

Legislative Council.

39<sup>o</sup> VICTORIA, 1875.

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# A BILL

To make better provision for the extinction of Fires.

[MR. SAMUEL ;—17 November, 1875.]

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**W**HEREAS 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  
10 Executive Council to appoint as Superintendent and Assistant Governor may  
appoint a Superin-  
tendent and  
Assistant Superin-  
tendent of Fire  
Brigades for City and  
Suburbs of Sydney.  
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  
c 6— that

that adequate provision has been made by the said Companies or some of them for the maintenance of efficient Fire Brigades and for the payment of the salary of such Superintendent and Assistant Superintendent 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 Provided that no Company which does not contribute towards such provision shall be entitled to vote for the nomination of any such Superintendent or Assistant Superintendent.

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.

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

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 Provided that the occupier not being the owner shall not be liable for any share of such expenses on account of any house building or premises.

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

Short title.

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SCHEDULES.

SCHEDULE A.

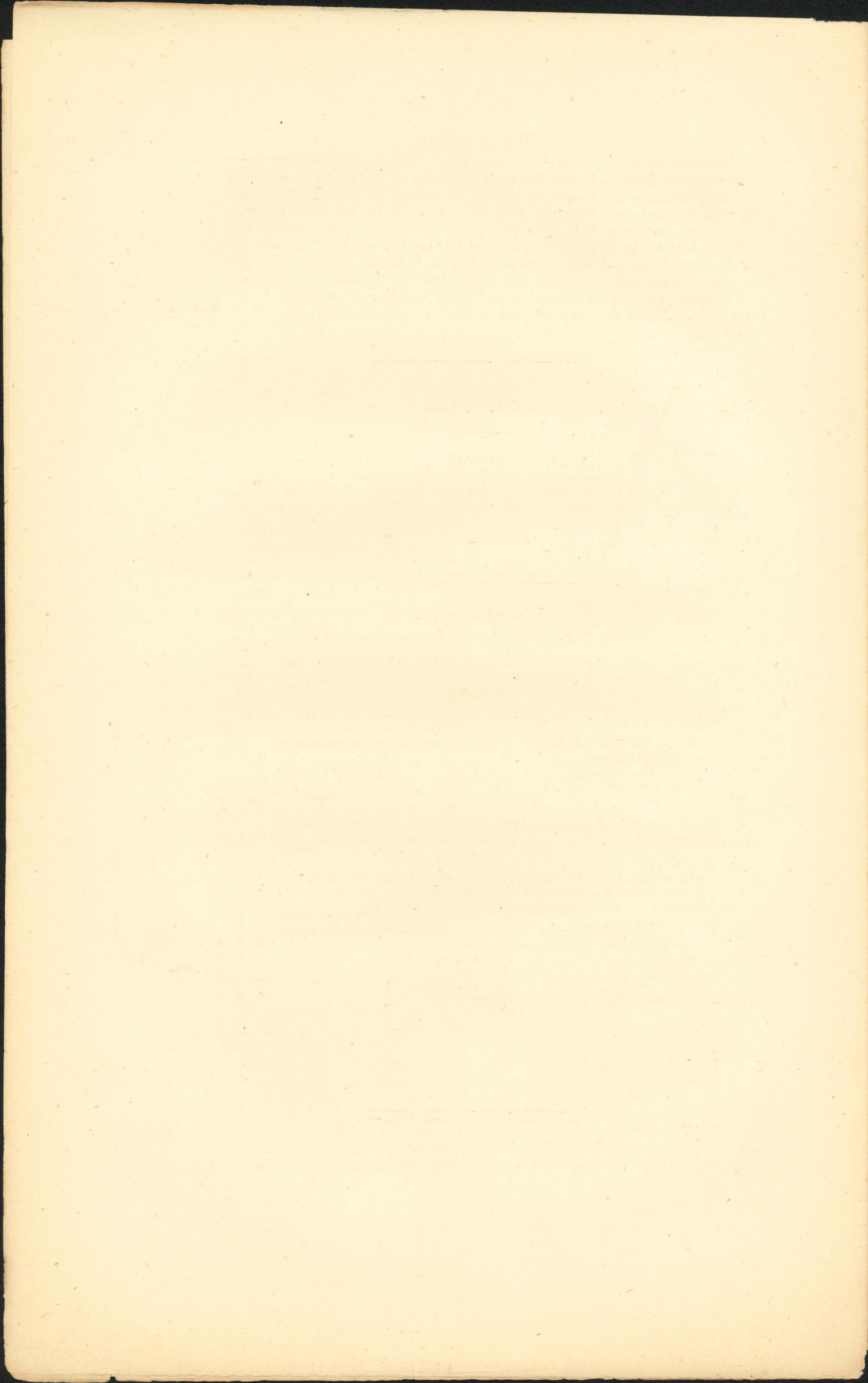
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Alexandria.	Paddington.
Camperdown.	Redfern.
Darlington.	Waterloo.
Glebe.	Waverley.
Marrickville.	Woollahra.
Newtown.	

