

[Act 1997 No 65]



New South Wales

Rural Fires Bill 1997

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.*

Overview of Bill

The objects of this Bill are to provide:

- (a) for the prevention, mitigation and suppression of bush and other fires in local government areas (or parts of areas) and other parts of the State constituted as rural fire districts, and
- (b) for the co-ordination of bush fire fighting and bush fire prevention throughout the State, and
- (c) for the protection of persons from injury or death, and property from damage, arising from bush fires, and
- (d) for the protection of the environment by requiring certain activities referred to in paragraphs (a)–(c) to be carried out having regard to the principles of ecologically sustainable development described in section 6 (2) of the *Protection of the Environment Administration Act 1991*.

* Amended in committee—see table at end of volume.

The Bill provides for the constitution of all those parts of the State that are not within fire districts (within the meaning of the *Fire Brigades Act 1989*) as rural fire districts. The boundaries of the rural fire districts are the same as those areas of the State constituted as local government areas, the Western Division and Lord Howe Island or are combinations of such areas. Generally, responsibilities for the areas are conferred on the local authorities for the areas (councils, the Western Lands Commissioner and the Lord Howe Island Board).

The Rural Fire Service is responsible for providing rural fire services in the rural fire districts and other parts of the State and for assisting other emergency services organisations at incidents and at emergencies under the control of those organisations and has functions assigned to it under the *State Emergency and Rescue Management Act 1989* and other Acts.

The members of the Rural Fire Service are the Commissioner and other public servants appointed to the Service, the fire control officers and deputy fire control officers appointed by the local authorities responsible for the rural fire districts and the volunteer rural fire fighters. The volunteer rural fire fighters are the officers and other members of the rural fire brigades and groups of rural fire brigades who function under the direction of the fire control officers and other volunteers engaging in fire fighting and associated activities.

The Commissioner heads the Rural Fire Service and is Chairperson of the Bush Fire Co-ordinating Committee (which plans for bush fire prevention and co-ordinated bush fire fighting) and also the Rural Fire Service Advisory Council.

The Bill repeals and replaces the *Bush Fires Act 1949*.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be proclaimed.

Clause 3 sets out the objects of the proposed Act described above.

Clause 4 provides that the words and expressions used in the Dictionary at the end of the proposed Act have the meanings given in the Dictionary. It also provides for words and expressions used in the *State Emergency and Rescue Management Act 1989* that are used in the proposed Act to have the same meanings in the proposed Act as they have in the 1989 Act.

Expressions defined include *local authority* and *area* of a local authority. The local authority for a local government area is the council of the area, for the Western Division is the Western Lands Commissioner, and for Lord Howe Island is the Lord Howe Island Board.

Clause 5 provides that notes do not form part of the proposed Act.

Clause 6 provides for the area of each local authority to be constituted as a rural fire district on the commencement of the proposed Act. Provision is made for changes in the boundaries and areas of local authorities to be reflected by corresponding changes to the boundaries and areas of the rural fire districts. Rural fire districts are based on local authority areas and do not include land within a fire district constituted under the *Fire Brigades Act 1989*.

Clause 7 sets out the local authorities to be responsible for carrying out functions for or in respect of rural fire districts conferred or imposed by or under the proposed Act. Functions to be exercised by the local authorities include the appointment of fire control officers and deputy fire control officers and the formation of rural fire brigades.

Part 2 NSW Rural Fire Service

Part 2 (clauses 8–43) establishes the NSW Rural Fire Service (the *Service*) and provides for its composition, functions and management. The Service is to be managed and controlled by the Commissioner. The Commissioner has responsibilities for the members of the Service, including the staff of the Service, fire control officers and deputy fire control officers and the members of rural fire brigades and other volunteers.

Division 1 The Service

Clause 8 establishes the Service. It provides that the Service consists of the Commissioner and other staff of the Service, fire control officers, officers and other members of rural fire brigades and other volunteer rural fire fighters.

