

New South Wales.



ANNO OCTAVO

GEORGI VI REGIS.

Act No. 12, 1944.

An Act to make provision for and in relation to the ordinary working hours of certain firemen and officers of fire brigades employed by the Board of Fire Commissioners of New South Wales; for this purpose to amend the Fire Brigades Act, 1909, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 19th April, 1944.]

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. (1) This Act may be cited as the "Fire Brigades (Amendment) Act, 1944." Short title and citation.

(2) The Fire Brigades Act, 1909, as amended by subsequent Acts, and by this Act, may be cited as the Fire Brigades Act, 1909-1944.

Fire Brigades (Amendment).

Amendment
of Act No. 9,
1909.

New sec.
27A.

Special
provisions
as to
ordinary
working
hours.

2. The Fire Brigades Act, 1909, as amended by subsequent Acts, is amended by inserting next after section twenty-seven the following new section:—

27A. (1) As from the appointed day the following provisions shall have effect:—

- (a) the ordinary hours of duty and leave of firemen employed by the board on a full-time basis shall be so arranged as to provide that such hours be worked on a system of three shifts per day;
- (b) the average ordinary working hours for firemen employed by the board shall be fifty-six per week over the cycle of weeks for which the roster of ordinary hours of duty and leave operates;
- (c) the average ordinary working hours during which officers of fire brigades holding rank up to and including the rank of station officer shall be required to be available for duty shall be eighty-four per week over the cycle of weeks for which the roster of working hours operates.

(2) The Industrial Commission of New South Wales shall, upon application made at any time after the commencement of the Fire Brigades (Amendment) Act, 1944, make such variations of any award affecting firemen employed by the board on a full-time basis, as may be necessary to carry into effect the provisions of paragraphs (a) and (b) of subsection one of this section.

Any variation made pursuant to the direction contained in this subsection shall be made so as to take effect as from the appointed day.

(3) Where after the commencement of the Fire Brigades (Amendment) Act, 1944, the Industrial Commission of New South Wales makes—

- (a) a new award affecting firemen employed by the board on a full-time basis it shall, in such

Fire Brigades (Amendment).

such award, include such terms as may be necessary to carry into effect the provisions of paragraphs (a) and (b) of subsection one of this section;

- (b) an award affecting officers of fire brigades, it shall, in such award, include such terms as may be necessary to carry into effect the provisions of paragraph (c) of subsection one of this section.

Such terms may, if the Commission thinks fit, be expressed to take effect as from the appointed day, and in such case other terms may be included to take effect under the award until the appointed day.

In determining the terms relating to average ordinary working hours which are to be included in any such award and to take effect thereunder until the appointed day, the Commission shall have regard to the general purposes of this Act, and shall make provision for such reduction in the average ordinary working hours of firemen and officers of fire brigades as may be practicable having regard to the availability of suitable men for any additional appointments or promotions which may be rendered necessary by such reduction.

(4) Nothing in this section shall be construed as limiting the authority of the Industrial Commission of New South Wales to make any variation of an award or any new award affecting firemen employed by the board on a full-time basis granting terms and conditions not less advantageous than those referred to in paragraphs (a) and (b) of subsection one of this section, or to make any award affecting officers of fire brigades granting terms and conditions not less advantageous than those referred to in paragraph (c) of subsection one of this section; and to make such variation or award so as to take effect at any time after the commencement of the Fire Brigades (Amendment) Act, 1944.

Fire Brigades (Amendment).

(5) In this section—

“Appointed day” means the day next following the date upon which His Majesty ceases to be engaged in the present war or such earlier day the Governor may appoint and notify by proclamation published in the Gazette.

“Present war” means the war in which His Majesty is engaged at the commencement of the Fire Brigades (Amendment) Act, 1944.

By Authority:

ALFRED HENRY PETTIFER, Acting Government Printer, Sydney, 1944.

