

Provided that—

- (a) such payments shall not be made for more than thirteen weeks, except by resolution of the Board;
- (b) such payments shall not be continued after the services of any officer or fireman have been terminated;
- (c) such payments for a period not exceeding thirteen weeks shall not be deducted from any payments made under the Second Schedule of the above Act;
- (d) leave granted under this regulation shall not be counted against sick leave.

Offences.

133. No officer or fireman shall—

- (a) accept or engage in any employment for reward other than in connection with his duties: Provided that the foregoing shall not prevent any officer or fireman from—
 - (i) becoming a member or shareholder only of any incorporated company, or of any company or society of persons registered under any Statute;
 - (ii) holding any office in any society founded under the law relating to friendly societies;
- (b) accept any money, gifts or addresses, for services rendered at a fire, without permission of the Board;
- (c) supply information to the Press;
- (d) take orders at fires from citizens;
- (e) wear his uniform off duty, unless when proceeding to or from duty;
- (f) absent himself while on duty from a station to which he is attached, without permission of the officer in charge;
- (g) indulge in gambling in or about the premises of a station;
- (h) take or cause to be taken any intoxicating liquors into the premises of a station without the consent of the Chief Officer;
- (i) otherwise conduct himself in a manner whereby the discipline, good order, or reputation of the brigade may be imperilled.

Reg. 134
substituted
by
G.G. 8/2/46,
p. 146.

134. Any person appointed by the Board as an officer, fireman, administrative or other employee, who—

- (a) commits any breach of the Fire Brigades Act, 1942, or of any of the regulations made thereunder; or
- (b) is negligent or careless in the discharge of his duties; or
- (c) is inefficient or incompetent through causes which appear to be within his own control; or
- (d) consumes intoxicants or drugs to excess; or
- (e) is guilty of disgraceful or improper conduct either in his official capacity or otherwise; or
- (f) wilfully disobeys or disregards any lawful order or instruction given or issued by any person having authority to make, give or issue such order or instruction; or

¹ Now Workers' Compensation Act, 1912-1970.

(g) has wilfully supplied to the Board or any person representing the Board, incorrect or misleading information in connection with his appointment to employment by the Board, shall be guilty of an offence, and shall be liable to such punishment as is determined upon under the provisions of these regulations.

135. (1) The President may, if he has reason to believe that an employee has committed an offence, make a charge against the employee, and if he considers that the offence is of such a nature that the employee should not continue in the performance of his duty, suspend the employee without pay. Suspension may be effected prior to or at any time of or subsequently to the making of the charge and may be removed at any time by the President pending determination of the charge, or, in any case when the charge is not sustained, immediately upon the promulgation of the finding to that effect.

Reg. 135
substituted
by
G.G. 8/2/46,
p. 146,
amended by
G.G. 17/6/49,
p. 1324.

(2) Without limiting the powers of the President as mentioned in the next preceding subregulation, the Chief Officer may exercise similar powers but in respect of officers and firemen only.

(3) Upon a charge being made against an employee, it shall be recorded in writing and a copy shall be handed to him forthwith together with a notice directing him to reply forthwith in writing stating whether he admits or denies the truth of the charge and giving any explanation he desires in regard thereto. If a reply is not received within seven days of service of the copy of the charge upon him he shall be deemed to deny the truth of the charge.

(4) Every charge shall be the subject of an inquiry by the Board.

Provided that the President may direct that in any case where a charge is made against an officer or fireman an inquiry shall be held by the Chief Officer in lieu of the Board and in such case the Chief Officer shall act accordingly.

(5) The employee charged shall be furnished with copies of all documents intended to be used at the inquiry and written notice of the time and place at which the inquiry will be held at least seven days before the commencement thereof.

(6) The inquiry shall be held within at least 28 days of the service of the charge on the employee.

(7) The Board or the Chief Officer as the case may be, upon being satisfied that the offence charged has been committed by the employee may do any one or more of the following:—

- (i) Caution the employee.
- (ii) Fine him any sum not exceeding the sum of twenty dollars.
- (iii) Reduce him in rank, class or status.
- (iv) Transfer him to a district other than that in which the offence was committed.
- (v) Dismiss him from employment.

(8) An employee who has been charged with an offence which has not been sustained shall be—

- (i) paid the reasonable expenses of conducting his case, such expenses to be fixed by the presiding authority hearing the inquiry; and
- (ii) if suspended pending determination of the charge, reinstated in his employment and if suspended without pay, paid the amount of remuneration he would but for such suspension have received as such employee.

(9) The Chief Officer shall report to the Board in writing on every inquiry held by him forthwith on the completion thereof.

136. Any officer or fireman, a charge against whom has been the subject of an inquiry by the Chief Officer, may, by notice stating the grounds thereof in writing served on the Board within seven days of the promulgation of the finding, appeal therefrom to the Board.

Reg. 136
substituted
by
G.G. 8/2/46,
p. 147.

Reg. 137
substituted
by
G.G. 8/2/46,
p. 147.

137. (1) Any employee, a charge against whom has been the subject of an inquiry by the Board under regulation 135, subregulation (4), or an appeal under regulation 136, may by notice stating the grounds thereof in writing served on the Board within seven days of the promulgation of the finding on such inquiry or appeal, as the case may be appeal to the Appeal Board.

(2) The Appeal Board shall consist of a chairman and two members as follows:—

- (a) The chairman shall be appointed to the office by the Board and shall be a Stipendiary Magistrate, but if a Stipendiary Magistrate is unable or unwilling to act, the Chairman shall be a person who shall have the qualifications requisite for appointment as a Stipendiary Magistrate under the Stipendiary Magistrates Act, 1957.
- (b) One member shall be nominated by the association or trade union, of which the appellant employee is a member or in the event of such employee not being a member of any association or trade union by reason of his employment being such that there is not available to him membership in any association or trade union then and in such case one member shall be nominated by the appellant employee; and
- (c) One member shall be nominated by the Board.

(3) The Board shall pay to the Chairman and the members of the Appeal Board such fees as shall be agreed.

Reg. 138
substituted
by
G.G. 8/2/46,
p. 147,
amended by
G.G. 24/4/53,
p. 739.

138. In the case of appeals brought under regulations 136 and 137 the following provisions shall apply—

- (a) The Board or the Appeal Board, as the case may be, shall appoint a time for the determination of the appeal.
- (b) The time appointed shall be within 28 days of the receipt of the notice of appeal by the Board.
- (c) The parties to the appeal shall be given at least seven days' prior notice in writing of the time so appointed.
- (d) The Board or the Appeal Board, as the case may be, may affirm, vary or annul the finding, the subject matter of appeal, or may make and promulgate, in lieu thereof, such finding as shall in the circumstances of the case be deemed fit.
- (e) The Board or the Appeal Board may fix and award to the appellant reasonable expenses of conducting his case.
- (f) Appeal may be brought on the grounds of innocence of the charge or excessive severity of punishment.

Reg. 139
substituted
by
G.G. 8/2/46,
p. 147;
amended by
G.G. 17/6/49,
p. 1324;
G.G. 22/7/49,
p. 1523;
G.G. 6/1/66,
p. 13.

139. The following provisions shall apply in respect of any inquiry under regulation 135, subregulation (4), or the proviso thereto or of any appeal under regulations 136 or 137—

- (1) The employee concerned—
 - (a) may be represented by an advocate from the association or trade union of which he is a member, but if such advocate shall refuse to act, or in the event of such employee not being a member of any association or trade union, by reason of his employment being such that there is not available to him membership in any association or trade union, then and in such case he may be represented by any person of whom the presiding authority shall approve.
 - (b) shall at the direction of the presiding authority submit himself to examination-in-chief, cross examination and re-examination orally on oath or affirmation.
- (2) The Board shall—
 - (a) cause the proceedings to be recorded;
 - (b) at the written request of the employee concerned, furnish him with a copy of such record within four days of the conclusion of such proceedings.