Clause 9 specifies the general functions of the Service in relation to the prevention, mitigation and suppression of fires in rural fire districts and throughout the State. The functions of the Service include assisting other emergency services organisations at incidents and other emergencies under the control of those organisations. The Service is required to exercise its functions in accordance with the *State Emergency and Rescue Management Act 1989* and to have regard to principles of ecologically sustainable development.

Division 2 The Commissioner and other staff of Service

Clause 10 provides for the employment of the Commissioner and other staff of the Service under the *Public Sector Management Act 1988*.

Clauses 11 and 12 make the Commissioner (subject to the control and direction of the Minister) responsible for the general management and control of the Service.

Clause 13 provides for the issue of Service Standards. The Service Standards are policy statements for or with respect to procedures to be followed in connection with the operation, management and control of the Service and provide information as to the standard operating procedures to be followed by the Service. The Commissioner is required to consult with the Advisory Council before issuing Service Standards.

Clause 14 provides the Commissioner with a general power of delegation.

Division 3 Rural fire brigades

Division 3 (clauses 15–33) provides for the formation, membership and functions of rural fire brigades. Rural fire brigades are groups of volunteer rural fire fighters based in rural fire districts.

Clause 15 provides for the formation of rural fire brigades by local authorities or, if a local authority that has been requested to form a brigade refuses or fails to do so, by the Commissioner.

Clause 16 provides for the formation of groups of rural fire brigades formed in a rural fire district by the fire control officer for the district.

Clause 17 provides for the disbandment of rural fire brigades by the persons or body that formed them and for appeals to the Minister against a decision to disband rural fire brigades.

Clause 18 provides for the determination of the territory in which a rural fire brigade is to operate and for the appointment of its officers.

Clause 19 provides for the determination of the territory in which a group of rural fire brigades is to operate and for the selection of the officers for the group.

Clause 20 provides for the members of a rural fire brigade to consist of persons listed on the register required to be kept for the brigade.

Clause 21 specifies the general functions of officers of rural fire brigades and groups of rural fire brigades both within the rural fire districts for which the brigades or groups are formed and at other places in the State.

Clauses 22-27 give some particular examples of actions that officers of rural fire brigades and groups of rural fire brigades may take in exercising functions under the proposed Act. The powers include the power to enter premises, close roads, pull down fences, establish fire breaks and use water.

Clause 28 provides for damage to property caused in the exercise of powers conferred under proposed Division 3 to be treated as damage by fire for the purposes of any insurance policy.

Clauses 29-32 place certain restrictions on the power of entry conferred on officers of rural fire brigades and groups of rural fire brigades.

Clause 33 enables a rural fire brigade to voluntarily co-operate with a public authority in the exercise of any function of the public authority prescribed by the regulations.

Division 4 Fire control officers

Division 4 (clauses 34-38) provides for the appointment and functions of a fire control officer and deputy fire control officers for rural fire districts.

Clause 34 provides for the appointment and revocation of appointment of fire control officers and deputy fire control officers by the local authority or local authorities of areas constituting rural fire districts. It also sets out the responsibilities of the local authorities to provide the fire control officer with the facilities necessary to carry out his or her functions.

Clause 35 provides for the appointment of an acting fire control officer to exercise the functions of a fire control officer when the fire control officer and all deputy fire control officers are absent from duty.

Clause 36 prevents a councillor within the meaning of the *Local Government Act 1993* from being appointed as a fire control officer or deputy fire control officer and requires a fire control officer or deputy fire control officer who becomes a councillor to cease to be such an officer within a specified period. A provision is included in Schedule 3 to require existing fire control officers and deputy fire control officers who are councillors to cease to be such officers within a specified period.

Clause 37 states the general functions of a fire control officer. The officer is, subject to any direction of the Commissioner, to be responsible for the control and co-ordination of activities of the Service in the rural fire district.

