

FIRE BRIGADES (AMENDMENT) ACT.

Act No. 15, 1956.

An Act to reconstitute the Board of Fire Commissioners of New South Wales; for this purpose to amend the Fire Brigades Act, 1909-1955; and for purposes connected therewith. [Assented to, 7th September, 1956.]

BE

No. 15, 1956.

— 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:—

Short title and citation.

1. (1) This Act may be cited as the "Fire Brigades (Amendment) Act, 1956."

(2) This Act shall be read and construed with the Fire Brigades Act, 1909, as amended by subsequent Acts.

(3) The Fire Brigades Act, 1909, as so amended, is in this Act referred to as the Principal Act.

(4) The Principal Act, as amended by this Act, may be cited as the Fire Brigades Act, 1909-1956.

Reconstitution of Board of Fire Commissioners.

2. (1) Upon a day to be appointed by the Governor and notified by proclamation published in the Gazette (which day is in this Act referred to as the "appointed day") the Board of Fire Commissioners of New South Wales shall be reconstituted and shall consist of five members who shall be appointed or elected in accordance with Part II of the Principal Act as amended by this section.

(2) The persons who immediately before the appointed day held office as President and the other members of the Board of Fire Commissioners of New South Wales shall not be entitled to receive after the appointed day any further salary or fees in respect of any such office.

(3) (a) Nothing contained in this section shall prejudice or affect in any way the continuity of the body corporate constituted under Part II of the Principal Act but the same shall continue notwithstanding the provisions of this section.

(b) The said body corporate shall continue and shall be deemed always to have continued notwithstanding that there are or have been at any time or times vacancies in the offices of all of the members of the body corporate or of any one or more of them.

(4)

(4) (a) For the purposes only of the appointment and election of persons to be the President and the other members of the Board of Fire Commissioners of New South Wales as reconstituted under this section, and of any matters necessary for or incidental to such appointment, election or reconstitution, the provisions of subsection five of this section shall commence on the day upon which the assent of Her Majesty to this Act is signified.

(b) The persons so appointed and elected shall assume their offices as President and the other members of the Board of Fire Commissioners of New South Wales upon the appointed day; and on that day the provisions of subsection five of this section shall come into force for all purposes.

The provisions of subsection two of section eight of the Principal Act as amended by this section shall in their application to such other members be read and construed as if the words "date of election" were omitted therefrom and the words "appointed day" were inserted in lieu thereof.

(5) The Principal Act is amended—

(a) by inserting at the end of section five the Amend-
ment of
Act No. 9,
1909.

following new definition:—

"Volunteer firemen" means persons who are members of any association of persons authorised by the Board and formed for the purpose of extinguishing fires, if the carrying out of the purpose of such association is not the sole or principal calling or the means of livelihood of such persons, whether such persons receive or do not receive emoluments for their services as members of that association.

(b) (i) by omitting from subsection one of section Sec. 7. seven the word "seven" and by inserting in (Constitu-
tion of
board.) lieu thereof the word "four";

(ii)

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(ii) by omitting from subsection two of the same section the word "Four" and by inserting in lieu thereof the word "Three";

Sec. 8.
(Appointment and election of members of board.)

(c) (i) by inserting at the end of subsection one of section eight the following proviso:—

Provided that any person appointed to supply a vacancy in the office of president shall hold office for the residue of his predecessor's term, but shall be eligible for re-appointment.

(ii) by omitting from subsection two of the same section the word "seven" and by inserting in lieu thereof the word "four";

(iii) by omitting from the same subsection the word "three" and by inserting in lieu thereof the word "five";

(iv) by omitting subsection three of the same section and by inserting in lieu thereof the following subsection:—

(3) (a) A person who is of or above the age of sixty-five years shall not be appointed as president of the board or elected as any other member of the board.

(b) The president and any other member of the board shall be deemed to have vacated his office on the day upon which he attains the age of sixty-five years.

Sec. 9.
(Election by municipalities and shires.)

(d) (i) by omitting subsections one, two and three of section nine and by inserting in lieu thereof the following subsections:—

(1) One member of the board shall be elected by the councils of the municipalities and shires to which or parts of which this Act, pursuant to subsection one of section four of this Act, applies.

(2)

(2) At such election the council of a ~~No. 15, 1956.~~ municipality or shire contributing to the fund during the next preceding year one hundred pounds or less shall have one vote; the council of a municipality or shire so contributing more than one hundred and not more than five hundred pounds shall have two votes; the council of a municipality or shire so contributing more than five hundred pounds shall have two votes in respect of the first five hundred pounds contributed and one additional vote in respect of each additional five hundred pounds contributed.

- (ii) by omitting from subsection four of the same section the words "Three members" and by inserting in lieu thereof the words "One member";
- (iii) by omitting from subsection five of the same section the words "members of the volunteer fire brigades" and by inserting in lieu thereof the words "the volunteer firemen";
- (iv) by omitting from the same subsection the words "member of such brigade" and by inserting in lieu thereof the words "volunteer fireman";
- (v) by omitting from subsection (5A) of the same section the words "Fire Brigades Association of New South Wales" and by inserting in lieu thereof the words "New South Wales Fire Brigade Employees' Union";
- (vi) by omitting from the same subsection the word "association" and by inserting in lieu thereof the word "union";

(e) (i) by omitting from section ten the words ~~Sec. 10.~~ "municipalities, or"; ~~(Extra-ordinary vacancy.)~~

(ii) ~~(Extra-ordinary vacancy.)~~

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**Sec. 11.
(Removal of
members
and
appoint-
ment to
vacancies.)**

- (ii) by inserting in the same section after the word "vacancy" where secondly occurring the words "and any other vacancy occurring in the board of a member elected by the councils of municipalities and shires";
- (iii) by inserting at the end of the same section the words "but shall be eligible for re-election";
- (f) (i) by omitting from subsection two of section eleven the words "or subsection five" and by inserting in lieu thereof the words and symbols "five or (5A)";
- (ii) by inserting at the end of the same subsection the words "but shall be eligible for re-election".