- (3) The proceedings shall be heard in private or in public as the presiding authority shall direct.
 - (4) Subject to the provisions of these regulations, and the directions from time to time of the Chairman of the Appeal Board, procedure as to matters preliminary to and on the hearing of—
 - (a) any inquiry—
 - (i) by the Board under subregulation (4) of regulation 135; or
 - (ii) by the Chief Officer under the proviso to subregulation (4) of regulation 135; or
 - (b) any appeal—
 - (i) to the Board under regulation 136; or
 - (ii) to the Appeal Board under regulation 137,
- shall as nearly as practicable, and with the requisite adaptation thereof, follow the appropriate procedure provided for in Justices Act, 1902-1942¹ relating to (c) simple offences; and (d) appeals, respectively.
- (5) The Chief Executive Officer or some person to be nominated by the President shall be authorised to carry out all clerical duties as clerk to the presiding authority in all matters of procedure preliminary to and at the hearing of any such inquiry or appeal.
 - (6) (a) The President or the presiding authority of any such inquiry or appeal as aforesaid may summon any person who it is believed is able to give or produce evidence relevant or material to the determination of any matter the subject of any such inquiry or appeal.
 - (b) Any person who, when reasonable expenses have been paid or tendered to him, fails, without reasonable cause in obedience to such summons to attend and give or produce evidence shall be guilty of an offence.
Penalty: Forty dollars.
 - (7) The finding of the Board or the Appeal Board as the case may be, shall be the finding of the majority of the persons constituting the same.
 - (8) Any fine inflicted as aforesaid may be recovered as a simple contract debt at the suit of the Board.
140. If anything required by regulations 135, 136, 137, 138 or 139 is omitted to be done or is not done in the prescribed manner or within the prescribed time, the Chairman of the Appeal Board may take all appropriate measures for—(i) rectifying such omission; (ii) validating any irregularity; and (iii) enlarging such time.

Reg. 140
substituted
by
G.G. 8/2/46,
p. 148.

General.

141. Any officer or fireman desiring to terminate his service (unless under special circumstances) must give at least seven clear days' notice in writing, addressed to the Chief Officer. Any officer or fireman resigning or discontinuing his duties without such notice, or without special permission, shall be liable to forfeit all pay due to him, and to be formally dismissed.

142. Any married officer or fireman having quarters in a station shall be held responsible for any wilful damage during the occupancy of such quarters. The quarters shall be subject to inspection by the Chief Officer and by the officer in charge of the station, and, when vacated, must be left clean and in good order.

143. In the event of the Board sustaining any financial loss through misappropriation, or through wilful damage to any property of the Board by an officer or fireman, the amount so misappropriated and/or the amount of the wilful damage so done may be deducted from any moneys due to such officer or fireman then or thereafter.

¹ Now Justices Act, 1902-1972.

144. Any change in an officer's or fireman's marital condition shall be notified in writing to the Chief Officer.

145. [*Revoked by G.G. 6/1/66, p. 13.*]

146. When an officer or fireman is ordered to move from one station to another, the Board shall pay all reasonable expenses of removal, except when such removal be ordered by way of punishment, or is granted at the request of the officer or fireman.

Reg. 147
amended by
G.G. 8/2/72,
p. 247;
G.G. 13/4/72,
p. 799.

147. The Queen's long service medal shall be issued to an officer or fireman on the completion of 20 years' service with good conduct, and shall not be liable to forfeiture. The medal must be worn on the left breast of tunic.

Auxiliary Firemen.

148. Applications for appointment as firemen in the auxiliary force must be made in candidates' own handwriting to the Chief Officer.

149. Candidates must be physically strong men, free from defect in limb or sight, and not subject to fits.

150. Candidates must be of suitable age, and be approved by the Chief Officer.

151. Candidates shall furnish testimony from at least two reputable persons as to their character, and, if necessary, produce satisfactory proof of age.

152. Candidates shall be required to serve at least one month on probation, and, if found suitable, may be appointed to the auxiliary force.

153. The engagement of every auxiliary fireman shall be for one month, and thereafter from month to month.

154. Long service medals shall not be issued to auxiliary firemen.

155. Subject to any relevant award or industrial agreement auxiliary firemen shall receive pay in accordance with the following scale, viz:—

- (a) A retaining fee of \$1.25 a month;
- (b) In addition to the retaining fee, pay shall be allowed for attendance at fires in accordance with the following schedule:—For the first hour—50 cents; for each subsequent hour or part thereof—25 cents;
- (c) No pay shall be granted for attendance at drills, false alarms, fires with but trifling damage or chimney fires, unless under special circumstances and no fireman shall be entitled to receive pay under this Schedule for services at any fire unless he shall have received orders to attend such fire from his seniors.

156. Where an auxiliary fireman is injured whilst on duty incidental to a fire call, the provisions of regulation 190 shall apply.

Special Firemen.

157. Should the Chief Officer deem it necessary to obtain assistance at any fire, he may engage special firemen.

PART VII.—VOLUNTEER FIRE BRIGADES.

Registration of Brigades.

Reg. 158
substituted
by
G.G. 13/4/72,
p. 799.

158. (1) Subject to the provisions of this regulation the complement of any volunteer brigade shall be forty registered members, consisting of the following number of members in each of the following grades—

- (a) ten Probationary Volunteer Firemen;
- (b) twenty-five Active Volunteer Firemen including a Captain, Foreman, Apparatus Officer and Secretary; and
- (c) five Reserve Volunteer Firemen.

(2) The Board may, in addition to the forty registered members referred to in subregulation (1) of this regulation, register Junior Members of any volunteer brigade.

(3) The Board may approve of a temporary increase in the number of Reserve Firemen in any case where the Board, having regard to the existence of the special circumstances, is of opinion that such increase is for the time being necessary.

(4) Where an Active or Reserve Volunteer Fireman is absent from duty with a brigade, by reason of the operation of the National Service Act, 1951 (as amended) of the Commonwealth, he continues as an active or reserve registered member of the brigade, but, notwithstanding that continued membership and any provision of this regulation to the contrary, his place may be filled, during his absence, as provided by regulation 167 of these regulations.

(5) Where the Board has filled the place of an Active or Reserve Volunteer Fireman pursuant to subregulation (4) of this regulation, and that member returns to active duty with the brigade, the Board shall not fill the vacancy occurring first after his return to active or reserve duty, with the intent that the brigade shall be restored to, and be maintained at the correct complement, as soon as practicable.

Suspension and Disbandment of Brigades.

159. (a) Whenever any brigade by reason of deaths, resignations, or expulsions shall have reduced its roll to less than a minimum effective strength to be determined by the Board, the registration of the said brigade may be suspended, and any allowances payable to any officers and members thereof may be reduced or forfeited to the Board as the Board may determine.

(b) If after one month's notice from the Board, any registered brigade remains below the minimum effective strength determined by the Board, the Board may cancel the registration of such brigade.

(c) If through dissensions or other cause the efficiency of any brigade is, in the opinion of the Board, impaired, registration may be suspended or the brigade may be disbanded by the Board.

Brigade District.

160. (a) The district within which each registered brigade shall be liable to do duty shall be that portion that is within the boundary of the fire district in which the brigade is established.

Reg. 160
amended by
G.G. 28/9/60,
p. 2984.

(b) Such fire district shall be known and designated as the brigade district under the name of the said fire district.

(c) A brigade may, at the discretion of the senior officer available at the time, be permitted on request to attend a fire outside its fire district, provided that sufficient officers and members and apparatus and plant are retained for adequate protection of that fire district.

Observance of Regulations.

161. Every officer and member shall conform to the regulations made, or which may hereafter be made, for the management of the various fire brigades, and shall be subject to the duties, conditions and penalties named therein. All allowances may, at the discretion of the Board, be subject to stoppage or absolute forfeiture in the event of wilful violation of the regulations.

Brigade Rules.

162. Each brigade may have its own rules of internal and general working, which shall in all cases be subject to the approval of the Board. All proposed alterations or additions shall be submitted to the Board for approval or otherwise. No rule shall be contrary to these regulations.

Qualification of Membership.

Reg. 163
amended by
G.G. 19/7/56,
p. 1786;
G.G. 28/9/60,
p. 2984;
G.G.
17/12/69,
p. 4102;
G.G. 13/4/72,
p. 799.