SCHEDULE B.

SCALE of Charges allowed for services or attendance at Fires.

	£	s.	d.
20 For Superintendent of Fire Brigades or his deputy for first hour or any part thereof if actually attending ... ..	0	10	0
"    "    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
25 "    "    "    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
30 "    "    "    for each succeeding hour or any part thereof ... ..	0	1	6
"    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
35 "    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
40 "    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
"    "    "    each succeeding hour ... ..	0	1	0
"    "    "    boys first hour... ..	0	1	0
"    "    "    each succeeding hour ... ..	0	0	6
45 Attendance at chimney fires in no case to exceed ... ..	5	5	0



Legislative Council.

39<sup>o</sup> VICTORIÆ, 1875.

## A BILL

To make better provision for the extinction of Fires in Sydney  
and its Suburbs.

*(As amended and agreed to in Select Committee.)*

**W**HEREAS in order to make effectual provision for the protection Preamble.  
of property in Sydney and its Suburbs against loss or damage  
by fire it is expedient to provide funds for the maintenance of efficient  
Fire Brigades and to authorize the appointment of a Superintendent  
5 thereof with assistants and to confer on them respectively the powers  
hereinafter specified it is expedient to authorize the appointment of a  
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  
10 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  
15 Executive Council to appoint as Superintendent and Assistant appoint a Superin-  
Superintendent of Fire Brigades for the City and Suburbs of Sydney tendent and  
such persons as may for that purpose be nominated by the majority in Assistant Superin-  
number of the Companies insuring property against loss or damage by tendent of Fire  
fire having head or branch offices or agencies in the said City and with Brigades for City and  
20 the like advice to remove any such Superintendent or any Assistant Suburbs of Sydney.  
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

c 6—

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

that adequate provision has been made by the said Companies or some of them for the maintenance of efficient Fire Brigades and for the payment of the salary of such Superintendent and Assistant Superintendent 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. Provided that no Company which does not contribute towards such provision shall be entitled to vote for the nomination of any such Superintendent or Assistant Superintendent (by which term shall be understood throughout this Act the Governor with the advice of the Executive Council) to appoint a Superintendent and one or more Assistant Superintendents of Fire Brigades for the City of Sydney and the suburbs thereof mentioned in the Schedule to this Act as the same are defined severally for Municipal purposes. Provided that before any such appointment be made it shall be shown to the Governor's satisfaction that adequate provision has been made by the several Companies or some of them insuring property in Sydney or any such suburb against loss or damage by fire having head or branch offices or agencies in Sydney for the maintenance of efficient Fire Brigades and for the payment of the salaries of such officers.

Superintendent  
&c. of Fire  
Brigades.

Superintendent of  
Fire Brigades to have  
the control thereof.

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.

Powers and duty  
of Superintendent

2. The Superintendent so appointed shall at any fire occurring in Sydney or any such suburb have full power to control direct and regulate the working of all Fire Brigades at such fire and all engines and appliances appurtenant thereto or used therewith. And it shall be his duty to proceed upon the first alarm with all possible speed to the scene of such fire and endeavour by all possible means to extinguish 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 and his men break into or through or take possession of or pull down any premises for the purpose of extinguishing such fire and may also cause the water to be shut off from any mains or pipes in order to give a greater supply and pressure of water for the purpose of subduing the 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.

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.

Deputy of Superintendent of Fire Brigades.

3. The powers conferred upon the Superintendent by the last preceding section may in case of his absence or being disabled by any cause be exercised by any Assistant Superintendent and such officer shall be recognized by the police authorities and all others as the Superintendent's deputy during such absence or disability And it shall be the duty of the officer commanding the police force present at any such fire as aforesaid to support, and assist such Superintendent or deputy in the maintenance of his authority and in enforcing due obedience to his orders by all persons in carrying out the provisions of this Act.

Powers of Assistant Superintendents.

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.

Officers of Police to assist Superintendent or Deputy if necessary.

4. For the purpose of enabling the several Companies insuring property as aforesaid to maintain efficient Fire Brigades and of compelling each Company to contribute thereto and to the payment of the salaries of the Superintendent and his assistants in an equal proportion according to its liabilities every such Company so insuring property shall pay annually to the Treasurer of the Board constituted as herein-after provided a contribution or sum calculated and fixed on a percentage or scale according to the gross amount insured by such Company during the preceding year (except by way of re-assurance) on property in Sydney and the aforesaid suburbs thereof which payments shall be made at such times and in such manner as the Governor shall from time to time appoint Provided always that the amount to be contributed by the several Companies in any year shall as nearly as can be estimated not exceed in the whole two thousand pounds.