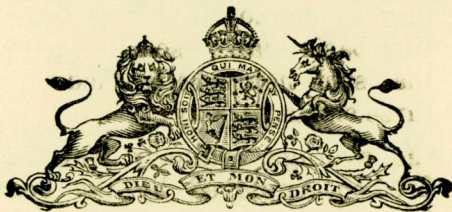
[3*d.*]

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, 13 April, 1944.*

New South Wales.



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(2) The Fire Brigades Act, 1909, as amended by subsequent Acts, and by this Act, may be cited as the Fire Brigades Act, 1909-1944.

2.

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

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Fire Brigades (Amendment).

Amendment
of Act No. 9,
1909.

New sec.
27A.

Special
provisions
as to
ordinary
working
hours.

2. The Fire Brigades Act, 1909, as amended by subsequent Acts, is amended by inserting next after section twenty-seven the following new section:—

27A. (1) As from the appointed day the following provisions shall have effect:—

- (a) the ordinary hours of duty and leave of firemen employed by the board on a full-time basis shall be so arranged as to provide that such hours be worked on a system of three shifts per day;
- (b) the average ordinary working hours for firemen employed by the board shall be fifty-six per week over the cycle of weeks for which the roster of ordinary hours of duty and leave operates;
- (c) the average ordinary working hours during which officers of fire brigades holding rank up to and including the rank of station officer shall be required to be available for duty shall be eighty-four per week over the cycle of weeks for which the roster of working hours operates.

(2) The Industrial Commission of New South Wales shall, upon application made at any time after the commencement of the Fire Brigades (Amendment) Act, 1944, make such variations of any award affecting firemen employed by the board on a full-time basis, as may be necessary to carry into effect the provisions of paragraphs (a) and (b) of subsection one of this section.

Any variation made pursuant to the direction contained in this subsection shall be made so as to take effect as from the appointed day.

(3) Where after the commencement of the Fire Brigades (Amendment) Act, 1944, the Industrial Commission of New South Wales makes—

- (a) a new award affecting firemen employed by the board on a full-time basis it shall, in such

Fire Brigades (Amendment).

such award, include such terms as may be necessary to carry into effect the provisions of paragraphs (a) and (b) of subsection one of this section;

- (b) an award affecting officers of fire brigades, it shall, in such award, include such terms as may be necessary to carry into effect the provisions of paragraph (c) of subsection one of this section.

Such terms may, if the Commission thinks fit, be expressed to take effect as from the appointed day, and in such case other terms may be included to take effect under the award until the appointed day.

In determining the terms relating to average ordinary working hours which are to be included in any such award and to take effect thereunder until the appointed day, the Commission shall have regard to the general purposes of this Act, and shall make provision for such reduction in the average ordinary working hours of firemen and officers of fire brigades as may be practicable having regard to the availability of suitable men for any additional appointments or promotions which may be rendered necessary by such reduction.

(4) Nothing in this section shall be construed as limiting the authority of the Industrial Commission of New South Wales to make any variation of an award or any new award affecting firemen employed by the board on a full-time basis granting terms and conditions not less advantageous than those referred to in paragraphs (a) and (b) of subsection one of this section, or to make any award affecting officers of fire brigades granting terms and conditions not less advantageous than those referred to in paragraph (c) of subsection one of this section; and to make such variation or award so as to take effect at any time after the commencement of the Fire Brigades (Amendment) Act, 1944.

(5)

Fire Brigades (Amendment).

(5) In this section—

“Appointed day” means the day next following the date upon which His Majesty ceases to be engaged in the present war or such earlier day the Governor may appoint and notify by proclamation published in the Gazette.

“Present war” means the war in which His Majesty is engaged at the commencement of the Fire Brigades (Amendment) Act, 1944.

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

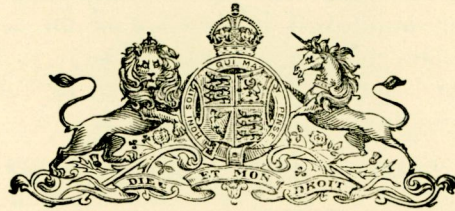
WAKEHURST,
Governor.