163. No person shall be registered on the roll of any brigade unless he is—
- (a) in good health, and sound in body and mind;
 - (b) of good moral character and habits;
 - (c) except in the case of a person to be registered as a junior member, over the age of 17 years, and not over the age of 45 years: Provided that the Board may, in special cases, consent to the enrolment of a person outside this age group;
 - (d) in the case of a person to be registered as a junior member, over the age of 11 years but not over the age of 17 years and has first obtained the written consent of his parent or guardian thereto.

Persons Not Eligible for Membership.

164. No person shall, unless with the consent of the Board, be eligible for re-election to any brigade, who has been dismissed or struck off the roll of any brigade for misconduct, or for persistent neglect to attend fires or practices, or for want of interest generally in his duty as an officer or member, or for any cause which, in the opinion of the Board, would disqualify him for membership.

Retiring Age of Members.

Reg. 165
amended by
G.G. 28/9/60,
p. 2984.

165. No officer or member over the age of 65 years shall be allowed to remain on the registered roll of any brigade unless under special circumstances, and with the approval of the Board.

Heading
amended by
G.G. 13/4/72,
p. 799.

New Members.

Reg. 166
amended by
G.G. 28/9/60,
p. 2984.

166. (a) In each case of persons desiring to join, after a brigade has been registered by the Board, if the candidate complies with the requirements set forth in regulation 163, and the brigade approves of him, the name and particulars of such candidate shall be submitted to the Board, in such form as the Board may from time to time direct, for approval or otherwise.

(b) No person shall be recognised as an officer or member of any brigade until his name has been approved by the Board and registered on the roll of such brigade by the Board.

(c) The Board may require a certificate from the captain of the brigade that due regard has been paid to the distribution of the membership over the area in which property has to be protected.

(d) Every officer and member shall, unless the Board otherwise determines, reside or, in the case of an officer or member of a country brigade, have his place of employment, within easy hearing of the calling device, and the service of the officer or member must be reasonably available as required.

Brigade Membership.

Reg. 167
substituted
by
G.G. 13/4/72,
p. 799.

167. (1) New members shall be enrolled as Probationary Volunteer Firemen, and after serving three months' satisfactory service, may be recommended by the brigade Captain to the Board for transfer to the active volunteer grade, and where approval by the Board is granted shall be so transferred when a vacancy occurs.

(2) Where a vacancy exists in either the active or the reserve grade, any member in either of those grades may, upon the resolution of a general meeting of the brigade and the approval of the Board, transfer to the other.

(3) Notwithstanding the provisions of subregulation (1) of this regulation, the Board may, when new brigades are inaugurated, enrol members as Active Volunteer Firemen when the Board is satisfied that those members have had sufficient training to equip them as active members.

(4) Subject to the approval of the Board, the brigade Captain may enrol Junior Members, and when vacancies in the grade of Probationary Volunteer Firemen occur, those vacancies shall, whenever possible, be filled by Junior Members who have reached the age of 17 years.

167A. [Added by G.G. 17/12/69, p. 4103; Revoked by G.G. 9/8/72, p. 3014.]

Leave of Absence.

168. (1) Probationary, Active and Reserve Volunteer Firemen shall apply in writing to the brigade Captain for any leave of absence.

Reg. 168
substituted
by
G.G. 13/4/72,
p. 800.

(2) The brigade Captain may approve or reject any application for leave of absence for a period less than one month.

(3) When an application for leave of absence is for a period greater than one month the Captain shall forward the application to the Board for approval or rejection, with his recommendation.

(4) Junior Members shall apply in writing to the brigade Captain for any period of leave of absence and the brigade Captain shall grant or reject that application.

Transfer of Members.

169. Officers and members may be transferred from one brigade to another: Provided the complement of the latter permits of such transfer, on production of a certificate of good character and discharge from their former brigade and with the approval of the Board.

Resignations.

170. Officers and members desiring to retire from the membership of their brigade shall send in their resignation in writing to the Board through the brigade.

Members may be Struck off the Roll.

171. Where, without leave or sufficient excuse—

- (a) a probationary or active member fails to comply with any of the provisions of regulation 184 of these regulations;
- (b) a reserve member fails to comply with any of the provisions of regulation 185 of these regulations; or
- (c) a junior member fails to comply with the provisions of regulation 185A of these regulations,

Reg. 171
substituted
by
G.G. 13/4/72,
p. 800.

he may be struck off the register by the Board.

Election of Officers.

172. (a) Every brigade shall meet during the first week in June in each year, and elect by ballot the complement of officers specified in subregulation (1) of regulation 158 of these regulations.

Reg. 172
amended by
G.G. 28/9/60,
p. 2984;
G.G. 12/8/70,
p. 2540.

(b) Each officer elected shall be a registered active member of his brigade.

(c) Officers shall hold office for the term of one year from and including the first day of July next ensuing the annual election.

(d) In the event of an officer resigning or being removed from office; or ceasing to be a member of the brigade during the year, the brigade shall forthwith in meeting fill the vacancy by ballot. The officer elected shall hold office until the ensuing thirtieth day of June.

(e) Brigades may make their own rules or resolutions with regard to the date and method of nominating for the position of officers.

(f) Secretaries of brigades shall, within seven days of such elections report to the Board the result thereof.

Conduct of Members.

173. Officers and members of brigades shall in their intercourse with each other, official or social, observe a courteous demeanour, and officers and members addressing each other shall do so in a respectful manner.

174. While on duty at fires, practices, drills, or parades, the greatest degree of silence compatible with a proper discharge of duty shall be observed, and members shall address officers by their official titles.

175. Officers and members of brigades shall be deemed to be on duty at all times when in uniform; and at fires, alarms of fire, practices, drills, parades or brigade meetings, etc., whether in uniform or plain clothes.

Offences, Punishments and Appeals.

Reg. 176
amended by
G.G. 28/9/60,
p. 2984.

176. (a) The Chief Officer may, on his own initiative or on receipt of a complaint in writing, suspend any officer or member of a brigade.

(b) Any officer or member of a brigade who may be deemed to be guilty of disobedience of orders, insubordination, conduct subversive of discipline, intoxication, abusive or obscene language, or other unseemly conduct when on duty shall within twenty-four hours be reported to the Chief Officer, in writing, by the captain or senior officer, who may suspend such officer or member from duty pending an inquiry or until the Chief Officer at his discretion cancels such suspension. Officers below the rank of captain shall forward their reports in such cases to the captain for transmission to the Chief Officer.

177. The Chief Officer shall be empowered to inquire into all offences contrary to the good order and discipline of the brigade, and take such action as he may consider necessary to meet the case.

178. The Chief Officer shall report all offences and penalties for same to the Board at its next meeting after the offence has been dealt with.

179. Any member may, in writing, appeal to the Board against any penalty inflicted by the Chief Officer, and the Board may affirm, annul, or vary such penalty.

Duties of Officers and Members.

Captain.

Reg. 180
amended by
G.G. 28/9/60,
p. 2984;
G.G.
17/12/69,
p. 4103;
G.G. 13/4/72,
p. 800.

180. The Captain shall—

- (a) enforce discipline and the regulations of the Board;
- (b) take command at fires in the absence of any permanent officer of the Board;
- (c) take command at all brigade practices, drills, and parades;
- (d) be empowered to suspend any officer or member, as provided for in regulation 176 (b);
- (e) see that the officers and members, or any persons employed, do their duty faithfully;
- (f) see that all apparatus, plant, and buildings belonging to the Board or in charge of the brigade are kept clean and in good condition and repair;
- (g) cause regular monthly hydrant inspections to be made within the fire district of the brigade and ensure that details of defective hydrants are reported immediately to the Chief Officer;
- (h) see that a proper audited statement of receipts and payments, together with the bank passbook or bank statement, is presented at each monthly meeting of the brigade;
- (i) inspect brigade uniforms, and report to the Chief Officer thereon; as provided for in regulation 204;
- (j) act in any matter if a senior officer of the Board is not present;

- (k) see that effect is given to the provisions of regulation 192 (1), relative to demonstrations and competitions;
- (l) be responsible for the supervision of the discipline, conduct and training of junior members, enrolled in accordance with these regulations but may cause immediate control over those members to be vested in a senior member.