Clause 38 confers on fire control officers all the powers and immunities conferred on an officer in charge of a rural fire brigade. It sets out the functions of fire control officers and the limitations on the exercise of those functions in certain managed lands such as State forests and national parks.

Division 5 Command structure

Division 5 (clauses 39–43) sets out the command structure within the Service and requires police officers and other members of the Police Service and members of interstate fire brigades to recognise the authority of the Commissioner and persons acting under the Commissioner's authority.

Clause 39 enables the Commissioner to authorise officers and members of rural fire brigades and groups of rural fire brigades to exercise the Commissioner's functions.

Clause 40 enables the officer in charge of a fire to authorise any other officer or member of a rural fire brigade to exercise the functions of the officer.

Clause 41 requires persons at the scene of a fire to recognise the authority of the Commissioner, a member of a rural fire brigade acting under the Commissioner's orders, the officer in charge at the fire, incident or other emergency or an officer of a rural fire brigade directly assisting the person primarily responsible for responding to a fire, incident or other emergency. Members of the Police Service are required to support the authority.

Clause 42 makes it an offence to obstruct or hinder the Commissioner, a fire control officer or an officer of a rural fire brigade in the exercise of their functions.

Clause 43 requires members of an interstate fire brigade who are at the scene of a fire in a rural fire district to obey the orders of the officer in charge of the fire or (if there is no officer in charge) to take command.

Part 3 Co-ordinated bush fire fighting

Part 3 (clauses 44-62) provides for the co-ordination of bush fire management throughout the State.

The Part charges the Commissioner with the responsibility of controlling and co-ordinating the action to be taken by persons and bodies involved in or associated with the prevention, mitigation or suppression of bush fires in dealing with fires requiring a response beyond the area or locality in which the fires are burning. The Commissioner is authorised to give directions to persons, members of the Service, officers of other emergency services organisations and others in relation to the prevention, mitigation and suppression of bush fires in these circumstances.

The Part also provides for the establishment of the Bush Fire Co-ordinating Committee, the principal responsibility of which is to plan for bush fire prevention and for co-ordinated bush fire fighting. The Bush Fire Co-ordinating Committee is required to constitute Bush Fire Management Committees for rural fire districts. These committees are responsible for the preparation of bush fire management plans for the areas for which they are constituted.

Division 1 Co-ordination of bush fire fighting by Commissioner

Clauses 44 and **45** require the Commissioner to take charge of fire fighting operations and fire prevention measures in an emergency beyond the capacity of local fire fighting authorities if the Commissioner is of the opinion that a local authority is not effectively controlling or suppressing a fire in its area or that no authority is in control of the fire. The Commissioner is empowered to give such directions as are necessary to carry out this function but may not commandeer equipment or resources. The Commissioner is required to take into consideration any relevant bush fire management plan when exercising functions under the proposed Division.

Division 2 Bush Fire Co-ordinating Committee

Clause 46 constitutes the Bush Fire Co-ordinating Committee.

Clause 47 provides that the Bush Fire Co-ordinating Committee is to consist of the Commissioner and 11 members appointed by the Minister on the recommendation of bodies involved in bush fire management or nominated by such bodies.

Clause 48 sets out the general functions of the Bush Fire Co-ordinating Committee, including reporting to the Minister on matters relating to the prevention and suppression of bush fires.

Clause 49 enables the Bush Fire Co-ordinating Committee to delegate its functions to the Commissioner.

Division 3 Bush Fire Management Committees

Clause 50 requires the Bush Fire Co-ordinating Committee to constitute Bush Fire Management Committees.

Clause 51 provides that a Bush Fire Management Committee has such functions as are conferred or imposed on it by or under the proposed Act.

