

Act 1994 No. 36

FIRE BRIGADES (AMENDMENT) BILL 1994

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 1989 (“the Principal Act”) and the Public Sector Management Act 1988 in order to:

- (a) abolish the office of Director-General of New South Wales Fire Brigades and the office of Chief Officer of Fire Brigades; and
- (b) combine the functions of those offices and have the combined functions exercisable by the holder of a new office with the title of Commissioner of New South Wales Fire Brigades (“the Commissioner”); and
- (c) provide transitional provisions resulting from those changes.

Clause 1 states the short title of the proposed Act.

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

Clause 3 amends the Fire Brigades Act 1989 as set out in Schedules 1 and 2.

Clause 4 amends the Public Sector Management Act 1988:

- (a) to abolish the office of Director-General of New South Wales Fire Brigades and the office of Chief Officer of New South Wales Fire Brigades; and
- (b) to create in their place the office of Commissioner of New South Wales Fire Brigades.

SCHEDULE 1—AMENDMENTS RELATING TO THE COMMISSIONER OF NEW SOUTH WALES FIRE BRIGADES

Schedule 1 (1) omits the definitions of “Chief Officer” and “Director-General” and defines “Commissioner” as the Commissioner of New South Wales Fire Brigades holding office under the Public Sector Management Act 1988.

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The other items of Schedule 1 replace the references in the Principal Act to the Director-General and the Chief Officer with references to the Commissioner, except as provided by Schedule 1 and except in the case of certain savings and transitional provisions.

SCHEDULE 2—OTHER AMENDMENTS

Schedule 2 (1) reduces from 6 to 4 the number of members of the Fire Brigades Advisory Council because:

- (a) the proposed Act substitutes the office of Commissioner for the 2 offices of Director-General and Chief Officer; and
- (b) a nominee of the Treasurer is no longer required.

Schedule 2 (2) (a) and **(b)** make consequential amendments, and **Schedule 2 (2) (c)** reduces from 4 to 3 the quorum for a meeting of the Fire Brigades Advisory Council.

Schedule 2 (3) amends the Schedule of savings and transitional provisions in the Principal Act:

- (a) by adding the proposed Act to those in respect of which savings and transitional provisions may be made by regulations; and
 - (b) by requiring certain references to the Director-General and the Chief Officer to be read as references to the Commissioner; and
 - (c) by enabling certain provisions of the Principal Act to continue to apply to former Directors-General and former Chief Officers.
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