Foreman.

181. The Foreman shall—

- (a) act with and be under the direction of the captain;
- (b) perform the duties of the captain in his absence;
- (c) where a station-keeper is not provided, take charge of all apparatus and plant and be responsible for its cleanliness, and the good order of the fire station;
- (d) immediately report any defects in the apparatus and plant and buildings to the captain.

Apparatus Officer.

182. The Apparatus Officer shall—

- (a) be subject to the senior officers of the brigade;
- (b) assist the foreman in his duties;
- (c) perform the duties of foreman in his absence.

Secretary.

183. The Secretary shall—

- (a) subject to the control of the Board, have charge of all books, papers, and other documents of the Board that may be in the custody of the brigade;
- (b) attend promptly to all communications received from the Chief Officer or Chief Executive Officer of the Board;
- (c) promptly communicate the directions of the captain or the brigade;
- (d) keep a file containing all inwards correspondence, and copies of all outward official correspondence and requisitions;
- (e) attend all meetings of the brigade and record the minutes thereof;
- (f) issue a receipt, and at the same time make a duplicate by means of carbon paper from the receipt book provided by the Board for that purpose, for all moneys received by or on behalf of the brigade; and be held responsible for all moneys of the Board which may be remitted to the brigade, and deal with brigade funds as provided for in regulation 209.
- (g) (1) At each and every monthly meeting of the brigade—
 - (a) submit a proper income and expenditure account for the month then next preceding the meeting, in a form to be prescribed from time to time by the Board, together with the cash book, the bank pass book written up to date by the bank, the cheque book, vouchers, duplicate receipt books and other documents of the brigade relevant to the said account and necessary to check and verify the same;
 - (b) answer all questions which may be put to him at the meeting relating to the funds and finances of the brigade: Provided that, if in the opinion of the meeting the said account, or the brigade books and documents as submitted therewith, or any answer given by the secretary, is or are unsatisfactory, as indicating some breach of duty on the part of the secretary, the chairman of the meeting shall forthwith

Reg. 183
amended by
G.G. 6/1/66,
p. 13;
G.G. 12/8/70,
p. 2540;
G.G. 13/4/72,
p. 800.

report to the secretary of the Board in writing the matters which are deemed to be unsatisfactory as aforesaid;

- (c) produce all other brigade books and correspondence.
- (2) As and when so requested by the Chief Executive Officer of the Board, prepare and submit a financial statement relating to the funds and finances of the brigade in respect of such period and in respect of such matters as may be required by the Chief Executive Officer of the Board, and together therewith produce to him for inspection such books, vouchers, receipts, and other documents of the brigade as may be relevant to such account and necessary for the purpose of checking and verifying the same.
- (3) Produce the brigade books and correspondence to the captain of the brigade or to any officer of the Board, as and whenever requested so to do by such captain or officer.
- (h) perform to the satisfaction of the Board and the brigade all such duties as may be imposed upon him by the regulations, the Board, or the brigade;
- (i) be under the general direction of the Board in all matters relating to office routine and management;
- (j) be liable to suspension, removal, or dismissal by the Board;
- (k) on his retirement from office, furnish to the Board all returns to the end of the term for which he held office, and hand to his successor all moneys, books, correspondence, or other documents which are the property of the Board;
- (l) furnish to the Board, within the times specified the following returns, forms, and reports:—

Returns, Forms and Reports to be Furnished.

Applications for registration of new junior, probationary, active and reserve members; applications for transfer; applications for leave of absence; resignations of members; requisitions—immediately after being dealt with by the brigade.

Receipts for uniforms issued—immediately after issue.

Invoices for goods supplied or services rendered—immediately after being certified correct.

Reports of fires—within forty-eight (48) hours of the fire.

Reports of election of officers—within seven days of the election.

Return of attendances at fires, practices and hydrant inspections; statement of petty cash expenditure and supporting invoices—within seven days of each quarter ending 31st March, 30th June, 30th September, and 31st December.

Annual return of board and brigade property—on 30th June in each year.

- (m) keep the following books and records, which are and shall remain the property of the Board, viz:—
 - (i) Register of Members—in which shall be entered in ink the full name of every registered member, together with his age, birthplace, occupation, residence, brigade rank, dates of admission to and leaving the brigade, dates of election to and ceasing to be an officer, dates of transfer from one grade to another, dates granted long service awards, and any other relevant information.
 - (ii) Register of Fires—in which shall be entered in ink full particulars of all fires and alarms of fire, together with the names and respective ranks of members in attendance.
 - (iii) Minute Book—in which shall be entered in ink the names of officers and members attending each meeting, and the minutes of resolutions and proceedings thereat.

- (iv) Attendances Book—in which shall be entered in ink the dates of, and the names and respective ranks of members attending, all practices, drills, hydrant inspections, competitions and demonstrations.
- (v) Property Book—in which shall be entered in ink details of all property, showing in separate parts the respective property belonging to the Board and the brigade (including trophies).
- (vi) Cash Book—in which shall be entered in ink details of all brigade receipts and payments, as provided for in regulation 209.
- (vii) Reference File—which shall contain all regulations, the manual book, and general and special circulars issued by the Board.

Probationary and Active Members.

184. Probationary and active members shall—

- (a) upon an alarm of fire proceed promptly with the apparatus and plant to the fire, and immediately on arrival report themselves to the senior officer present;
- (b) perform such duties at fires as may be required of them;
- (c) remain on duty until relieved by orders, which shall be given only by the officer in command;
- (d) where the brigade has no Station-keeper, keep the apparatus and plant and buildings clean and in good order;
- (e) make themselves effective by attending during each half-year not less than two-thirds of the monthly practices and drills held by the brigade in that period.
- (f) attend all brigade meetings unless excused, but attendances at meetings shall not be counted towards the attendances required for effectiveness.

Reg. 184
amended by
G.G. 28/9/60,
p. 2984;
G.G. 13/4/72,
p. 800.

184A. Probationary members shall attend volunteer brigade meetings and may take part in the discussions, but they shall not have the right to vote on motions submitted to the meeting.

Reg. 184A
added by
G.G. 13/4/72,
p. 800.

Reserve Members.

185. Reserve members—

- (a) shall be available for fire calls;
- (b) shall keep themselves proficient in the use of fire extinguishing apparatus and plant by attending periodic drills and lectures, to the satisfaction of the brigade Captain or Chief Officer;
- (c) may attend volunteer brigade meetings and speak and vote on the proceedings at those meetings;
- (d) shall not hold office as an officer of the brigade.

Reg. 185
substituted
by
G.G. 13/4/72,
p. 801.

Junior Members.

185A. Junior members—

- (a) may operate pumps under the strict supervision of a brigade officer;
- (b) shall hold separate meetings, under the supervision of the Captain or officer in charge of the brigade or other officer appointed for the purpose;
- (c) shall not attend fires or participate in brigade practices and drills held for probationary, active or reserve members; and
- (d) shall not travel on a fire fighting appliance.

Reg. 185A
added by
G.G. 13/4/72,
p. 801.

Station-keeper.

186. Where the Board appoints a Station-keeper he shall—

- (a) reside at the fire station if practicable;
- (b) be under the direction of the senior officer present for the time being;
- (c) attend to and be responsible for the cleanliness, good order and condition of the fire station and the fire extinguishing apparatus and plant belonging to the Board or in charge of the brigade;
- (d) receive such remuneration as the Board may determine;
- (e) be liable to suspension, removal, or dismissal by the Board.

Duties at Fires.

Reg. 187
amended by
G.G. 28/9/60,
p. 2985.

187. At fires the senior officer present shall take command until the arrival of his senior. The brigade's duties shall be deemed not to be completed until the fire is properly and effectually extinguished. Officers and members who have been issued with uniforms must on turning out to fires or alarms of fire wear such uniforms when they can do so without causing undue delay in attending.

Roll Call at Fires.

