

Act No. 45, 1906.

CARELESS USE OF
FIRE (AMENDMENT).
—
An Act to amend the Careless Use of Fire Act,
1901, and for other purposes. [19th Decem-
ber, 1906.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title and
construction.

1. This Act may be cited as the "Careless Use of Fire (Amendment) Act, 1906," and shall be construed with the Careless Use of Fire Act, 1901, hereinafter called the Principal Act.

Amendment of
section 2 of
Principal Act.

2. Section two of the Principal Act is amended by substituting therefor the following provision:—"Whosoever ignites or uses or carries when ignited any inflammable material within one hundred yards of any stacks of corn, pulse, or hay or standing crops in an inflammable condition, or within ten yards of any growing crops, stubble-field, or grass land (the grass being in an inflammable condition), or within twenty-five yards of felled timber awaiting a running fire whereby the property of any other person is endangered, injured, or destroyed, shall for every such offence be liable to a penalty not exceeding fifty pounds or to be imprisoned with or without hard labour for any period not exceeding three months."

Amendment of
section 3 of Principal
Act.

3. Section three of the Principal Act is amended by inserting after the word "leaves," where it occurs in that section, the words "whether temporarily or otherwise," and by omitting the words "ten" and "one month," and substituting in lieu thereof the words "fifty" and "six months" respectively.

Amendment of
section 4 of
Principal Act.

4. (1) Section four, paragraph (a), of the Principal Act, is amended by inserting after the words "the occupier of any land may" the

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the words "except during the months which may be prescribed for any locality by regulations," and by omitting the words "fifteen feet in breadth" and inserting in lieu thereof the words "such distance as may be prescribed by regulations which the Colonial Secretary is authorised to make on the recommendation of the municipality or shire in which the land is situate, and until such regulations are so made, of not less than sixty-six feet in breadth."

(2) Paragraph (b) of the same section is amended by inserting after the word "may" the words "except during the months prescribed by regulation," and by omitting the words "seven o'clock in the forenoon and nine o'clock in the afternoon," and inserting in lieu thereof the words "five o'clock in the afternoon, and four o'clock in the forenoon."

5. (1) Section five, subsection one, of the Principal Act is amended by omitting the words "fifteen feet," and inserting in lieu thereof the words "twenty feet." Amendment of section 5 of Principal Act.

(2) The same subsection is further amended by inserting at the end of the subsection the words "or within such extended time as may be allowed by a stipendiary or police magistrate on application made to him in a summary way: Provided that reasonable notice of any such application shall be given to the occupier who has cleared his land."

(3) Section five, subsection two, of the Principal Act is amended by inserting after the word "month," where it occurs in that subsection, the words "or such extended time."

6. (1) The Chief Secretary may make regulations prescribing— Regulations.

(a) the manner of mixing and the use of phosphorous baits for poisoning rabbits;

(b) the persons who may sell such baits;

(c) for the burning of fire-breaks on railway lands,

and generally to carry out the provisions of this and the Principal Act, and may, in such regulations, impose any penalty not exceeding twenty pounds for any breach thereof.

(2) Every such regulation shall, upon approval of the Governor and notification in the Gazette, have the force of law, and shall be laid before Parliament within fourteen days after such notification if Parliament be then sitting, and if not, then within fourteen days after the commencement of the next ensuing session.

7. The Governor, by proclamation in the Gazette, may prohibit in any specified locality the sale, offering for sale, distribution, or use of any matches other than those so made as to strike only on a preparation affixed to the containing box, or a box containing the same description of matches. Sale, distribution, or use of matches.

Any person who sells, offers for sale, distributes, or uses any matches in contravention of such proclamation shall be liable to a penalty not exceeding ten pounds.