



New South Wales

Emergency Legislation Amendment (Offences) Act 1996 No 89

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Emergency Legislation Amendment (Offences) Act 1996 No 89

Act No 89, 1996

*An Act to amend the *Bush Fires Act 1949*, the *Fire Brigades Act 1989*, the *State Emergency and Rescue Management Act 1989* and the *State Emergency Service Act 1989* to make further provision with respect to offences against certain personnel exercising functions under those Acts; and for other purposes. [Assented to 25 November 1996]*

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Emergency Legislation Amendment (Offences) Act 1996*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Acts

Each Act specified in Schedule 1 is amended as set out in that Schedule.

Schedule 1 Amendment of Acts

(Section 3)

1.1 Bush Fires Act 1949 No 31

Section 55 Members of police force to support exercise of authority under the Act

Omit “shall be guilty of an offence against this Act and be liable to a penalty not exceeding 20 penalty units or to imprisonment for a term not exceeding 6 months” from section 55 (2).

Insert instead:

is guilty of an offence.

Maximum penalty: 50 penalty units or imprisonment for 2 years, or both.

1.2 Fire Brigades Act 1989 No 192

Section 35 Obstruction of fire fighters or other personnel

Omit “10 penalty units”.

Insert instead “50 penalty units or imprisonment for 2 years, or both”.

1.3 State Emergency and Rescue Management Act 1989 No 165

[1] Section 40 Offence to obstruct Minister or emergency personnel

Insert “imprisonment for 2 years, or both” after “units”.

[2] Section 62B

Insert after section 62A:

62B Obstruction of members of rescue units

A person must not obstruct or hinder a member of an accredited rescue unit acting in connection with a rescue operation or otherwise in response to an emergency.

Maximum penalty: 50 penalty units or imprisonment for 2 years, or both.

1.4 State Emergency Service Act 1989 No 164

Section 24 Offence to obstruct Director-General or emergency officer

Insert “or imprisonment for 2 years, or both” after “units”.

[Minister’s second reading speech made in—
Legislative Assembly on 23 October 1996
Legislative Council on 13 November 1996]