188. On return from a fire or alarm of fire, the officer in command shall cause the roll to be called, and see that full details of same are recorded as provided for in regulation 183 (m), sub-clause (ii). He may exempt officers and members from returning to the fire station for roll call, and may call the roll at the place of the fire or alarm of fire.

Reports of Fires.

Reg. 189
amended by
G.G. 12/8/70,
p. 2540.

189. A report, in the prescribed form, of all fires and alarms of fire, signed by the officer in command, shall be furnished to the Board within forty-eight (48) hours of the fire or alarm of fire. The names and respective ranks of officers and members present thereat shall be recorded in the space provided on the fire report form.

Accidents.

Reg. 190
amended by
G.G. 18/8/44,
p. 705;
G.G.
28/12/51,
p. 3486;
G.G. 12/5/65,
p. 1458;
G.G. 23/8/72,
p. 3231.

190. Any officer or member of a volunteer fire brigade, or any auxiliary fireman who has established a claim with the Board's insurers as if he were a "worker" under the Workers' Compensation Act, 1912-1941¹, and any amendments thereof, by reason of personal injury by accident, arising out of or in the course of his employment shall be entitled to leave of absence from duty, and shall receive, during the period of incapacity, such sum weekly as shall, together with any weekly payment by way of compensation, including child allowance (if any), payable by the Board's insurers as if he were a "worker" under the Workers' Compensation Act, 1912-1941¹, and any amendments thereof, be equal to his weekly wages, but not exceeding the sum of one hundred dollars per week:

Provided that—

- (a) such payments shall not be made for more than thirteen weeks, except by resolution of the Board;
- (b) such payments shall not be continued after the services of any officer or members of a volunteer fire brigade or any auxiliary fireman have been terminated;
- (c) such payments, for a period not exceeding thirteen weeks, shall not be deducted from any payments made under the Second Schedule of the above Act.

¹ Now Workers' Compensation Act, 1912-1970.

Practices.

191. (1) Probationary and active members of each brigade shall be practised in the duties concerning fire extinguishing apparatus and plant, or other drills at least once each calendar month, under the supervision of their officers, and at such other times as the Board, Chief Officer or Captain may direct.

Reg. 191
substituted
by
G.G. 13/4/72,
p. 801.

(2) Reserve members shall attend periodic drills and practices at such times as directed by the brigade Captain or Chief Officer.

(3) A recognised practice shall mean practical work in fire extinction or other drill, for at least three-quarters of an hour.

(4) Each brigade may appoint its own dates for practices.

Demonstrations and Competitions.

192. (1) Brigades shall not at any time attend fire brigades' demonstrations or competitions outside a radius of five miles from their head station without leaving a sufficient number of effective registered members within their respective districts. No portion of the apparatus and plant (with the exception of a competition reel and apparatus) shall be taken to a demonstration or competition without the written consent of the Board. Captains shall be responsible for the observance of this regulation.

Reg 192
amended by
G.G. 19/7/56,
p. 1786;
G.G. 1/5/70,
p. 1231;
G.G. 13/4/72,
p. 801.

(2) The Board may by resolution authorise such expenditure or make such grants as it considers necessary or expedient for the successful conduct of demonstrations and competitions, and, in particular, for all or any of the following purposes, viz.:—

- (a) the transportation of volunteer firemen and their apparatus or plant;
- (b) the purchase of trophies for competition by volunteer fire brigades and firemen, and the allocation of the cost thereof;
- (c) the entertainment of volunteer firemen, and visiting officials and brigades;
- (d) any other matter incidental to the conducting of demonstrations and competitions.

(3) (a) Subject to the provisions of paragraphs (b) and (c) of this subregulation, the Board may by resolution from time to time make grants of money to one or more volunteer fire brigades whom it selects as approved representatives of the State for the purpose of attending demonstrations or competitions outside the State.

(b) If a volunteer fire brigade is so selected by the Board, the Board may make a grant to it of a sum of money not exceeding one hundred dollars (\$100).

(c) If a volunteer fire brigade not so selected makes application for a grant of money to attend demonstrations or competitions outside the State, and if such application is approved by the Board, the Board may make a grant to it of a sum of money not exceeding fifty dollars (\$50). Provided the Board shall not approve of such a grant to more than two volunteer fire brigades attending the same demonstration or competition.

(4) All expenditure incurred by the Board under this regulation shall be charged in the first instance to demonstration costs, and thereafter shall be dealt with in the following manner, namely:—

- (a) Expenditure incurred in connection with the conducting of the annual Volunteer Fire Brigades' Demonstration shall be apportioned equally between all private fire brigades permitted to compete, and all registered volunteer fire brigades eligible to compete, and when so apportioned, shall be charged against the fire district accordingly;
- (b) Expenditure incurred by the Board in connection with fire brigades attending inter-district competitions shall be charged against the fire district of the brigade in relation to which the expenditure was incurred;

- (c) Expenditure incurred by the Board by way of grant to a fire brigade or fire brigades attending demonstrations or competitions outside Western Australia shall be charged against the fire district of the brigade to which the grant was made.

Reg. 192A
added by
G.G. 17/12/69,
p. 4103.
Amended by
G.G. 13/4/72,
p. 801.

192A. Junior members may, with the consent of the Board, compete in junior member events at organized demonstrations and competitions but shall not take part in events in which water is drawn or discharged through hoses or fire appliance pumps.

Uniforms.

Reg. 193
Substituted
by
G.G. 13/4/72,
p. 801-2.

193. (1) The Board shall determine which volunteer brigades shall be eligible for uniform issue.

(2) The uniform supplied by the Board for Officers and active and reserve members of eligible volunteer fire brigades, shall consist of a coat with an arm flash with the brigade name inscribed thereon, and a cap and belt.

(3) Officers and active and reserve members may provide their own summer uniform shirt of a style and pattern approved by the Board, but when on duty may wear that shirt in lieu of the coat only if and when directed by the Board.

(4) Rank insignia and badges for officers shall be as follows:—

Captain—Double Scale Chrome Shoulder Epaulettes worn on coat and Captain's Badge attached to the coat above the right top pocket.

Foreman—Single Scale Chrome Shoulder Epaulettes worn on coat, and Foreman's Badge attached to the coat above the right top pocket.

Apparatus Officer—Apparatus Officer's Badge attached to the coat above the right top pocket.

Secretary—Secretary's badge attached to the coat above the right top pocket.

(5) All officers and active and reserve members of volunteer fire brigades eligible to wear uniform, shall wear an official W.A. Fire Brigades badge on the cap.

(6) Probationary volunteer firemen shall not be issued with uniform.

Reg. 194
substituted
by
G.G. 13/4/72,
p. 802.

194. (1) Junior members shall not be supplied with uniforms by the Board.

(2) The brigade may supply uniforms to junior members the type and design of which, shall from time to time, be determined by the Board.

Reg. 195
substituted
by
G.G. 13/4/72,
p. 802.

195. (1) The uniform and equipment supplied to active and reserve members in accordance with these regulations shall remain the property of the Board.

(2) Any uniform supplied to junior members by a brigade shall remain the property of the brigade.

Reg. 196
amended by
G.G. 13/4/72,
p. 802.

196. Officers and members shall provide their own trousers, which should be of dark blue serge with a strip of scarlet braid five-eighths of an inch wide covering the outside seam, and shall be a minimum of 19 inches and a maximum of 22 inches wide over the instep.

197. Officers and members shall use reasonable care in keeping uniforms clean and in good order.

198. Officers and members shall not lend a uniform or any part of it to any person not in the service.

199. Flowers shall not be worn in coats and tan boots shall not be worn.

200. Officers and members shall not at any time appear dressed partly in uniform and partly in plain clothes, except in cases of emergency at fires.

201. Full uniforms shall be worn at inspections made by the Chief Officer, or any other officer deputed for that purpose by the Board or Chief Officer.

202. Her Majesty the Queen's Fire Brigade Long Service and Good Conduct Medal shall be worn on the left breast of the coat but all other long service awards shall be worn in such manner as is determined from time to time by the Board.

