

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1922.

A BILL

To amend the Careless Use of Fire Act, 1912, and certain other Acts; and for purposes connected therewith.

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:—

1. This Act may be cited as the "Careless Use of Short title. Fire (Amendment) Act, 1922," and shall be read and construed with the Careless Use of Fire Act, 1912.

Careless Use of Fire (Amendment).

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2. Section four of the Careless Use of Fire Act, 1912, is amended—

Amendment
of s. 4 of
Careless Use
Fire Act,
1912.

(1) in paragraph (a), by omitting,—

(i) the words “except during the months which may be prescribed for any locality by regulations,” and

(ii) the words “of not less than 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”;

(2) in paragraph (b), by omitting the words “except during the months prescribed by regulations.”

3. The following section is inserted next after section four of the Careless Use of Fire Act :—

Amendment of
Careless Use of
Fire Act.
New s. 4A.

4A. (1) The Governor may, on the recommendation of the council of any area, make regulations absolutely prohibiting or prohibiting subject to such conditions or exemptions as he, on the recommendation of such council, may impose or allow, the burning during such months of each year as are specified in such regulations, of any straw, stubble, grass, or herbage, or the ignition during such months of any wood or other inflammable material in such area, or in any specified part thereof.

Regulations:
in lieu of s. 4.

(2) The Governor may, in any such regulations, impose a penalty not exceeding *fifty* pounds for any breach thereof.

(3) Where regulations under this section have been made for any area, or part thereof, the operation of section four of this Act shall, in such area or part thereof, and during the months of each year specified as aforesaid in such regulations, be suspended.

(4) For the purposes of this section the word “area” means a city, municipality, or shire constituted or continued under the Local Government Act, 1919.

4.

4. Section seven of the Careless Use of Fire Act, 1912, is omitted, and the following section is inserted in lieu thereof:—

Amendment of
Careless Use of
Fire Act, 1912.
Substituted s. 7.

7. (1) The Governor may make regulations pre-
scribing—

Regulations.

- (a) the manner of mixing and the use of phosphorous baits for poisoning rabbits ;
- (b) the persons who may sell such baits ;
- (c) the burning of fire-breaks on railway lands ;
- (d) the use of appliances on, and the precautionary methods to be adopted by persons driving or controlling—
 - (i) a traction engine ; or
 - (ii) an engine used for any agricultural purpose, and in which wood or coal fuel is burned,

in order to prevent the escape of sparks from any such engines ;

- (e) generally for carrying out the provisions of this Act.

(2) The Governor may in any such regulations impose a penalty not exceeding *twenty* pounds for any breach thereof.

(3) All regulations made under any section of this Act shall—

- (i) be published in the Gazette ;
- (ii) take effect from the date of publication, or from a later date to be specified in such regulations ; and
- (iii) be laid before both Houses of Parliament within fourteen days after publication, if Parliament is in session, and if not, then within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House, disallowing any regulation, such regulation shall thereupon cease to have effect.