

## LOCAL GOVERNMENT (BUSH FIRES) AMENDMENT BILL.

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*SCHEDULE of the Amendments referred to in Message of 1st December, 1932.*

Page 3, clause 2, line 39. *Omit "two" insert "ten"*

Page 4, clause 2, lines 24 to 26. *Omit all words on these lines insert "stated in the notice, appeal to the nearest court of petty sessions against such direction"*

Page 4, clause 2, line 29. *Omit "judge" insert "court"*

Page 4, clause 2, line 36. *Omit "judge" insert "court"*

Page 4, clause 2, lines 37 to 39. *Omit all words on these lines insert "Any order for the payment of costs made by a court of petty sessions under this subsection shall operate as an order for the payment of money under the Small Debts Recovery Act, 1912, and be enforceable as such under the provisions of that Act."*

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*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
Legislative Assembly Chamber,  
Sydney, 30 November, 1932.

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

C. H. H. CALVERT,  
*Clerk of the Parliaments.*  
Legislative Council Chamber,  
Sydney 1st December, 1932.

## New South Wales.



ANNO VICESIMO TERTIO

## GEORGII V REGIS.

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Act No. , 1932.

An Act to confer on councils of shires and municipalities further powers for the prevention and mitigation of bush fires; to amend the Local Government Act, 1919, and the Bush Fires Act, 1930; 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  
5 the same, as follows:—

1. This Act may be cited as the “Local Government Short title,  
(Bush Fires) Amendment Act, 1932.”

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2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Local Government (Bush Fires) Amendment.*

2. (1) The Local Government Act, 1919, as amended Amendment of Act No. 41, 1919.  
by subsequent Acts, is amended—

(a) by omitting the subsections of section four Sec. 494.  
hundred and ninety-four inserted by paragraph (Fires, etc.)

5 (a) of section four of the Bush Fires Act, 1930,  
and by inserting in lieu thereof the following  
new subsections:—

10 (4) (a) The council may authorise such per-  
son (in this section referred to as the bush-fire  
brigade captain) as it thinks proper to control  
and manage any bush-fire brigade or section  
thereof organised by the council in pursuance  
15 of this section, and may authorise any person  
(in this section referred to as the deputy bush-  
fire brigade captain) to act in the place of such  
bush-fire brigade captain during such time as he  
is prevented by absence, illness, or otherwise  
from exercising any power or carrying out any  
duty under this section.

20 (b) The bush-fire brigade captain, deputy  
bush-fire brigade captain, or any member of a  
bush-fire brigade shall not merely by reason of  
the authority granted him to exercise any powers  
or carry out any duties under this section be  
25 deemed to be a servant of the council.

(c) The exercise of the powers conferred  
upon the bush-fire brigade captain, or deputy  
bush-fire brigade captain, under this section,  
shall be subject to the provisions of any ordi-  
30 nance made in that behalf, and to any directions  
(not being inconsistent with any such ordinance)  
given by the council.

35 (5) In any area or in any part of any area cf. Act No. 9, 1909, s. 29.  
which is not within a fire district constituted  
under the Fire Brigades Act, 1909-1927, the  
council, the bush-fire brigade captain, or the  
deputy bush-fire brigade captain, may destroy  
or remove or cause to be destroyed or removed  
any buildings, fences, or structures or any living  
or



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*Local Government (Bush Fires) Amendment.*

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or dead vegetation, and may use or direct to be used any water where such destruction, removal, or use is advisable or in its or his opinion is advisable to protect life or property from any existing or imminent danger from a bush-fire.

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(6) (a) The Careless Use of Fire Act, 1912, as amended by subsequent Acts, shall not apply to, nor shall any right of action lie against, the council, the bush-fire brigade captain, or the deputy bush-fire brigade captain, or against any member of a bush-fire brigade or any person acting under the direction of such captain or deputy captain, in respect of anything done bona fide under and for the purposes of this section.

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(b) Any damage to property caused by any person purporting bona fide to exercise any power conferred or to perform any duty imposed on him by or under this section shall be deemed to be a damage by fire within the meaning of any policy of insurance against fire covering the property so damaged.

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(7) (a) The authority of the bush-fire brigade captain, or deputy bush-fire brigade captain, shall be recognised by all officers and members of the police force and other persons. It shall be the duty of officers and members of the police force to support the authority of such captain or deputy captain and to assist him and any person acting under his direction in enforcing compliance with any directions given in pursuance of this section or in pursuance of any ordinance.

