

36^o VICTORIA, 1872.

A BILL

To make better provision for the extinction of Fires.

[MR. SAMUEL ;—21 November, 1872.]

WHEREAS it is expedient to authorize the appointment of a Preamble.

Superintendent of Fire Brigades for the City and Suburbs of Sydney and to confer upon that officer certain powers and otherwise to make better provision for the protection of property against loss or damage by fire Be it therefore 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 :—

1. It shall be lawful for the Governor with the advice of the Governor may appoint a Superintendent of Fire Brigades for City and Suburbs of Sydney.
10 Executive Council to appoint as Superintendent of Fire Brigades for the City and Suburbs of Sydney such person as may for that purpose be nominated by the majority in number of the Companies insuring property against loss or damage by fire having head or branch offices or agencies in the said City and with the like advice to remove such
15 Superintendent of Fire Brigades and to appoint in his place another person nominated as aforesaid But no such appointment shall be made until it shall be shown to the satisfaction of the Governor as aforesaid that adequate provision has been made by the said Companies or some
20 of them for the maintenance of efficient Fire Brigades and for the payment of the salary of such Superintendent during his tenure of office And such Superintendent shall have no claim for salary or other remuneration of his services otherwise than as aforesaid.

2. The Superintendent of Fire Brigades shall at any fire which Superintendent of Fire Brigade to have the control thereof.
shall break out upon any premises within the boundaries of the said
25 City or Boroughs have and he is hereby invested with full power and authority

His powers.

authority to control direct and regulate the working of all Fire Brigades and engines and of all appliances and things appurtenant or necessary thereto or used therewith And it shall be the duty of such Superintendent of Brigades to proceed upon the first alarm with all possible speed to the scene of such fire and to endeavour by all possible 5 means to aid in extinguishing the same and for that purpose he may take any measures which appear to him expedient for the protection of life and property and may by himself or by his men enter break into or through or take temporary possession of or pull down any premises for the purpose of extinguishing such fire and may also on 10 any such occasion cause the water to be shut off from any mains and pipes in order to give a greater supply and pressure of water for the purpose of subduing the said fire And any damage caused by the due execution of the powers herein conferred shall be deemed to be damage by fire within the meaning of any policy of insurance against fire 15 And such Superintendent shall be entitled to charge for the attendance and services of Fire Brigades and appliances the respective sums specified in Schedule B hereto.

Deputy of Superintendent of Fire Brigades.

3. The powers and authorities conferred upon the Superintendent of Fire Brigades by the next preceding section may in case of the 20 illness absence or other disability of that officer be exercised by the available officer next in authority to such Superintendent and such person shall be recognized by the Police Authorities as the deputy of such Superintendent during such disability as aforesaid.

Officers of Police to assist Superintendent or Deputy if necessary.

4. It shall be the duty of the Officer in command of the Police 25 Force present at any fire within the boundaries aforesaid to aid and assist in carrying out the provisions of this Act and if necessary to give effective support to the Superintendent of Fire Brigades or his deputy in the maintenance of his authority and the due observance of his orders by all persons concerned. 30

Remuneration for attendance of Fire Brigades how contributed and recovered.

5. In case any fire shall occur in any house buildings or premises and any Fire Brigade or Brigades shall attend at such fire and be employed in extinguishing the same the Superintendent of Fire Brigades shall be entitled to recover the expenses incurred by the Brigade or Brigades at such fire according to the scale of charges set forth 35 in Schedule B hereto and such expenses shall be paid by the insurer or insurers or person taking the risk if such house buildings premises or the contents thereof respectively shall be insured and shall be paid by the owners and occupiers thereof if the same shall be uninsured each owner

owner occupier and insurer contributing towards such expenses in proportion to the value of the respective properties so protected or sought to be protected and such value in respect of such house buildings or premises shall be ascertained by the rate-book of the city or 5 borough in which the fire shall have occurred and in respect of such contents according to the wholesale market value thereof at the time of the occurrence of such fire such valuation to be made by statutory declaration by the owner or person in charge or possession of such contents and such expenses may be recovered by the said Superin- 10 tendent together with costs of suit in a summary way before any two Justices in the manner provided by the Act or Acts in force for the time-being regulating summary procedure before Justices.

6. This Act shall come into force on the _____ day Commencement and
of _____ 1872 and may be cited as the "Fire Brigades Act short title.
15 1872."

SCHEDULES.

SCHEDULE A.

Alexandria.	North Willoughby.	
Ashfield.	Paddington.	
Balmain.	Petersham.	5
Camperdown.	Randwick.	
Darlington.	Redfern.	
East St. Leonards.	St. Leonards.	
Five Dock.	St. Peter's.	10
Glebe.	Victoria.	
Hunter's Hill.	Waterloo.	
Leichhardt.	Waverley.	
Macdonald Town.	Woollahra.	
Marrickville.	West Botany.	15
Newtown.		

SCHEDULE B.

SCALE of Charges allowed for services or attendance at Fires.