Division 4 Preparation of draft bush fire management plans

Clause 52 requires each Bush Fire Management Committee to prepare draft bush fire management plans at specified intervals for the part of the State for which it is formed respectively setting out:

- procedures to be followed for bush fires of such a size that they would be incapable of being suppressed by the fire fighting authorities within the part of the State for which the Committee is formed (plans of operation), and
- bush fire hazard reduction measures to be taken in that part of the State (bush fire risk management plans).

Clauses 53–55 describe the content of draft plans of operation and draft bush fire risk management plans.

Clause 56 enables the Commissioner to exercise the functions of a Bush Fire Management Committee that has failed to submit a draft bush fire management plan in accordance with the proposed Division.

Division 5 Public participation in preparation of plans

Clause 57 requires a Bush Fire Management Committee or the Commissioner to publicly exhibit any draft bush fire risk management plan prepared by the Management Committee or Commissioner for the purpose of receiving submissions on the plan and to display for information a plan of operations.

Clause 58 provides for the adoption (with or without amendments arising from the public exhibition of the plan) of the bush fire risk management plan

following consideration of submissions received on the plans and after review by the Bush Fire Co-ordinating Committee of the provisions of a draft plan submitted to it in the light of other plans applying to the land to which it applies. Provision is made to enable the Bush Fire Co-ordinating Committee to vary either the plan as submitted or the other plans to ensure that the plans are consistent, and to ensure that they provide for a co-ordinated approach to the prevention, mitigation and suppression of bush fires.

Clause 59 provides for the adoption (with or without amendment) of a plan of operations after review by the Bush Fire Co-ordinating Committee of the provisions of a draft plan submitted to it in the light of other plans applying to the land to which it applies. Provision is made to enable the Bush Fire Co-ordinating Committee to vary either the plan as submitted or the other plans to ensure that the plans are consistent.

Clause 60 sets out the procedures to be followed before approval, variation or revocation of a plan imposing a requirement on a public authority.

Clause 61 requires amendments to bush fire management plans to be done by a bush fire risk management plan prepared in accordance with the proposed Division and for the revocation of bush fire management plans.

Clause 62 requires a bush fire management plan to be available for public inspection.

Part 4 Bush fire prevention

Part 4 (clauses 63–100) deals with the prevention and minimisation of the spread of bush fires throughout the State. It provides for fire hazard reduction work to be done, for limitation of the lighting of fires without a permit during bush fire danger periods and the imposition of total fire bans. It imposes responsibilities on the owners and occupiers of land and public authorities in relation to these and other matters.

Division 1 Duty to prevent bush fires

Clause 63 sets out the general duties of public authorities and the owners and occupiers of land to take all practicable steps to prevent the occurrence of bush fires on, and to minimise the spread of bush fires from, land. Practicable steps may include steps included in a bush fire management plan for the land or that the Bush Fire Co-ordinating Committee considers necessary.

Clause 64 requires the occupier of land to extinguish any bush fire on the land during a bush fire danger period applicable to the land and, if the occupier is unable to extinguish the fire without assistance, to notify the appropriate authorities. A person who fails to comply with such a requirement is guilty of an offence.

Division 2 Bush fire hazard reduction

The Dictionary defines *bush fire hazard reduction work* and *bush fire hazard reduction notice* for the purposes of the proposed Division.

Clause 65 enables authorised persons to carry out bush fire hazard reduction work on certain prescribed land with the permission of the appropriate persons or bodies prescribed by the regulations.

Clause 66 enables the local authority of an area to require the occupier or owner of any land in the area to carry out bush fire hazard reduction work on the land by a notice. An owner or occupier of land who fails to comply with such a direction is guilty of an offence.

Clause 67 enables an owner or occupier of land on whom a notice has been served to lodge an objection with the fire control officer.

Clause 68 provides for an appeal to be lodged with the Commissioner by a person who has lodged an objection.

Clause 69 enables a local authority to enter land to determine whether a bush fire hazard reduction notice should be issued and requires the local authority to notify certain authorities if notice is given and to keep records of notices.