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(b) Any person who obstructs any bush-fire brigade captain, or deputy bush-fire brigade captain or person acting under his directions, in the lawful exercise of his powers under this section shall be liable to a penalty not exceeding two ten pounds.

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cf. Act No. 9,  
1909, s. 32.

cf. Act No. 9,  
1909, s. 31.

See s. 635;  
cf. also Act  
No. 9, 1909,  
s. 46.

(c)



*Local Government (Bush Fires) Amendment.*

(c) In case of emergency the bush-fire brigade captain, or deputy bush-fire brigade captain or any person acting under his direction, may exercise his powers and enforce the provisions of this section in any area or part thereof.

cf. Act No. 9,  
1909, s. 20  
(f).

(8) Nothing in this section shall be construed as taking away any right of action or other remedy, whether civil or criminal, which any person may have in respect of any loss or damage occasioned by fire or for any trespass committed.

cf. Bush Fires  
Act, 1913  
(S.A.), s. 25;  
also Rural  
Fires Act  
(Qld.), s. 26.

(b) by omitting subsection one of section four hundred and ninety-five and by inserting in lieu thereof the following subsection:—

Sec. 495.  
(Fire-breaks.)

(1) The council may direct the owner or occupier of any land to make and maintain thereon fire-breaks at such places and of such kinds and dimensions as may be specified in such direction, and such owner or occupier shall comply with such direction within the time stated therein.

Such owner or occupier may, within the time and in the manner prescribed by rules of court, appeal to a district court judge having jurisdiction within the area against such direction: **stated in the notice, appeal to the nearest court of petty sessions against such direction.**

Such judge court may determine whether the direction of the council is reasonable in all the circumstances of the case, and whether it shall or shall not be carried out either in its entirety or with modifications, or may extend the time within which anything is to be done.

The costs of the appeal shall be in the discretion of the judge court.

If costs are awarded they may be recovered in like manner to costs awarded in a judgment of the district court.

Any order for the payment of costs made by a court of petty sessions under this subsection shall operate as an order for the payment of money under the Small Debts Recovery Act, 1912, and be enforceable as such under the provisions of that Act.

(c)



*Local Government (Bush Fires) Amendment.*

(c) by omitting paragraph (s) of section five hundred and thirteen and by inserting in lieu thereof the following new paragraphs:—

Sec. 513.  
(Ordinances.)

5

(s) prescribing the powers and duties of bush-fire brigade captains and all matters and things which may be necessary or convenient for enforcing the authority of such captain;

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(t) prescribing all matters or things which may be necessary for carrying out the objects and provisions of section four hundred and ninety-four of the Act.

cf. Rural  
Fires Act  
(Qld.), s. 29  
(1).

(2) The Bush Fires Act, 1930, is amended by omitting paragraph (a) of section four.

Amendment  
of Act  
No. 14, 1930.



Local Government (Bastard)

- (1) In the case of a person who is a member of the local government, the local government shall have the right to remove him from office if he is found to be incompetent or incapable of performing his duties.
- (2) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.
- (3) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.
- (4) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.
- (5) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.
- (6) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.
- (7) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.
- (8) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.
- (9) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.
- (10) The local government shall have the right to remove any person who is a member of the local government if he is found to be incompetent or incapable of performing his duties.







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*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 30 November, 1932.*

## New South Wales.



ANNO VICESIMO TERTIO

## GEORGII V REGIS.

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Act No. , 1932.

An Act to confer on councils of shires and municipalities further powers for the prevention and mitigation of bush fires; to amend the Local Government Act, 1919, and the Bush Fires Act, 1930; and for purposes connected therewith.

**B**E 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  
5 the same, as follows:—

1. This Act may be cited as the "Local Government Short title.  
(Bush Fires) Amendment Act, 1932."



*Local Government (Bush Fires) Amendment.*

2. (1) The Local Government Act, 1919, as amended by subsequent Acts, is amended—

Amendment of  
Act No. 41,  
1919.

(a) by omitting the subsections of section four hundred and ninety-four inserted by paragraph (a) of section four of the Bush Fires Act, 1930, and by inserting in lieu thereof the following new subsections:—

Sec. 494.

(Fires, etc.)

(4) (a) The council may authorise such person (in this section referred to as the bush-fire brigade captain) as it thinks proper to control and manage any bush-fire brigade or section thereof organised by the council in pursuance of this section, and may authorise any person (in this section referred to as the deputy bush-fire brigade captain) to act in the place of such bush-fire brigade captain during such time as he is prevented by absence, illness, or otherwise from exercising any power or carrying out any duty under this section.