Reg. 202
substituted
by
G.G. 13/4/72,
p. 802

203. Members qualified in ambulance work shall wear their ambulance badge on the left arm.

204. Captains shall during the months of January and July in each year, inspect all uniforms and equipment on issue, and forthwith report to the Chief Officer on the condition thereof, and requisitions for new issues or replacements shall reach the Chief Officer not later than the 28th day of February and 31st day of August in each year.

Reg. 204
substituted
by
G.G. 13/4/72,
p. 802

205. Brigade secretaries shall after checking all uniform issues to members, with store requisition or purchase order, return the appropriate copy, duly signed, to the Chief Executive Officer of the Board.

Reg. 205
substituted
by
G.G. 13/4/72,
p. 802.

206. (1) A member with not less than five years' service as a Captain under the Board, and not less than fifteen years' service in all shall be entitled to retain his Double Scale Chrome Shoulder Epaulettes to be worn on coat and to wear an ex-Captain's Badge above the right top pocket of his coat.

Reg. 206
substituted
by
G.G. 13/4/72,
p. 803.

(2) Service as a junior member shall not be counted as service for the purpose of subregulation (1) of this regulation.

207. Subject to regulation 206, officers and members shall return uniforms and equipment to the Chief Officer or captain, on being requested in writing to do so. If an officer or member fails to comply within seven days of the transmission to him of such request, the brigade shall be liable to a penalty not exceeding \$10 and shall, in addition to the penalty named, be further liable for and shall pay the cost of any article not returned.

Reg. 207
amended by
G.G. 13/4/72,
p. 803.

Long Service Awards.

208. (1) Officers and members of volunteer brigades who have efficiently served in one or more brigades in Western Australia are entitled to awards as follows:—

Reg. 208
substituted
by
G.G. 28/9/60,
p. 2986.
amended by
G.G.
17/12/69,
p. 4103;
G.G. 13/4/72,
p. 803.

- (a) for 5, 15, 30, 40 and 50 years' service, a service star;
 - (b) for 20 years' service, Her Majesty the Queen's Fire Brigade Long Service and Good Conduct Medal.
- (2) For the purposes of this regulation—
- (a) periods of service as an executive officer of the Western Australian Volunteer Fire Brigades Association shall count as service to qualify for awards;
 - (b) periods of service as an officer or member of a volunteer fire brigade in a State other than Western Australia, notwithstanding the provisions of subregulation (1) of this regulation, shall at the discretion of the Board upon production to it of such evidence of that service as it may require, count as service to qualify for awards;
 - (c) where a Probationary Volunteer Fireman is subsequently elevated to Active Volunteer Fireman, his period of service as a Probationary Volunteer Fireman shall count towards long service award entitlements;
 - (d) satisfactory service as a reserve volunteer fireman shall count as an entitlement for long service awards;
 - (e) periods of service as a junior member shall not count as service to qualify for awards.

(3) Upon an officer or member becoming eligible for an award under this regulation, he shall furnish to the Board an application in the prescribed form showing full particulars of service and certified by the captain and the secretary of the brigade, or the president and the secretary of the Association, as the case may require.

Brigade Funds.

Reg. 209
amended by
G.G. 8/2/46,
p. 148;
G.G. 13/4/72,
p. 803.

209. (a) All moneys received by or on behalf of a brigade from any source whatsoever shall be paid into an account in the name of the brigade, to be kept at a savings bank or other bank.

(b) All payments by or on behalf of the brigade shall be made out of such account by means of withdrawal form or cheque (as the case may require) drawn against such account, and signed by the secretary and captain and one other member of the brigade. Each account of \$2 and over owing by the brigade shall be paid by separate cheque, and only in the case of accounts under \$2 shall one cheque be drawn to pay several accounts in cash.

(c) All such receipts and payments shall be recorded in the brigade cash book, as provided for in regulation 183 (m), subclause (vi).

(d) The auditors and secretary shall certify to the correctness of the brigade's funds by signing the certificate incorporated in the quarterly return form to be rendered to the Board.

(e) (i) Each brigade shall appoint two persons (other than the Secretary) to be auditors of the brigade's funds, and shall constantly keep such positions filled.

(ii) The said auditors shall from time to time examine all entries made in the brigade books by the Secretary; and prior to the brigade's monthly meeting check the Secretary's income and expenditure account from the cash book, and the duplicate receipts issued for income and the invoices and vouchers for payment, and verify the balance shown as cash in bank from the bank pass book; and report in writing to the said monthly meeting the result of their audit of the brigade's accounts.

Petty Cash.

Reg. 210
amended by
G.G. 6/1/66,
p. 13;
G.G. 13/4/72,
p. 803.

210. (a) The Board may advance each brigade an amount not exceeding \$2 on any one occasion for the purpose of purchasing minor supplies, and defraying the cost of minor repairs and services.

(b) A requisition shall not be necessary in such cases, but, where practicable invoices shall be obtained for each item of expenditure, and certified as correct.

(c) At the close of each quarter ending 31st March, 30th June, 30th September, and 31st December, the petty cash expenditure form shall be completed, and together with the supporting invoices, forwarded within seven days to the Board.

(d) All expenditure under this regulation shall be subject to the approval of the Board, who may disallow any or all of it.

Gratuities and Allowances.

Reg. 211
amended by
G.G. 28/9/60,
p. 2986;
G.G. 1/5/70,
p. 1231;
G.G. 13/4/72,
p. 803.

211. (a) The Board may pay a gratuity, not exceeding in any one case the sum of one hundred dollars to any member of a brigade or to any other person, in respect of voluntary or special services rendered by such member or person aforesaid in connection with the extinction of fires or saving of life or property at fires or for special services rendered to any brigade.

(b) The Board may, whenever it shall think fit, pay to any volunteer fire brigade for special services rendered at a fire, an allowance of an amount, to be determined by the Board, but not exceeding in any one case the sum of one hundred dollars.

(c) The Board may, whenever it shall think fit, pay to any volunteer fire brigade for its services in fire prevention and fire protection, and in keeping the brigade an efficient force by regular attendances of members

at drills, practices and hydrant inspections, an allowance of an amount to be determined by the Board, but not exceeding in any one case the sum of five hundred and seventy-five dollars in any year.

(d) The Board may, in respect of Volunteer Fire Brigades registered after the 31st day of December, 1955, subsidise those Brigades on a \$1 for \$1 basis to enable competition equipment to be obtained, provided that the total amount paid by the Board to any one Brigade by way of such subsidy does not exceed the sum of three hundred dollars.

Requisitions, Purchase Orders and Invoices.

212. (1) Apparatus, plant, supplies and repairs required by any brigade shall, subject to regulations 210 and 213, be requisitioned for to the Chief Officer. Requisitions shall be sent in only on the authority of a properly constituted meeting of the brigade.

Reg. 212
amended by
G.G. 6/1/66,
p. 13;
G.G. 13/4/72,
p. 803-4.

(2) Stores requisitions shall be submitted (in triplicate) to the Chief Officer for approval.

(3) Purchase orders shall be submitted (in duplicate) to the Chief Officer, and if approved, the original shall be forwarded to the supplying firm, or brigade secretary as the case requires.

(4) The original of the approved stores requisition shall be, wherever possible, returned to the brigade with the stores as a delivery docket and should be signed by the brigade secretary and returned to the Chief Executive Officer as a stores receipt.

(5) When services authorised by a purchase order have been supplied to the satisfaction of the secretary of the brigade, he will certify the purchase order triplicate promptly and forward it to the Chief Executive Officer.

(6) All invoices shall be forwarded promptly to the Chief Executive Officer with completed supporting documents.

Urgent Repairs.

213. Urgent repairs to the Board's property may be effected by the brigade without requisition, provided the cost does not exceed ten dollars. Where the repairs will involve a larger expenditure, a requisition shall be made under regulation 212(2).

Reg. 213
amended by
G.G. 13/4/72,
p. 804.

Brigade Property and Trophies.

214. (1) Any property belonging to a brigade and which has been acquired by subscription, or trophies won, shall vest in two trustees, of whom one shall be appointed by the Board and the other by the brigade.

Reg. 214
substituted
by
p. 2986.
G.G. 28/9/60,

(2) A brigade shall notify the Board of the name of the trustee appointed by it under subregulation (1) of this regulation, and shall also notify the Board of any change of trustee.