	£	s.	d.
For Superintendent of Fire Brigades or his deputy for first hour or any part thereof if actually attending...	0	10	0 20
" " per hour or any part thereof for each succeeding hour day or night	0	5	0
" each hand-engine with hose pipes &c. in attendance at any fire	1	10	0
" " " " if steam engine	2	10	0
" each fireman when called out to any fire day or night for the first hour or any part thereof	0	3	0
" " " " for the second hour or any part thereof	0	2	0
" " " " for each succeeding hour or any part thereof	0	1	6 30
" each horse for taking any engine to and from any fire day or night within the City	0	5	0
" " " " beyond the City	0	10	0
" cleaning and drying the hose and taking it to and from the drying yard after each fire at which <i>it is used</i> for each engine	0	10	0
" notice of fire at principal Engine Station of the Brigade	0	5	0
" " " " chimney alarms...	0	1	0
" wages for extra men or boys engaged by the Superintendent or his deputy at any fire day or night—men first hour	0	2	6 40
" " " " each succeeding hour	0	1	0
" " " Boys first hour	0	1	0
" " " " each succeeding hour	0	0	6
Attendance at chimney fires in no case to exceed...	5	5	0

Legislative Council.

36^o VICTORIÆ, 1872.

A BILL

(As amended in Committee of the Whole.)

To make better provision for the extinction of Fires.

WHEREAS it is expedient to authorize the appointment of a Preamble.
Superintendent of Fire Brigades for the City and Suburbs of
Sydney and to confer upon that officer certain powers and otherwise to
make better provision for the protection of property against loss or
5 damage by fire Be it therefore 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:—

1. It shall be lawful for the Governor with the advice of the Governor may
appoint a Superin-
tendent and
Assistant Superin-
tendent of Fire
Brigades for City and
Suburbs of Sydney.
10 Executive Council to appoint as Superintendent and Assistant
Superintendent of Fire Brigades for the City and Suburbs of Sydney
such persons as may for that purpose be nominated by the majority in
number of the Companies insuring property against loss or damage by
fire having head or branch offices or agencies in the said City and with
15 the like advice to remove any such Superintendent or any Assistant
Superintendent of Fire Brigades and to appoint in his place another
person nominated as aforesaid But no such appointment shall be made
until it shall be shown to the satisfaction of the Governor as aforesaid
that adequate provision has been made by the said Companies or some
20 of them for the maintenance of efficient Fire Brigades and for the
payment of the salary of such Superintendent and Assistant Super-
intendent during their tenure of office And such Superintendent and
every Assistant Superintendent shall have no claim for salary or other
remuneration otherwise than as aforesaid.

Superintendent of Fire Brigade to have the control thereof.

Their powers.

Deputy of Superintendent of Fire Brigades.

Officers of Police to assist Superintendent or Deputy if necessary.

Remuneration for attendance of Fire Brigades how contributed and recovered.

Short title.

2. The Superintendent and Assistant Superintendent of Fire Brigades shall at any fire which shall break out upon any premises within the boundaries of the said City or of any of the Boroughs or places enumerated in Schedule A hereto have and they are hereby respectively invested with full power and authority to control direct and regulate the working of all Fire Brigades and engines and of all appliances and things appurtenant or necessary thereto or used therewith. And it shall be the duty of such Superintendent or Assistant Superintendent of Brigades to proceed upon the first alarm with all possible speed to the scene of such fire and to endeavour by all possible means to aid in extinguishing the same and for that purpose he may take any measures which appear to him expedient for the protection of life and property and may by himself or by his men enter break into or through or take temporary possession of or pull down any premises for the purpose of extinguishing such fire and may also on any such occasion cause the water to be shut off from any mains and pipes in order to give a greater supply and pressure of water for the purpose of subduing the said fire. And any damage caused by the due execution of the powers herein conferred shall be deemed to be damage by fire within the meaning of any policy of insurance against fire. And such Superintendent shall be entitled to charge for the attendance and services of Fire Brigades and appliances the respective sums specified in Schedule B hereto.

3. The powers and authorities conferred upon the Superintendent and Assistant Superintendent of Fire Brigades by the next preceding section may in case of the illness absence or other disability of those officers be exercised by the available officer next in authority to such Superintendent or Assistant Superintendent and every such person shall be recognized by the Police Authorities as the deputy of such Superintendent during such disability as aforesaid.

4. It shall be the duty of the Officer in command of the Police Force present at any fire within the boundaries aforesaid to aid and assist in carrying out the provisions of this Act and if necessary to give effective support to the Superintendent of Fire Brigades or his assistant or deputy in the maintenance of his authority and the due observance of his orders by all persons concerned.

5. In case any fire shall occur in any house buildings or premises and any Fire Brigade or Brigades shall attend at such fire and be employed in extinguishing the same the Superintendent of Fire Brigades shall be entitled to recover the expenses incurred by the Brigade or Brigades at such fire according to the scale of charges set forth in Schedule B hereto and such expenses shall be paid by the insurer or insurers or person taking the risk if such house buildings premises or the contents thereof respectively shall be insured and shall be paid by the owners and occupiers thereof if the same shall be uninsured each owner occupier and insurer contributing towards such expenses in proportion to the value of the respective properties so protected or sought to be protected and such value in respect of such house buildings or premises shall be ascertained by the rate-book of the city or borough in which the fire shall have occurred and in respect of such contents according to the wholesale market value thereof at the time of the occurrence of such fire such valuation to be made by statutory declaration by the owner or person in charge or possession of such contents and such expenses may be recovered by the said Superintendent together with costs of suit in a summary way before any two Justices in the manner provided by the Act or Acts in force for the time-being regulating summary procedure before Justices.

6. This Act may be cited as the "Fire Brigades Act 1872."