Clause 70 enables a local authority (or persons authorised by it) to carry out bush fire hazard reduction work required to be done by a notice issued by the local authority if the owner or occupier of the land concerned fails to carry out the work. The cost of work carried out by the local authority or persons authorised by it is recoverable from the owner or occupier.

Clause 71 makes it a defence for the owner of land to fail to comply with a direction if the land is occupied by a different person.

Clause 72 provides for damage to property caused in the exercise of powers conferred under the proposed Division to be treated as damage by fire for the purposes of any insurance policy.

Clause 73 enables the Commissioner to carry out bush fire hazard reduction work required to be carried out on land by a bush fire management plan if the owner or occupier of the land has not carried out the work as required by the plan.

Clause 74 requires a local authority to carry out an annual review of the incidence of bush fire hazards on land in its area.

Division 3 Damage by fire to dividing fences and other matters

Clause 75 defines certain terms (including *adjoining owners*, *dividing fence* and *excluded land*) for the purposes of the proposed Division.

Clauses 76–78 enable the owner or occupier of land divided from other land (other than excluded land) by a fence who clears combustible matter from that fence to require the owner or occupier of land on the other side of the fence to repair or restore (or pay for the cost of the repair or restoration of the fence) if it is damaged or destroyed because the owner or occupier has failed to take similar action.

Clause 79 enables the owner or occupier of land who has cleared combustible matter from land to enter the land of an adjoining owner who has failed to so clear his or her land to extinguish an unattended fire threatening his or her land or property.

Clause 80 enables the owner or occupier of land adjoining certain Crown land (other than excluded land and land reserved or dedicated, or acquired for reservation or dedication, under the *National Parks and Wildlife Act 1974*) to enter the land to establish and maintain fire breaks.

Division 4 Bush fire danger period

Clause 81 states that the bush fire danger period for land in New South Wales is, except as provided by proposed section 82, the period commencing on 1 October and ending on 31 March in the following year.

Clause 82 enables a local authority to specify, by notice published in a newspaper circulating generally in the area of the local authority, that either no bush fire danger period, or a different bush fire danger period, applies in respect of land specified in the order to that stated in proposed section 81.

Clause 83 enables the Commissioner to specify areas in the State in which a local authority may not make an order under proposed section 82 without the concurrence of the Forestry Commission and the National Parks and Wildlife Service.

Clause 84 requires the local authority to give notice of any bush fire danger period for a part of the State specified in a notice under proposed section 82 in a newspaper circulating generally in that part of the State.

Division 5 Permits and notice requirements

Clause 85 contains definitions used in the proposed Division. *Light* a fire is defined to include maintain or use a fire or cause a fire to be lit, maintained or used.

Clause 86 makes it an offence to light a fire for the purpose of land clearance or burning a fire break or in circumstances that would be likely to be dangerous to any building without giving notice as required by the proposed section.

Clause 87 makes it an offence to light a fire for the purpose of land clearance or burning a fire break during a bush fire danger period that applies to the land without a fire permit issued, and giving the notice required, under proposed section 86.

Clause 88 makes it an offence to light a fire in a local government area that is in a fire district if doing so would be likely to be dangerous to any building without a fire permit issued, and giving the notice required, by proposed section 86.

Clause 89 enables an appropriate authority to issue a fire permit.

Clause 90 provides for a fire permit to remain in force for the period (not exceeding 21 days) specified in the permit.

Clause 91 provides for the cancellation or suspension of fire permits by notice in writing or by other means in emergencies.

Clause 92 sets out certain conditions to which a fire permit is subject.

Clause 93 sets out the circumstances in which an appropriate authority may refuse to issue a fire permit.

Clause 94 requires an appropriate authority who issues a fire permit to notify certain other authorities that it has been issued.

Clause 95 makes it clear that nothing in the proposed Division requires a public authority to obtain a fire permit to light a fire.