(3) A brigade may with the consent of the trustees dispose of such of the property belonging to it as the trustees determine.

PART VIII.—PRIVATE FIRE BRIGADES.

Registration.

215. A private fire brigade may be registered by the Board, subject to the person on whose property the brigade is to operate making written application to the Board and undertaking to give effect to the following conditions, viz.:—

- (i) to reimburse the Board all expenditure and costs of any nature whatsoever incurred by the Board in connection with the brigade;
- (ii) to pay to the Board annually the sum of ten dollars for the Board's administration of the brigade.

Demonstration and Competitions.

216. The Board may permit registered private fire brigades to compete in volunteer fire brigades Demonstrations and Competitions.

Regulations applicable to.

217. The regulations contained in Part VII. hereof relating to volunteer fire brigades shall, as far as is possible be applicable to registered private fire brigades.

Suspension or Termination.

218. The Board may at any time suspend or terminate the registration of a private fire brigade.

PART IX.—MISCELLANEOUS.

Fires Outside District.

219. Whenever occasion requires any portion of a brigade or any of its officers or firemen or apparatus and plant may be directed to proceed or be taken beyond the limits of any district, and from one district to another for the purpose of attending fires.

Fires within Provisions of Section 44.

Reg. 220
amended by
G.G. 13/4/72,
p. 804.

220. In the event of any brigade attending a fire in premises or property to which the provisions of section 44 are applicable, the owner or occupier and, in the case of a vessel, the master and/or agents, shall be liable to pay to the Board an amount, to be determined by the Board, but not exceeding the following maximum scale of fees and charges:—

	For first hour or part thereof and thereafter per hour or part thereof.
Appliances:	\$
Turntable ladder or snorkel	30.00
Pumps, 750 g.p.m. and upwards	27.50
Pumps, 500-749 g.p.m. ..	25.00
Pumps, up to 499 g.p.m.	21.00
Other vehicles	10.20
Equipment:	
Each 100 feet of hose	2.00
Fire extinguishers (2 gallons or 20 pounds)	2.00 each
Knapsack spray ..	plus cost of recharge 2.00
Breathing apparatus:	
Oxygen (per 2 hour set)	8.00
C.A.B.A.	6.00
Manpower:	
Officer-in-Charge	5.00
Other officer	2.75
Firemen	2.75

221. [Revoked by G.G. 12/6/59, p. 1517.]

222. [Revoked by G.G. 12/6/59, p. 1517.]

223. [Revoked by G.G. 12/6/59, p. 1517.]

224. [Revoked by G.G. 12/6/59, p. 1517.]

225. [Revoked by G.G. 12/6/59, p. 1517.]

Certain Places of Entertainment must have Direct Telephonic communication with a Fire Brigade Station.

226. (a) Every owner and/or occupier of any theatre, building, or place in which any entertainment is given and in connection with which scenery is used, or any exhibition of animated pictures is given, and situate within

a fire district shall, on direction to that effect being given in writing by or on behalf of the Board, forthwith effect direct telephonic communication with a fire brigade station; Provided that application may be made to the Board for exemption from the provisions of this regulation, and the Board may grant such exemption subject to such terms and conditions as it may deem fit, in cases where it considers that direct telephonic communication with a fire brigade station is not necessary.

(b) The Board may at any time withdraw such exemption.

(c) The position of the alarm and the number of points in the theatre, building, or other place shall be as directed by the Board from time to time.

Fire Alarms on Private Premises.

227. The Board is hereby authorised to make such provision as it considers proper for the inspection and maintenance of fire alarms installed on private premises, and for that purpose to enter into an agreement with any owner or occupier to inspect and maintain any fire alarm, on payment by such owner or occupier of an annual fee of twenty-five dollars, or such other sum as may be from time to time prescribed, and on such other terms as may be mutually agreed on between the Board and any such owner or occupier.

Reg. 227
amended by
G.G. 22/4/66,
p. 967;
G.G.
16/12/71,
p. 5249.

Inflammable Matter.

228. No person shall, on the roof, in the basement, or in any other part of any building or in any light area or in close proximity to any building in any fire district to which the Act applies, store any inflammable matter of such nature and in such manner, position, or quantity as may be or cause or be likely to become either directly or indirectly a danger by fire to life or property:

Provided that this regulation shall not apply to the storage of any inflammable matter which is stored in a manner prescribed or permitted by law.

229. (a) The owner and/or occupier of any yard or vacant land situate in any fire district to which the Act applies shall cause such yard or vacant land to be kept at all times free of inflammable matter (including trees, crops, grasses, and weeds) of any nature or quantity which may be, or cause, or be likely to become, either directly or indirectly a danger by fire to life or property.

(b) For the purposes of this regulation:—

“Owner” means the person for the time being receiving or entitled to receive the rents and profits of land, whether on his own account or as agent, trustee, or attorney for another person or who, if the land were let to a tenant at a rent, would be entitled to receive the rent as aforesaid.

“Occupier” means the inhabitant occupier of any land or, if there is no inhabitant occupier, the person entitled to possession thereof.

“Person” includes any body of persons corporate or unincorporate.

230. [*Revoked by G.G. 28/9/60 p. 2986.*]

Return and Declaration of Contribution Numerator.

231. (1) The annual return of, and declaration verifying, the contribution numerator of an insurance company, pursuant to section 39 of the Fire Brigades Act, 1942, shall be in the form set out in the Third Appendix to these regulations.

(2) The declaration prescribed by this regulation shall be made by the manager, secretary or agent of the insurance company or other officer performing those duties and, where under the provisions of section 39 (5) of the Fire Brigades Act, 1942, a person is constituted an insurance company, the declaration shall be made by that person.

Reg. 231
added by
G.G. 19/2/64,
p. 678.

FIRST APPENDIX.

Part I.

WESTERN AUSTRALIAN FIRE BRIGADES BOARD.

Issue of Debenture of \$.....

No.....

1. In consideration of the (hereinafter called "the Bank") having agreed to allow the Western Australian Fire Brigades Board (hereinafter called "the Board") to overdraw its account with the Bank to an amount not exceeding \$....., the Board hereby undertakes that it will on demand pay to the Bank all such sums as are now or shall from time to time hereafter become owing to the Bank from the Board on the balance of its current account with the Bank whether in respect of moneys advanced or paid to or for the use of the Board or charges incurred on its own account or in respect of negotiable instruments drawn, accepted, or indorsed by or on behalf of the Board and discounted or paid or held by the Bank either at the Board's request or in the course of business or otherwise or in respect of moneys which the Board shall become liable to pay to the Bank in any manner whatsoever and whether any such moneys shall be paid to or incurred on behalf of the Board alone or jointly with any other person or corporation together with the usual interest, commission, and lawful Bank charges.

2. The Board will in the meantime until such demand pay to the Bank interest for the balance for the time being owing by the Board to the Bank at the rate of..... per centum per annum by equal half-yearly payments on every day of and day of in each year. The first of such payments to be made on the day of

3. The Board hereby charges with such payments its property and revenue, whether accrued or to accrue.

4. The principal moneys hereby secured shall become immediately repayable on demand being made by the Bank.

5. The Board may at any time give notice in writing to the Bank of its intention to pay off the said debenture, and at the expiration of one calendar month from the time of such notice being given the principal moneys hereby secured shall become payable.

6. At any time after the Board has made default in payment of the principal moneys hereby secured the Bank may proceed to exercise its powers under section 46, subsection (8), of the Fire Brigades Act, 1942, and its amendments.

Part II.

MEMORANDUM of Agreement made the day of one thousand nine hundred and between the Western Australian Fire Brigades Board (hereinafter called "the Board"), of the one part, and (hereinafter called "the Bank"), of the other part.

Whereas the Board has for the purpose of its business a current account with the Bank:

And whereas the Board has applied to the Bank to allow it to overdraw such account to an amount not exceeding \$..... which the Bank has agreed to do upon delivery by the Board to the Bank of a debenture in the annexed form duly executed to secure such overdraft for the time being:

Now therefore it is agreed and declared as follows:—

1. The said debenture is a standing security with the Bank for payment of the final balance on the said current account including therein all usual and accustomed banker's charges and commissions together with interest on such final balance until payment at the current bank rate of interest ruling from time to time.

