

FIRE BRIGADES (AMENDMENT) BILL 1988

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Fire Brigades Act 1909 so as—

- (a) to reduce the magnitude of fluctuations (arising from the different times at which land valuations are conducted in respect of different areas of ratable land) in the contributions to be made by local councils to the cost of the work of fire brigades; and
- (b) to convert the office of Deputy President of the Board of Fire Commissioners from a full-time to a part-time office; and
- (c) to permit the Board of Fire Commissioners to impose charges for certain of its services; and
- (d) to make other miscellaneous amendments.

The Bill also makes consequential amendments to the Statutory and Other Offices Remuneration Act 1975 and the Valuation of Land Act 1916.

Clause 1 specifies the short title of the proposed Act.

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

Clause 3 is a formal provision which gives effect to the Schedule of amendments to the Fire Brigades Act 1909.

Clause 4 is a formal provision which gives effect to the Schedule of consequential amendments to the other two Acts mentioned above.

SCHEDULE 1—AMENDMENT OF FIRE BRIGADES ACT 1909

Deputy President of the Board of Fire Commissioners

Schedule 1 (4) amends section 8 of the Principal Act so as to convert the office of Deputy President of the Board from a full-time to a part-time office.

Fire Brigades (Amendment) 1988

Schedule 1 (5) and (6) make consequential amendments.

Charges for services of the Board

Of the many services provided by the Board, the only ones for which, at present, a charge may be imposed on a person obtaining the benefit of such a service are those described in section 22 of the Principal Act (namely, fire fighting services performed outside a fire district).

Schedule 1 (9) amends section 22 of the Principal Act so as to provide that charges for fire fighting services performed outside a fire district may be prescribed by the regulations.

Schedule 1 (10) inserts new sections 23A and 23B into the Principal Act. Proposed section 23A allows the Board to charge for services other than fire fighting. The proposed section also validates the imposition by the Board of such charges before the commencement of the section. Proposed section 23B allows the Board to waive or reduce any charge for its services in an appropriate case.

Schedule 1 (8), (11) and (18) make consequential amendments.

Powers of brigade officers

Schedule 1 (13) amends section 29 of the Principal Act so as to provide that the functions of the officer in charge of a fire brigade present at the scene of a fire may be delegated to a less senior officer.

Contributions to the Board's expenditure

Schedule 1 (15) amends section 34 of the Principal Act so as to provide for a different method of calculating the contributions to be made to the Board's finances by a local council whose area is wholly or partly within a fire district.

At present the amount of contribution required is a fraction (fixed by the Governor-in-Council) of the land value of ratable land in the area of the council (or so much of its area as is within the fire district). "Land value", for this purpose, means the value, ascertained on a general valuation of individual properties conducted by the Valuer-General, of the land concerned.

The amendment enables a contribution to be calculated by reference to an estimate, provided by the Valuer-General, of aggregate land values in the relevant district. This estimate is provided by updating (by means of statistical techniques) the aggregate results of an earlier general valuation. The principles employed are essentially the same as those employed for land tax purposes.

Schedule 1 (16) and (17) make consequential amendments.

Minor amendments

Schedule 1 (1)–(3), (7), (12) and (14) amend the Principal Act by way of statute law revision.

SCHEDULE 2—CONSEQUENTIAL AMENDMENT OF OTHER ACTS

This Schedule—

- (a) amends the Statutory and Other Offices Remuneration Act 1975 as a consequence of the amendment made by Schedule 1 (4); and

Fire Brigades (Amendment) 1988

- (b) amends the Valuation of Land Act 1916 as a consequence of the amendment made by Schedule 1 (15).
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