Insurance Companies to contribute to support of Fire Brigades.

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 Provided that the occupier not being the owner shall not be liable for any share of such expenses on account of any house building or premises.

Remuneration for attendance of Fire Brigades how contributed and recovered.

Amount of contribution how ascertained.

5. For the purpose of ascertaining the amounts to be so contributed every Company insuring property as aforesaid shall annually in such month as the Governor shall from time to time direct transmit to the said Board a return showing the gross amount insured as aforesaid by such Company during the twelve months next preceding and there shall be annexed to such return a solemn declaration by the Manager or Secretary of the Company that according to the books thereof and to the best of his knowledge and belief the said return contains a true account and statement of the gross amount insured by the Company to which such return relates on property in Sydney and the suburbs thereof mentioned in the First Schedule to this Act during the twelve months next preceding the month in which the return is made such declaration to be according to the form prescribed by the statute passed for abolishing unnecessary oaths And if any Company to which this Act applies shall make default in transmitting such return so verified such Company shall pay to the Queen a penalty of five pounds for every day during which such default continues.

Short Title.

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

Appointment of a Fire Brigades Board.

6. In order the better to carry into effect the objects and provisions of this Act it shall be lawful for the Governor to constitute a Board to be called The Fire Brigades Board consisting of five persons of whom three may be Directors Managers or Secretaries of Companies insuring property from loss or damage by fire which Board may appoint a Treasurer and shall by him or otherwise receive all such sums as may be payable to the Board and shall when received expend the same for the purposes of this Act And it shall be lawful for the Governor at any time to depute to the Board all the powers vested in him by this Act or such of them as he may deem it expedient to transfer to the Board.

Contribution if any by Parliament.

7. The Colonial Treasurer shall in every year cause to be paid to the Fire Brigades Board in aid of the Fire Brigades establishment such sums as Parliament may grant for that purpose not exceeding the amount contributed as aforesaid and paid by the several Insurance Companies in that year.



SCHEDULES.

SCHEDULE A.

5	Alexandria. Ashfield. Balmain. Botany. Burwood. Camperdown. Darlington. Glebe.	Paddington. Petersham. Randwick. Redfern. St. Leonards. East.
10	Leichhardt. Marrickville. Newtown.	Victoria. Waterloo. Waverley. Willoughby, North. Woollahra.

SCHEDULE B.

SCALE of Charges allowed for services or attendance at Fires.		£	s.	d.
15	For Superintendent of Fire Brigades or his deputy for first hour or any part thereof if actually attending ... ..	0	10	0
	"    "    "    per hour or any part thereof for each succeeding			
20	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
25	"    "    "    "    "    "    "    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
	"    "    "    "    "    "    "    the City ... .. beyond ... ..	0	10	0
	"    "    "    "    "    "    "    cleaning and drying the hose and taking it to and from the drying-yard after each fire at which it is used for each engine ... ..	0	10	0
35	"    "    "    "    "    "    "    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
	"    "    "    "    "    "    "    each succeeding hour ... ..	0	1	0
40	"    "    "    "    "    "    "    boys first hour... ..	0	1	0
	"    "    "    "    "    "    "    each succeeding hour ... ..	0	0	6
	Attendance at chimney fires in no case to exceed ... ..	5	5	0

SCHEDULES

SCHEDULE A

Palmerston	Alexander
Peterborough	Asfield
Harwich	Baldwin
London	Benny
St. Leonards	Burwood
East	Cambridge
Victoria	Dunstable
Walsley	Glebe
Waverley	Leahurst
Willingby, North	Marlow
Wollaton	Newtown

SCHEDULE B

15	Scale of Charges allowed for services or attendance at Fire
16	For Superintendent of Fire Brigade or his deputy for first hour of any part
17	thereof, if actually attending
18	for second or any part thereof for each succeeding
19	hour day or night
20	each hand-engine with hose pipes for its attendance at any fire
21	if attendance
22	each hand-engine when called out to any fire day or night for the first hour or
23	any part thereof
24	for the second hour or
25	any part thereof
26	for each succeeding
27	hour or any part thereof
28	each horse for taking any engine to and from any fire day or night within
29	the City
30	outside
31	the City
32	cleaning and drying the hose and taking it to and from the drying rack
33	after each fire at which it is used for each engine
34	notice of fire at principal fire station of the fire
35	company alarm
36	wages for extra men or boys engaged by the Superintendent or his deputy
37	at any fire day or night—first hour
38	each succeeding hour
39	boys first hour
40	each succeeding hour
41	Attendance at chimney fires in no case to exceed