Clause 96 makes it clear that appropriate authorities are not determining authorities within the meaning of the *Environmental Planning and Assessment Act 1979* for the purposes of issuing fire permits and that the issue of a fire permit does not affect any requirement to obtain a licence under the *Threatened Species Conservation Act 1995*.

Clause 97 requires local authorities to make annual reports to the Commissioner in respect of fire permits issued by the local authorities. The report is to include details of any bush fires that may have been started in the area of the local authority by a fire lit under a permit.

Clause 98 makes it clear that the issue of a fire permit does not affect the duties of owners and occupiers of land to prevent the escape of bush fires.

Division 6 Total fire bans

Clause 99 enables the Minister, by order, to prohibit the lighting, maintenance or use of fires in the open air for a specified period or periods, to impose conditions on the lighting of fires in such periods or to require persons specified in the order to take action to prevent the outbreak of or to extinguish fires.

Division 7 Lighting fires without authority

Clause 100 makes it an offence to light a fire on certain land without authority.

Part 5 New South Wales Rural Fire Fighting Fund

Part 5 (clauses 101–121) requires local government councils and insurance companies to contribute, along with the State Government, to the costs of rural fire brigade expenditure. The total amount required to be contributed is based on estimated rural fire brigade expenditure.

Division 1 Preliminary

Clause 101 contains definitions for the purposes of the proposed Part.

Division 2 The Fund

Clause 102 establishes the New South Wales Rural Fire Fighting Fund (the *Fund*) into which is to be paid all the contributions and other money received under the proposed Part.

Division 3 Estimates of Fund expenditure and contributions

Clause 103 requires the Minister to estimate Fund expenditure for each financial year.

Clause 104 requires councils, rural fire brigades or a fire control officer to furnish the Commissioner with information relevant to preparation of the estimate of Fund expenditure.

Clause 105 provides for the payment of contributions under the proposed Part by instalments on specified dates or such other date as the Commissioner may notify.

Clause 106 requires contributions to be paid within 60 days of assessment and for interest to be paid on overdue accounts.

Clause 107 provides for deficits and excesses in contributions estimated for a financial year to be taken into account in the following financial year.

Division 4 Contributions by Treasurer

Clause 108 requires the Treasurer to provide 14% of the contributions to the Fund.

Division 5 Contributions by local government areas

Clause 109 requires councils to provide 12.3% of contributions to the Fund. It also enables the Governor to exempt a council from payment of contributions if the danger of bush fires in its area is negligible.

Clause 110 provides for the apportionment of contributions between councils.

Division 6 Contributions by insurance companies

Clause 111 requires insurance companies to provide 73.7% of the contributions to the Fund.

Clause 112 requires advance contribution payments to be made by an insurance company and for the method of calculating the amount of the advance payment. The amount is based on a percentage of the total amount of premiums received by or due to a company during the financial year before the financial year in which the advance payment is due.

Clause 113 defines *total amount of premiums* for the purposes of making the necessary calculations under proposed section 112.

Clause 114 provides for the adjustment of advance payments made.

Clause 115 deals with the situation where an owner of property insures with a foreign insurer. The Commissioner may require the owner to pay the contribution amount that would otherwise be payable by the insurer.

Clause 116 requires returns to be furnished to the Commissioner by insurance companies.

Clause 117 provides for the audit by the Auditor-General, at the request of the Minister, of the accounts of an insurance company required to pay a contribution.

Division 7 Miscellaneous

Clause 118 provides for the application of the Fund.

Clause 119 provides for the maintenance and disposal of fire fighting equipment purchased from the Fund.

Clause 120 sets out the purposes relating to fire fighting and the prevention, mitigation and suppression of fires that are purposes for which the consolidated fund of a council may be applied.

Clause 121 requires the Minister to distribute copies of the annual report to each council and each insurance company contributing to the Fund.