(b) The bush-fire brigade captain, deputy bush-fire brigade captain, or any member of a bush-fire brigade shall not merely by reason of the authority granted him to exercise any powers or carry out any duties under this section be deemed to be a servant of the council.

(c) The exercise of the powers conferred upon the bush-fire brigade captain, or deputy bush-fire brigade captain, under this section, shall be subject to the provisions of any ordinance made in that behalf, and to any directions (not being inconsistent with any such ordinance) given by the council.

(5) In any area or in any part of any area which is not within a fire district constituted under the Fire Brigades Act, 1909-1927, the council, the bush-fire brigade captain, or the deputy bush-fire brigade captain, may destroy or remove or cause to be destroyed or removed any buildings, fences, or structures or any living

cf. Act No. 9,  
1909, s. 29.

or



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*Local Government (Bush Fires) Amendment.*

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or dead vegetation, and may use or direct to be used any water where such destruction, removal, or use is advisable or in its or his opinion is advisable to protect life or property from any existing or imminent danger from a bush-fire.

(6) (a) The Careless Use of Fire Act, 1912, as amended by subsequent Acts, shall not apply to, nor shall any right of action lie against, the council, the bush-fire brigade captain, or the deputy bush-fire brigade captain, or against any member of a bush-fire brigade or any person acting under the direction of such captain or deputy captain, in respect of anything done bona fide under and for the purposes of this section.

(b) Any damage to property caused by any person purporting bona fide to exercise any power conferred or to perform any duty imposed on him by or under this section shall be deemed to be a damage by fire within the meaning of any policy of insurance against fire covering the property so damaged. cf. Act No. 9, 1909, s. 32.

(7) (a) The authority of the bush-fire brigade captain, or deputy bush-fire brigade captain, shall be recognised by all officers and members of the police force and other persons. It shall be the duty of officers and members of the police force to support the authority of such captain or deputy captain and to assist him and any person acting under his direction in enforcing compliance with any directions given in pursuance of this section or in pursuance of any ordinance. cf. Act No. 9, 1909, s. 31.

(b) Any person who obstructs any bush-fire brigade captain, or deputy bush-fire brigade captain or person acting under his directions, in the lawful exercise of his powers under this section shall be liable to a penalty not exceeding two pounds. See s. 635; cf. also Act No. 9, 1909, s. 46.

(c)



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*Local Government (Bush Fires) Amendment.*

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(c) In case of emergency the bush-fire brigade captain, or deputy bush-fire brigade captain or any person acting under his direction, may exercise his powers and enforce the provisions of this section in any area or part thereof.

cf. Act No. 9,  
1909, s. 20  
(f).

(8) Nothing in this section shall be construed as taking away any right of action or other remedy, whether civil or criminal, which any person may have in respect of any loss or damage occasioned by fire or for any trespass committed.

cf. Bush Fires  
Act, 1913  
(S.A.), s. 25;  
also Rural  
Fires Act  
(Qld.), s. 20.

(b) by omitting subsection one of section four hundred and ninety-five and by inserting in lieu thereof the following subsection:—

Sec. 495.  
(Fire-  
breaks.)

(1) The council may direct the owner or occupier of any land to make and maintain thereon fire-breaks at such places and of such kinds and dimensions as may be specified in such direction, and such owner or occupier shall comply with such direction within the time stated therein.

Such owner or occupier may, within the time and in the manner prescribed by rules of court, appeal to a district court judge having jurisdiction within the area against such direction.

Such judge may determine whether the direction of the council is reasonable in all the circumstances of the case, and whether it shall or shall not be carried out either in its entirety or with modifications, or may extend the time within which anything is to be done.

The costs of the appeal shall be in the discretion of the judge.

If costs are awarded they may be recovered in like manner to costs awarded in a judgment of the district court.

(c)



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*Local Government (Bush Fires) Amendment.*

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(c) by omitting paragraph (s) of section five hundred and thirteen and by inserting in lieu thereof the following new paragraphs:—

Sec. 513.  
(Ordinances.)

5

(s) prescribing the powers and duties of bush-fire brigade captains and all matters and things which may be necessary or convenient for enforcing the authority of such captain;

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(t) prescribing all matters or things which may be necessary for carrying out the objects and provisions of section four hundred and ninety-four of the Act.

cf. Rural  
Fires Act  
(Qld.), s. 29  
(1).

