

FIRE BRIGADES (AMENDMENT) BILL, 1983

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The National Parks and Wildlife (Fire Brigades) Amendment Bill, 1983, is cognate with this Bill.

The objects of this Bill are—

- (a) to enable the Fire Brigades Act, 1909, to be extended to fire districts comprising national parks, historic sites, state recreation areas and certain other lands reserved or dedicated under the National Parks and Wildlife Act, 1974 (Schedule 1 (1));
 - (b) to provide that in a fire district comprised solely of an area referred to in paragraph (a) the Director of National Parks and Wildlife (instead of municipal and shire councils in that district) shall contribute one-eighth of the estimated cost of fire protection in that district (Schedule 1 (4) and (5));
 - (c) to validate the commencement of certain provisions of the Fire Brigades (Amendment) Act, 1979 (clause 4); and
 - (d) to make other provisions of a minor, consequential or transitional nature.
-

FIRE BRIGADES (AMENDMENT) BILL, 1983

No. , 1983.

A BILL FOR

An Act to amend the Fire Brigades Act, 1909, in relation to national parks and other areas; to validate certain matters; and for other purposes.

[MR ANDERSON—22 *March*, 1983.]

See also National Parks and Wildlife (Fire Brigades) Amendment Bill, 1983.

Fire Brigades (Amendment).

BE it enacted by the Queen'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:—

5 Short title.

1. This Act may be cited as the "Fire Brigades (Amendment) Act, 1983".

Amendment of Act No. 9, 1909.

2. The Fire Brigades Act, 1909, is amended in the manner set forth in
10 Schedule 1.

Transitional and consequential provisions.

3. (1) Nothing in Schedule 1 affects the contributions payable under section 34 of the Fire Brigades Act, 1909, in respect of the year commencing 1st January, 1983.

15 **(2)** Section 2 (b) of the Fire Brigades (Amendment) Act, 1941, is repealed.

Validation.

4. For the purpose of removal of doubt it is declared that section 5 of the Fire Brigades (Amendment) Act, 1979, in its application to Schedule 2
20 to that Act, and Schedule 2 to that Act commenced on 9th February, 1983.

Fire Brigades (Amendment).

SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE FIRE BRIGADES ACT, 1909.

- (1) (a) Section 6 (1)—
5 Omit the subsection, insert instead:—
(1) In this section—
“local government area” has the meaning ascribed to that
expression in section 4 of the Local Government Act,
1919;
10 “reserved area” means land within a national park, historic
site or state recreation area within the meaning of
the National Parks and Wildlife Act, 1974, or any
other land reserved or dedicated under that Act.
- (b) Section 6 (2)—
15 After “local government area”, insert “or reserved area”.
- (c) Section 6 (3)—
Omit “not within a local government area”, insert instead
“within neither a local government area nor a reserved area”.
- (d) Section 6 (5)—
20 After section 6 (4), insert:—
(5) A reference in an order under subsection (2) to a
reserved area shall be construed as a reference to that area
with boundaries as at the date of publication of the order in
the Gazette.
- 25 (2) Sections 19 (1), 41—
Omit “municipality or shire, or any part thereof,” wherever occurring,
insert instead “area”.

Fire Brigades (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE FIRE BRIGADES ACT, 1909—*continued.*

(3) Sections 22 (1), 40—

5 Omit “a municipality or shire, or any part thereof,” wherever occurring, insert instead “an area”.

(4) Section 34 (2)—

Omit “The total”, insert instead “Except as provided by section 34A, the total”.

(5) Section 34A—

10 After section 34, insert:—

Contributions from National Parks and Wildlife Fund.

34A. (1) In this section—

15 “Director” means the Director of National Parks and Wildlife appointed under the National Parks and Wildlife Act, 1974;

“National Parks and Wildlife Fund” means the fund referred to in section 137 of the National Parks and Wildlife Act, 1974;

20 “reserved area” has the meaning ascribed to that expression in section 6 (1).

(2) Where a fire district comprises a reserved area and no other area—

25 (a) any municipality or shire included in the fire district shall not be required to contribute to the fund in respect of the fire district; and

Fire Brigades (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE FIRE BRIGADES ACT, 1909—*continued.*

- (b) one-eighth of the total amount to be contributed for the fire district shall be paid to the fund by the Director out of the National Parks and Wildlife Fund.

5

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1983

(40c)

