

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1911.

A BILL

To amend the Acts relating to fire brigades ; and for purposes consequent thereon and incidental thereto.

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 "Fire Brigades Amendment Act, 1911," and shall be construed with the Fire Brigades Act, 1909, hereinafter referred to as the Principal Act and the Fire Brigades Amendment Act, 1910. Short title.

2. In this Act, unless the context otherwise indicates,— Definition.
"Commissioner" means the Commissioner for Fire Brigades appointed under this Act.

"Minister" means the Colonial Secretary.

3.

3. The Board of Fire Commissioners of New South Wales, ^{Dissolution of Board.} constituted under the provisions of the Principal Act, is hereby dissolved, and the powers, duties, and authorities of such board are vested in the Minister.

4. For the purposes of carrying out the above provision, and ^{Amendments of Principal Act.} for purposes relating thereto, the Principal Act is amended as follows :—

- (a) Sections seven, eight, nine, ten, eleven, and twelve are repealed.
- (b) The expressions “the board,” “the board, with the consent of the Minister,” and “the board, with the consent of the Governor,” shall be read as “the Minister.”
- (c) In sections four and twenty-two the expression “the Governor, on the recommendation of the board” is amended by omitting the words “on the recommendation of the board.”
- (d) The words “they,” “them,” and “their,” when they relate to the board, shall be read “he,” “him,” and “his.”
- (e) In section five the definition of “Board” is repealed.
- (f) Subsection two of section nineteen is repealed and the following subsection substituted therefor :—

“ (2) The Minister shall in each year cause a report of the operations of the Fire Brigades Department to be prepared. A copy of such report shall be laid by him before Parliament.”

- (g) Section twenty-one is amended by omitting paragraph (a).
- (h) Section twenty-seven is amended—
 - (i) by omitting the words “the board constituted by this Act” and substituting therefor the words “the Minister”; and
 - (ii) by omitting the second and third paragraphs and substituting therefor the following :—

“ Subject to the above provisions, the Governor shall appoint the chief officer and all other officers and members of the permanent fire brigades.

“ All such officers and members shall be deemed to have been and to be appointed under the provisions of the Public Service Acts.

“ All salaries shall be fixed in accordance with the provisions of those Acts, but shall be paid out of the fund.

“ The Minister shall appoint the officers and members of the volunteer fire brigades, and shall decide what emoluments, if any, shall be paid to them.

“ Such emoluments shall be paid out of the fund.”

- (i) In section thirty-four subsection one, after the word “Minister” the word “and” is omitted.
- (j) Section forty-three is repealed and the following section substituted therefor :—

“ 43. The production of a copy of the Gazette containing any by-laws purporting to have been made and approved under this Act shall be conclusive evidence that such by-laws were so made and approved, and of the terms of those by-laws.”

(k)

Fire Brigades Amendment.

(k) Section fifty-three is amended—

- (i) by omitting the words “any member of the board” and substituting therefor the words “the commissioner”; and
- (ii) by omitting “of the board” where secondly occurring; and
- (iii) by omitting “such member” and substituting therefor “the commissioner”

5. (1) The Governor may appoint a Commissioner for Fire Brigades to hold office for any period not exceeding seven years.

At the end of any such period he shall be eligible to be so appointed for any further term the Governor may think fit.

(2) His duties shall be to have, under the Minister, general control of the administration of the Principal Act and any Act amending the same.

(3) The Minister, may by writing, delegate any of the powers conferred on him by this Act to the Commissioner for such term and under such conditions as may be specified in the written delegation.

The Minister may at any time revoke or alter the terms and conditions of such delegation.

6. (1) The Governor may appoint a board to be known as the “Advisory Board” to advise the Minister upon such matters as the Minister may refer to them.

(2) The Board shall be constituted as follows :—

The Commissioner.

The Lord Mayor of Sydney.

The Chairman for the time being of the Fire Underwriters’ Association of New South Wales.

(3) The Advisory Board shall at least once in each year prepare a report for the Minister upon matters falling under the Fire Brigades Acts and may be called together at such times as the Minister may appoint.

(4) The members of such board, other than the Commissioner, may be remunerated by fees to be fixed by the Minister.

7. (1) The Commissioner may by writing certify at the commencement of each year that a fire district is adequately equipped with stations, fire-engines and appliances, and fully manned with corps of firemen.

(2) The Governor may exempt any fire district so certified from the provisions of the Fire Brigades Acts for the year to which the certificate applies.

(3) Before the Commissioner issues any such certificate he shall be satisfied that the fire district in question is under no liability to the fund.