(2) The Bush Fires Act, 1930, is amended by omitting paragraph (a) of section four.

Amendment  
of Act  
No. 14, 1930.















## New South Wales.



ANNO VICESIMO TERTIO

## GEORGII V REGIS.

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### Act No. 41, 1932.

An Act to confer on councils of shires and municipalities further powers for the prevention and mitigation of bush fires; to amend the Local Government Act, 1919, and the Bush Fires Act, 1930; and for purposes connected therewith. [Assented to, 16th December, 1932.]

**B**E 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 “Local Government Short title. (Bush Fires) Amendment Act, 1932.”

**2.**



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*Local Government (Bush Fires) Amendment.*

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Amendment of  
Act No. 41,  
1919.

**2. (1)** The Local Government Act, 1919, as amended by subsequent Acts, is amended—

**Sec. 494.**  
(Fires, etc.)

(a) by omitting the subsections of section four hundred and ninety-four inserted by paragraph (a) of section four of the Bush Fires Act, 1930, and by inserting in lieu thereof the following new subsections:—

(4) (a) The council may authorise such person (in this section referred to as the bush-fire brigade captain) as it thinks proper to control and manage any bush-fire brigade or section thereof organised by the council in pursuance of this section, and may authorise any person (in this section referred to as the deputy bush-fire brigade captain) to act in the place of such bush-fire brigade captain during such time as he is prevented by absence, illness, or otherwise from exercising any power or carrying out any duty under this section.

(b) The bush-fire brigade captain, deputy bush-fire brigade captain, or any member of a bush-fire brigade shall not merely by reason of the authority granted him to exercise any powers or carry out any duties under this section be deemed to be a servant of the council.

(c) The exercise of the powers conferred upon the bush-fire brigade captain, or deputy bush-fire brigade captain, under this section, shall be subject to the provisions of any ordinance made in that behalf, and to any directions (not being inconsistent with any such ordinance) given by the council.

cf. Act No. 9,  
1909, s. 29.

(5) In any area or in any part of any area which is not within a fire district constituted under the Fire Brigades Act, 1909-1927, the council, the bush-fire brigade captain, or the deputy bush-fire brigade captain, may destroy or remove or cause to be destroyed or removed any buildings, fences, or structures or any living

or



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*Local Government (Bush Fires) Amendment.*

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or dead vegetation, and may use or direct to be used any water where such destruction, removal, or use is advisable or in its or his opinion is advisable to protect life or property from any existing or imminent danger from a bush-fire.

(6) (a) The Careless Use of Fire Act, 1912, as amended by subsequent Acts, shall not apply to, nor shall any right of action lie against, the council, the bush-fire brigade captain, or the deputy bush-fire brigade captain, or against any member of a bush-fire brigade or any person acting under the direction of such captain or deputy captain, in respect of anything done bona fide under and for the purposes of this section.

(b) Any damage to property caused by any person purporting bona fide to exercise any power conferred or to perform any duty imposed on him by or under this section shall be deemed to be a damage by fire within the meaning of any policy of insurance against fire covering the property so damaged. cf. Act No. 9, 1909, s. 32.

(7) (a) The authority of the bush-fire brigade captain, or deputy bush-fire brigade captain, shall be recognised by all officers and members of the police force and other persons. It shall be the duty of officers and members of the police force to support the authority of such captain or deputy captain and to assist him and any person acting under his direction in enforcing compliance with any directions given in pursuance of this section or in pursuance of any ordinance. cf. Act No. 9, 1909, s. 31.

(b) Any person who obstructs any bush-fire brigade captain, or deputy bush-fire brigade captain or person acting under his directions, in the lawful exercise of his powers under this section shall be liable to a penalty not exceeding ten pounds. See s. 635; cf. also Act No. 9, 1909, s. 46.

(c)



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*Local Government (Bush Fires) Amendment.*

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cf. Act No. 9,  
1909, s. 20  
(f).

(c) In case of emergency the bush-fire brigade captain, or deputy bush-fire brigade captain or any person acting under his direction, may exercise his powers and enforce the provisions of this section in any area or part thereof.

cf. Bush Fires  
Act, 1913  
(S.A.), s. 25;  
also Rural  
Fires Act  
(Qld.), s. 20.

(8) Nothing in this section shall be construed as taking away any right of action or other remedy, whether civil or criminal, which any person may have in respect of any loss or damage occasioned by fire or for any trespass committed.