Part 6 Rural Fire Service Advisory Council

Part 6 (clauses 122–124) establishes a Rural Fire Service Advisory Council (the *Advisory Council*) and provides for its composition, functions and procedures.

Clause 122 establishes the Advisory Council.

Clause 123 provides for the Advisory Council to consist of the Commissioner and 8 members appointed by the Minister. The Ministerial appointments are to be made on the recommendation of specified bodies having particular interest in rural fire prevention, mitigation and suppression.

Clause 124 specifies the general functions of the Advisory Council.

Part 7 Miscellaneous

Clause 125 provides for the proposed Act to bind the Crown.

Clause 126 requires local authorities and other persons and bodies to furnish information relevant to the functions of the Commissioner or the Bush Fire Co-ordinating Committee when required to do so by the Commissioner.

Clause 127 preserves the rights of persons to take action for loss or damage or trespass unless otherwise expressly provided by the proposed Act.

Clause 128 protects various persons exercising functions under the proposed Act from personal liability.

Clause 129 enables the Commissioner to be represented by a person appointed by the Commissioner at any inquest or inquiry relating to the cause or origin of any fire.

Clause 130 provides for the notices or directions under the proposed Act to be given in accordance with the regulations.

Clause 131 authorises the issue of penalty notices for offences against the proposed Act or the regulations.

Clause 132 requires a person whom a police officer suspects is committing an offence against the proposed Act or regulations relating to the lighting, maintenance or use of a fire to comply with any direction given by the police officer to state his or her name and address, produce any document authorising the lighting, maintenance or use of the fire or to extinguish the fire.

Clause 133 enables an authorised officer of a fire fighting authority to enter land within the prescribed distance from the land for which the fire fighting authority is responsible and to take action necessary to suppress, or prevent the spread, of the fire.

Clause 134 provides that offences against the proposed Act or the regulations are to be taken before a Local Court constituted by a Magistrate sitting alone.

Clause 135 empowers the making of regulations for the purposes of the proposed Act.

Clause 136 repeals the *Bush Fires Act 1949*.

Clause 137 gives effect to Schedule 3 (which contains savings, transitional and other provisions).

Clause 138 gives effect to Schedule 4 (which contains amendments to other laws).

Clause 139 provides for the review of the operation of the proposed Act by the Minister 5 years after the date of assent to the Act.

Schedule 1 Constitution and procedure of Advisory Council and Bush Fire Co-ordinating Committee

Schedule 1 contains provisions relating to the members and procedure of the Advisory Council and Bush Fire Co-ordinating Committee, including terms of office, vacation of office and remuneration.

Schedule 2 Contributions of insurance companies

Schedule 2 sets out the policies of insurance and amounts necessary for calculating the amount of advance payment to be made by insurance companies under proposed Part 5.

Schedule 3 Savings and transitional provisions

Schedule 3 contains savings and transitional provisions providing for various matters, including the following matters:

- the making of savings and transitional regulations
- the dissolution of various bodies under the *Bush Fires Act 1949*
- the continuation of bush fire districts as rural fire districts
- references to various bodies
- the transfer of assets of Fire Prevention Associations
- requiring fire control officers and deputy fire control officers who are councillors to cease to hold office in a specified period after the commencement of proposed section 36.

Schedule 4 Amendment of other laws

Schedule 4 amends various Acts, regulations and environmental planning instruments as a consequence of the enactment of the proposed Act. It also includes an amendment (Schedule 4.6) to the *Dangerous Goods Regulation 1978*. The provision will prescribe non-safety matches as dangerous goods for the purposes of the *Dangerous Goods Act 1975* and thereby make it an offence to sell non-safety matches in a public place under section 13 of that Act or to use or otherwise deal with non-safety matches in a way likely to endanger life or property under section 14 of that Act. The provision will replace section 12 (c) of the *Bush Fires Act 1949*.

Dictionary

The Dictionary defines various words and expressions for the purposes of the proposed Act.