*Government House,
Sydney, 19th April, 1944.*

*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, 28 March, 1944.

New South Wales.



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GEORGI VI REGIS.

Act No. , 1944.

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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. (1) This Act may be cited as the "Fire Brigades (Amendment) Act, 1944." Short title and citation.

(2) The Fire Brigades Act, 1909, as amended by subsequent Acts, and by this Act, may be cited as the
10 Fire Brigades Act, 1909-1944.

Fire Brigades (Amendment).

2. The Fire Brigades Act, 1909, as amended by subsequent Acts, is amended by inserting next after section twenty-seven the following new section:—

Amendment of Act No. 9, 1909.

New sec. 27A.

Special provisions as to ordinary working hours.

5 27A. (1) As from the appointed day the following provisions shall have effect:—

10 (a) the ordinary hours of duty and leave of firemen employed by the board on a full-time basis shall be so arranged as to provide that such hours be worked on a system of three shifts per day;

15 (b) the average ordinary working hours for firemen employed by the board shall be fifty-six per week over the cycle of weeks for which the roster of ordinary hours of duty and leave operates;

20 (c) the average ordinary working hours during which officers of fire brigades holding rank up to and including the rank of station officer shall be required to be available for duty shall be eighty-four per week over the cycle of weeks for which the roster of working hours operates.

25 (2) The Industrial Commission of New South Wales shall, upon application made at any time after the commencement of the Fire Brigades (Amendment) Act, 1944, make such variations of any award affecting firemen employed by the board on a full-time basis, as may be necessary to carry into effect the provisions of paragraphs (a) and (b) of subsection one of this section.

Any variation made pursuant to the direction contained in this subsection shall be made so as to take effect as from the appointed day.

35 (3) Where after the commencement of the Fire Brigades (Amendment) Act, 1944, the Industrial Commission of New South Wales makes—

(a) a new award affecting firemen employed by the board on a full-time basis it shall, in such

Fire Brigades (Amendment).

such award, include such terms as may be necessary to carry into effect the provisions of paragraphs (a) and (b) of subsection one of this section;

- 5 (b) an award affecting officers of fire brigades, it shall, in such award, include such terms as may be necessary to carry into effect the provisions of paragraph (c) of subsection one of this section.
- 10 Such terms may, if the Commission thinks fit, be expressed to take effect as from the appointed day, and in such case other terms may be included to take effect under the award until the appointed day.
- 15 In determining the terms relating to average ordinary working hours which are to be included in any such award and to take effect thereunder until the appointed day, the Commission shall have regard to the general purposes of this Act, and shall
- 20 make provision for such reduction in the average ordinary working hours of firemen and officers of fire brigades as may be practicable having regard to the availability of suitable men for any additional appointments or promotions which may be rendered necessary by such reduction.
- 25 (4) Nothing in this section shall be construed as limiting the authority of the Industrial Commission of New South Wales to make any variation of an award or any new award affecting firemen
- 30 employed by the board on a full-time basis granting terms and conditions not less advantageous than those referred to in paragraphs (a) and (b) of subsection one of this section, or to make any award affecting officers of fire brigades granting terms and conditions not less advantageous than those referred
- 35 to in paragraph (c) of subsection one of this section; and to make such variation or award so as to take effect at any time after the commencement of the Fire Brigades (Amendment) Act, 1944.

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5 “Appointed day” means the day next following
the date upon which His Majesty ceases to
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earlier day the Governor may appoint and
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No. , 1944.

A BILL

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[MR. BADDELEY;—16 *March*, 1944.]

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20 make provision for such reduction in the average ordinary working hours of firemen and officers of fire brigades as may be practicable having regard to the availability of suitable men for any additional appointments or promotions which may be rendered necessary by such reduction.

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