Sec. 495.  
(Fire-  
breaks.)

(b) by omitting subsection one of section four hundred and ninety-five and by inserting in lieu thereof the following subsection:—

(1) The council may direct the owner or occupier of any land to make and maintain thereon fire-breaks at such places and of such kinds and dimensions as may be specified in such direction, and such owner or occupier shall comply with such direction within the time stated therein.

Such owner or occupier may, within the time stated in the notice, appeal to the nearest court of petty sessions against such direction.

Such court may determine whether the direction of the council is reasonable in all the circumstances of the case, and whether it shall or shall not be carried out either in its entirety or with modifications, or may extend the time within which anything is to be done.

The costs of the appeal shall be in the discretion of the court.

Any order for the payment of costs made by a court of petty sessions under this subsection shall operate as an order for the payment of money under the Small Debts Recovery Act, 1912, and be enforceable as such under the provisions of that Act.

(c)



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*Local Government (Bush Fires) Amendment.*

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- (c) by omitting paragraph (s) of section five hundred and thirteen and by inserting in lieu thereof the following new paragraphs:—
- Sec. 513.  
(Ordinances.)
- (s) prescribing the powers and duties of bush-fire brigade captains and all matters and things which may be necessary or convenient for enforcing the authority of such captain;
- (t) prescribing all matters or things which may be necessary for carrying out the objects and provisions of section four hundred and ninety-four of the Act.
- cf. Rural  
Fires Act  
(Qld.), s. 29  
(1).
- (2) The Bush Fires Act, 1930, is amended by omitting paragraph (a) of section four.
- Amendment  
of Act  
No. 14, 1930.

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By Authority:

ALFRED JAMES KENT, I.S.O., Government Printer, Sydney—1932.

[3d.]













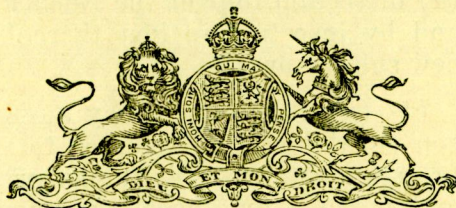


*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 6 December, 1932.*

## New South Wales.



ANNO VICESIMO TERTIO

# GEORGII V REGIS.

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## Act No. 41, 1932.

An Act to confer on councils of shires and municipalities further powers for the prevention and mitigation of bush fires; to amend the Local Government Act, 1919, and the Bush Fires Act, 1930; and for purposes connected therewith. [Assented to, 16th December, 1932.]

**B**E 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 "Local Government Short title." (Bush Fires) Amendment Act, 1932."

2.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. T. MISSINGHAM,  
*Chairman of Committees of the Legislative Assembly.*



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*Local Government (Bush Fires) Amendment.*

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Amendment of  
Act No. 41,  
1919.

Sec. 494.  
(Fires, etc.)

2. (1) The Local Government Act, 1919, as amended by subsequent Acts, is amended—

(a) by omitting the subsections of section four hundred and ninety-four inserted by paragraph (a) of section four of the Bush Fires Act, 1930, and by inserting in lieu thereof the following new subsections:—

(4) (a) The council may authorise such person (in this section referred to as the bush-fire brigade captain) as it thinks proper to control and manage any bush-fire brigade or section thereof organised by the council in pursuance of this section, and may authorise any person (in this section referred to as the deputy bush-fire brigade captain) to act in the place of such bush-fire brigade captain during such time as he is prevented by absence, illness, or otherwise from exercising any power or carrying out any duty under this section.

(b) The bush-fire brigade captain, deputy bush-fire brigade captain, or any member of a bush-fire brigade shall not merely by reason of the authority granted him to exercise any powers or carry out any duties under this section be deemed to be a servant of the council.

(c) The exercise of the powers conferred upon the bush-fire brigade captain, or deputy bush-fire brigade captain, under this section, shall be subject to the provisions of any ordinance made in that behalf, and to any directions (not being inconsistent with any such ordinance) given by the council.

cf. Act No. 9,  
1909, s. 29.

(5) In any area or in any part of any area which is not within a fire district constituted under the Fire Brigades Act, 1909-1927, the council, the bush-fire brigade captain, or the deputy bush-fire brigade captain, may destroy or remove or cause to be destroyed or removed any buildings, fences, or structures or any living

or



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*Local Government (Bush Fires) Amendment.*

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or dead vegetation, and may use or direct to be used any water where such destruction, removal, or use is advisable or in its or his opinion is advisable to protect life or property from any existing or imminent danger from a bush-fire.

