



New South Wales

# Rural Fires Amendment (NSW RFS and Brigades Donations Fund) Bill 2020

## Explanatory note

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

## Overview of Bill

The objects of this Bill are to—

- (a) allow for the application of certain money in the NSW Rural Fire Service and Brigades Donations Fund for purposes relating to bush fire emergency relief, and
- (b) provide protection from breach of trust and civil liability in relation to the application of that money.

## Outline of provisions

**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 to be appointed by proclamation.

**Clause 3** amends the *Rural Fires Act 1997* to give effect to the above overview.



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## Contents

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|   | Page |
|---|------|
| 1 Name of Act                             | 2    |
| 2 Commencement                            | 2    |
| 3 Amendment of Rural Fires Act 1997 No 65 | 2    |



New South Wales

# Rural Fires Amendment (NSW RFS and Brigades Donations Fund) Bill 2020

No. \_\_\_\_\_, 2020

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## **A Bill for**

An Act to amend the *Rural Fires Act 1997* to allow for the application of certain money in the NSW Rural Fire Service and Brigades Donations Fund for purposes relating to bush fire emergency relief.

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Rural Fires Amendment (NSW RFS and Brigades Donations Fund) Act 2020*.

**2 Commencement**

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

**3 Amendment of Rural Fires Act 1997 No 65**

**Section 137A**

Insert after section 137—

**137A Application of NSW Rural Fire Service and Brigades Donations Fund**

- (1) Despite the terms of the deed, the trustees may pay or apply relevant trust money for the purpose of providing support or assistance to any one or more of the following—
  - (a) the families of volunteer rural fire fighters killed while providing rural fire services,
  - (b) volunteer rural fire fighters injured while providing rural fire services,
  - (c) people and organisations providing care to animals injured or displaced by bush fires,
  - (d) people and communities that are significantly affected by bush fires.
- (2) Subsection (1) is limited to people, organisations or communities within Australia.
- (3) Nothing done by a trustee in accordance with this section is to be regarded for any purpose as constituting a breach of trust or breach of the deed by the trustee.
- (4) Without limiting subsection (3), a trustee does not incur any civil liability for any act done or omitted to be done in accordance with this section.
- (5) In this section—

*deed* means the NSW Rural Fire Service and Brigades Donations Fund Trust Deed.

*relevant trust money* means gifts or contributions received by or on behalf of the trust during the period commencing on 1 November 2019 and ending on 1 February 2020.

*trust* means the NSW Rural Fire Service and Brigades Donations Fund.

*trustee* means a trustee of the NSW Rural Fire Service and Brigades Donations Fund.

*volunteer rural fire fighter* includes a member of a rural fire brigade  
(however described) of another State or Territory.

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40