2. For the purposes hereof the final balance aforesaid means such sums as upon the closing at any time of the current account of the Board by either party shall be found due thereunder to the Bank and accordingly payments to the credit of the account so long as the same shall be current shall not be deemed to be made in or towards discharge of the said debenture.

3. The Board hereby declares that there is no mortgage or charge upon its property having priority to or ranking *pari passu* with the said debenture (save and except as the case may be), and the Board will not at any time during the continuance of this security create any mortgage or charge ranking or which can by any means be made to rank in priority to or *pari passu* with the said debenture (save as aforesaid).

In witness whereof the Common Seals of the parties were hereunto affixed the day and year first before written.

SECOND APPENDIX.

Part 1.

NOMINATION PAPER FOR USE BY INSURANCE COMPANIES.

I.....acting for and on behalf of the
(insert name and official position)

.....Insurance Company hereby
nominate the following candidates for election as members of the
Western Australian Fire Brigades Board to represent the Insurance
Companies in accordance with the provisions of the Fire Brigades Act,
1942.

.....
.....
.....
(insert description of candidates)

.....
(signature of proposer)

I consent to this nomination

.....
.....
.....
(signatures of candidates)

Part 2.

NOMINATION PAPER FOR USE BY LOCAL AUTHORITIES.

THE Council of the Municipality of.....hereby
Board Road District
nominates.....as a
(insert description of candidate)

candidate for election as a member of the Western Australian Fire
Brigades Board to represent the Municipal and Road Board Fire Districts
included in Part.....of the Second Schedule to the Fire Brigades Act,
1942.

.....
(signature of Mayor or Chairman)

.....
(signature of Town Clerk or Secretary)

I consent to this nomination.....
(signature of candidate)

Second
Appendix
amended by
G.G. 1/4/60,
p. 981.

Part 3.

NOMINATION PAPER FOR USE BY VOLUNTEER FIRE BRIGADES.

THE Volunteer Fire Brigade
hereby nominates

(insert description of candidate)

as a candidate for election as a member of the Western Australian Fire Brigades Board to represent the Volunteer Fire Brigades in accordance with the provisions of the Fire Brigades Act, 1942.

(signature of Captain)

(signature of secretary)

I consent to this nomination

(signature of candidate)

Part 4.

WESTERN AUSTRALIAN FIRE BRIGADES BOARD.

Election of Members.

VOTING PAPER.

A

B

(i) The voter shall mark the voting paper by placing the numeral "1" opposite the name of the candidate for whom he votes as his first preference, and shall give contingent votes for all the remaining candidates by placing the numerals "2", "3", and so on (as the case requires) opposite their names so as to indicate by such numerical sequence the order of preference.

(ii) Any voting paper which is not marked as specified in paragraph (i) shall be informal.

(iii) The voter shall not place any signature or other mark of identification on the voting paper.

(iv) Having marked his voting paper, the voter shall gum the top of the paper down so that the letters AB and AB at the top and bottom meet, and place it in the accompanying envelope addressed to the Returning Officer.

(v) The declaration must be signed before a witness and must not be detached from the voting paper.

(va) Where a declaration has to be completed by a local authority or volunteer fire brigade the declaration must be signed by the Chairman and other person in the presence of each other at the meeting at which the resolution was passed.

(vi) All voting papers received by the Returning Officer not later than 12 o'clock noon on the day of 19 shall be counted in the ballot.

Vote
in this
Column

List of Candidates.

A

B

DECLARATION FOR INSURANCE COMPANY.

I, the undersigned, declare that this voting paper has been completed on behalf of the

Insert name of the Insurance Company.

Signature

Official position

Signature of Witness

Address

Date

DECLARATION (for Local Authority or Volunteer Fire Brigade).

I, the undersigned, declare that this voting paper has been completed in accordance with a resolution of the

.....
Insert name of the Local Authority or Volunteer Fire
Brigade, as the case may be.

Passed at a ordinary* meeting of the Authority.*
special* Brigade.*

Signature.....
Chairman.....

Signature of Witness.....

Address.....

Date.....

* Strike out the word not applicable.

Part 5.

Fire Brigades Act, 1942-1972.

Reg. 43A.

Part 5
added by
G.G. 1/4/60,
p. 981.

APPLICATION FOR DETERMINATION OF QUESTION OR
DISPUTE CONCERNING AN ELECTION.

I,, of, (Full Name.)
in the State of Western Australia,, (Address.)
claiming that a question or dispute arises as to the regularity or validity (Address.)
of the election specified hereunder, or the voting at the election, hereby (Occupation.)
apply that the question or dispute be determined by a stipendiary magis-
trate in accordance with the provisions of the Fire Brigades Act, 1942 (as
amended) and the regulations made thereunder.

Particulars of the alleged irregularity or invalidity and the facts on
which I rely to support this application are set out hereunder.

Particulars of Election.

Date on which election held.....

Date of completion of election (if completed).....

Name and address of returning officer.....

Purpose for which election held.....

Names of bodies entitled to vote at the election.....

Particulars of Alleged Irregularity or Invalidity.

(Set out in the particulars in numbered paragraphs.)

Facts Relied on.

(Set out in numbered paragraphs the facts relied on in
support of this application.)

Dated at..... this.....
day of, 19.....

Applicant.

Note.—This application must be lodged in duplicate with the Return-
ing Officer.

Part 6
added by
G.G. 1/4/60,
p. 981.

Part 6.

Reg. 43C.

Fire Brigades Act, 1942-1972.

SUMMONS.

To.....
of....., in the State of Western
Australia.

(Name of
Applicant.)
(Address of
Applicant)

WHEREAS it is alleged that a question or dispute has arisen as to the regularity or validity of the election specified hereunder, or the voting at such election and..... of..... in the said State has made application that the question or dispute be determined in accordance with the provisions of the Fire Brigades Act, 1942 (as amended) and the regulations made thereunder:

Now, therefore, take notice that you are hereby required to appear at....., in the said State, on the..... day of....., 19....., at..... o'clock in the..... noon, before me, the undersigned stipendiary magistrate, when I shall proceed to determine the question or dispute.

And further take notice that in default of your appearance as aforesaid, the application may be heard and the question or dispute be determined, your absence notwithstanding.

Particulars of Election.

Date on which election held.....

Date of completion of election (if completed).....

Name and address of returning officer.....

Purpose for which election held.....

Names of bodies entitled to vote at election.....

Given under my hand at.....
in the said State, this..... day of..... 19.....

Stipendiary Magistrate.

Third
appendix.

Added by
G.G. 19/2/64,
p. 678-9,
substituted
by
G.G. 16/4/64,
p. 1936.

THIRD APPENDIX.

Fire Brigades Act, 1942.

RETURN AND DECLARATION BY INSURANCE COMPANY.

(Pursuant to Section 39.)

STATUTORY DECLARATION.

I (1)....., of (2)....., do solemnly and sincerely declare that:—

1. I am the (3)..... of (4)..... the registered office of which is situated at (5).....
2. The said company is carrying on the business of insurance (6) (is constituted an insurance company under the provisions of section 39 (5) of the Fire Brigades Act, 1942).

3. To the best of my knowledge, information and belief the contribution numerator of the said company for the twelve months ended....., 19....., is \$.....

And I make this solemn declaration under, and by virtue of, section 106 of the Evidence Act, 1906 (7).

Declared at.....in the State of }
.....this.....day of }
....., 19..... }

Before me.....
Justice of the Peace or Commissioner
for Declarations.

- (1) Full name of declarant. (2) Address and description of declarant. (3) Office held by declarant with insurance company. (4) Corporate name or registered business name of insurance company. (5) Address of registered office. (6) Strike out the portion of this clause that the circumstances require. (7) Where this declaration is made at a place outside the State of Western Australia, this clause must be varied to conform with the law of that place.

FIRE BRIGADES ACT, 1942.

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