(6) (a) The Careless Use of Fire Act, 1912, as amended by subsequent Acts, shall not apply to, nor shall any right of action lie against, the council, the bush-fire brigade captain, or the deputy bush-fire brigade captain, or against any member of a bush-fire brigade or any person acting under the direction of such captain or deputy captain, in respect of anything done bona fide under and for the purposes of this section.

(b) Any damage to property caused by any person purporting bona fide to exercise any power conferred or to perform any duty imposed on him by or under this section shall be deemed to be a damage by fire within the meaning of any policy of insurance against fire covering the property so damaged. cf. Act No. 9, 1909, s. 32.

(7) (a) The authority of the bush-fire brigade captain, or deputy bush-fire brigade captain, shall be recognised by all officers and members of the police force and other persons. It shall be the duty of officers and members of the police force to support the authority of such captain or deputy captain and to assist him and any person acting under his direction in enforcing compliance with any directions given in pursuance of this section or in pursuance of any ordinance. cf. Act No. 9, 1909, s. 31.

(b) Any person who obstructs any bush-fire brigade captain, or deputy bush-fire brigade captain or person acting under his directions, in the lawful exercise of his powers under this section shall be liable to a penalty not exceeding ten pounds. See s. 635; cf. also Act No. 9, 1909, s. 46.

[(c)]



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*Local Government (Bush Fires) Amendment.*

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cf. Act No. 9,  
1909, s. 20  
(f).

(c) In case of emergency the bush-fire brigade captain, or deputy bush-fire brigade captain or any person acting under his direction, may exercise his powers and enforce the provisions of this section in any area or part thereof.

cf. Bush Fires  
Act, 1913  
(S.A.), s. 25;  
also Rural  
Fires Act  
(Qld.), s. 20.

(8) Nothing in this section shall be construed as taking away any right of action or other remedy, whether civil or criminal, which any person may have in respect of any loss or damage occasioned by fire or for any trespass committed.

Sec. 495.  
(Fire-  
breaks.)

(b) by omitting subsection one of section four hundred and ninety-five and by inserting in lieu thereof the following subsection:—

(1) The council may direct the owner or occupier of any land to make and maintain thereon fire-breaks at such places and of such kinds and dimensions as may be specified in such direction, and such owner or occupier shall comply with such direction within the time stated therein.

Such owner or occupier may, within the time stated in the notice, appeal to the nearest court of petty sessions against such direction.

Such court may determine whether the direction of the council is reasonable in all the circumstances of the case, and whether it shall or shall not be carried out either in its entirety or with modifications, or may extend the time within which anything is to be done.

The costs of the appeal shall be in the discretion of the court.

Any order for the payment of costs made by a court of petty sessions under this subsection shall operate as an order for the payment of money under the Small Debts Recovery Act, 1912, and be enforceable as such under the provisions of that Act.

(c)



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*Local Government (Bush Fires) Amendment.*

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(c) by omitting paragraph (s) of section five hundred and thirteen and by inserting in lieu thereof the following new paragraphs:—

Sec. 513.  
(Ordinances.)

(s) prescribing the powers and duties of bush-fire brigade captains and all matters and things which may be necessary or convenient for enforcing the authority of such captain;

(t) prescribing all matters or things which may be necessary for carrying out the objects and provisions of section four hundred and ninety-four of the Act.

cf. Rural  
Fires Act  
(Qld.), s. 29  
(1).

(2) The Bush Fires Act, 1930, is amended by omitting paragraph (a) of section four.

Amendment  
of Act  
No. 14, 1930.

*In the name and on behalf of His Majesty I assent to this Act.*

PHILIP GAME,  
Governor.

Government House,  
Sydney, 16th December, 1932.











I certify that the within bill, which originated in the House of Representatives, has passed the same in the House of Representatives, and the same is hereby approved by the Senate.

Wm. H. Hunt, Secy.

Wm. H. Hunt, Secy.

1. The House of Representatives has passed the bill for the relief of the Government of the State of New York, and the same is hereby approved by the Senate.

2.

The House of Representatives has passed the bill for the relief of the Government of the State of New York, and the same is hereby approved by the Senate.

Wm. H. Hunt, Secy.

The House of Representatives has passed the bill for the relief of the Government of the State of New York, and the same is hereby approved by the Senate.