



ANNO TRICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1984

No. 99 of 1984

An Act to amend the Country Fires Act, 1976.

[Assented to 20 December 1984]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

- Short title. 1. (1) This Act may be cited as the "Country Fires Act Amendment Act (No 2), 1984".
- (2) The Country Fires Act, 1976, is in this Act referred to as "the principal Act".
- Commencement. 2. This Act shall come into operation on a day to be fixed by proclamation.
- Amendment of long title to principal Act. 3. The long title to the principal Act is amended by inserting after the passage "and other fires;" the passage "to provide for the protection of life and property threatened by other emergencies;".
- Amendment of s. 16—
Functions of the Board. 4. Section 16 of the principal Act is amended—
- (a) by striking out paragraph (b) of subsection (2) and substituting the following paragraph:
- (b) keep methods of fire-fighting and of dealing with other emergencies under constant review and shall report to the Minister periodically on the most modern and effective methods of fire-fighting and of dealing with those emergencies.;
- (b) by inserting in subsection (3) after the passage "may be of use for fire-fighting" the passage "or for dealing with other emergencies";
- (c) by inserting at the end of subsection (4) the passage "and on methods of dealing with other emergencies";
- and
- (d) by inserting after subsection (4) the following subsection:

(5) In this section—

“emergencies” refers only to emergencies constituted of, or arising from, the escape of a dangerous substance or of situations that involve imminent danger of such an escape.

5. Section 28 of the principal Act is amended—

- (a) by striking out from paragraph (b) of subsection (2) the passage “the Fire Brigades Board” and substituting the passage “the South Australian Metropolitan Fire Service”;

and

- (b) by striking out from paragraphs (a) and (b) of subsection (4) the passage “the Minister administering the Fire Brigades Act, 1936-1976, the Fire Brigades Board” and substituting, in each case, the passage “the South Australian Metropolitan Fire Service”.

Amendment of
s. 28—
Fire-fighting
Advisory
Committee.

6. Section 35 of the principal Act is amended—

- (a) by inserting at the end of paragraph (a) of subsection (1) the passage “or for dealing with any other emergencies”;

and

- (b) by inserting in subsection (3) after the passage “fire-fighting” the passage “or in dealing with any other emergency”.

Amendment of
s. 35—
Grants from fund
to various
organizations.

7. Section 52 of the principal Act is amended—

- (a) by striking out subsection (1) and substituting the following subsection:

(1) This section applies—

- (a) in relation to fires outside fire brigade districts that—

(i) have been lighted or are maintained in contravention of this Act or of some other law;

(ii) have occurred accidentally;

(iii) are not under control or are likely to get out of control;

or

(iv) are of a kind prescribed by regulation;

- (b) in relation to emergencies constituted of, or arising from, the escape of a dangerous substance and that occur outside fire brigade districts;

and

- (c) in relation to emergencies occurring outside fire brigade districts and that involve imminent

Amendment of
s. 52—
Power of fire
control officer.

danger of fire or other emergency referred to in this subsection.;

(b) by striking out from subsection (2) the passage "of fire-fighting or of protecting" and substituting the passage "of fire-fighting or of dealing with other emergencies or for the purpose of protecting";

(c) by striking out from subsection (7) the passage "of fire-fighting operations at the scene of a fire" and substituting the passage "at the scene of a fire or other emergency";

and

(d) by striking out subsection (8) and substituting the following subsection:

(8) Where the Director or his delegate assumes command at the scene of a fire or other emergency pursuant to subsection (7), all persons at the scene who are engaged in operations to fight the fire or deal with the emergency shall be subject to his authority and shall obey his directions.

Amendment of s. 55—
Power of police and fire control officers to enter premises and search debris.

8. Section 55 of the principal Act is amended—

(a) by inserting at the end of paragraph (a) of subsection (1) the passage "or other emergency";

(b) by inserting at the end of paragraph (b) of subsection (1) the passage "or other emergency";

(c) by inserting at the end of paragraph (c) of subsection (1) the passage "or other emergency";

and

(d) by inserting after subsection (2) the following subsection:

(3) In this section—

"emergency" refers only to an emergency constituted of, or arising from, the escape of a dangerous substance or a situation that involves imminent danger of such an escape.

Amendment of s. 56—
Power of fire control officer to inspect premises.

9. Section 56 of the principal Act is amended by inserting after the passage "prevention or control of fire" the passage "or for the prevention of, or for dealing with, the escape of dangerous substances".

Amendment of s. 62—
Misuse of fire alarms, etc.

10. Section 62 of the principal Act is amended—

(a) by inserting at the end of paragraph (b) of subsection (1) the passage "or other emergency";

and

(b) by striking out from subsection (3) the passage "fire-fighting".

11. Section 68 of the principal Act is amended by inserting at the end of paragraph (e) of subsection (2) the passage "and who is to take command of operations dealing with other emergencies, whether generally or in relation to any class of emergency".

Amendment of
s. 68—
Regulations.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor