



ANNO VICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1972

No. 108 of 1972

An Act to amend the Bush Fires Act, 1960-1968.

[Assented to 23rd November, 1972]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Bush Fires Act Amendment Act, 1972". Short title.

(2) The Bush Fires Act, 1960-1968, as amended by this Act, may be cited as the "Bush Fires Act, 1960-1972".

(3) The Bush Fires Act, 1960-1968, is hereinafter referred to as "the principal Act".

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section 6 of the principal Act is amended—

(a) by inserting in subsection (1) immediately after the definition of "member" the following definition:—

"nominated council" in relation to a firefighting organization means the council for the time being nominated by the Minister under section 27a of this Act as the council responsible for that firefighting organization::

and

Amendment of principal Act, s. 6—
Interpretation.

(b) by striking out from the definition of "portable water spray" in subsection (1) the passage "two gallons" and inserting in lieu thereof the passage "9 litres".

Enactment of
s. 27a of
principal Act—

4. The following section is enacted and inserted in the principal Act immediately after section 27 thereof:—

Nominated
councils and
members of
firefighting
organizations.

27a. (1) The Minister may by notice published in the *Gazette* nominate for each firefighting organization registered under section 27 of this Act, that operates in an area or more than one area, a council that is responsible for that firefighting organization and the Minister may by notice published in a like manner vary, amend or revoke any such notice.

(2) Every firefighting organization, registered under section 27 of this Act shall keep and maintain a list of members for the time being of that firefighting organization and each such firefighting organization shall from time to time inform its nominated council (if any) as to the names and addresses of the persons who are members of the firefighting organization.

(3) Where there is no council nominated as the council responsible for a firefighting organization registered under section 27 of this Act, that firefighting organization shall from time to time inform the Minister of the names and addresses of the persons who are members of the firefighting organizations.

Insertion of
heading in
principal Act.

5. The following heading is enacted and inserted in the principal Act immediately after section 35 thereof:—

"Compensation".

Repeal of ss. 36
and 37 of
principal Act
and enactment
of sections in
their place—

6. Sections 36 and 37 of the principal Act are repealed and the following sections are enacted and inserted in their place:—

Compensation.

36. (1) This section applies to persons engaged in the following capacities:—

(a) as a fire control officer appointed under section 28, 29 or 30 of this Act;

(b) as a fire party leader appointed under section 37a of this Act;

or

- (c) as a member of a firefighting organization registered under section 27 of this Act whose name is for the time being included in the list of members kept and maintained by that firefighting organization under subsection (2) of section 27a of this Act,

but this section does not apply to any such person who receives any remuneration on account of his engagement in any of those capacities.

(2) The Workmen's Compensation Act, 1971, applies to and in relation to a person to whom this section applies in all respects as if—

- (a) his engagement in the capacity referred to in subsection (1) of this section were his employment;
- (b) his wages payable in respect of that employment were the living wage plus such additional amount as is for the time being prescribed;

and

- (c) his employer in that employment were the employer ascertained by reference to the following table:—

Capacity	Employer
Fire control officer appointed or deemed to be appointed by a council.	The council which appointed him or is deemed to have appointed him.
Fire control officer appointed by the Minister for any portion of the State not comprised in an area.	The corporation known as The Minister of Agriculture.
Fire party leader appointed by a council or by a person acting under the written authority of a council.	The council which appointed him or the council which gave the written authority for his appointment.
Fire party leader appointed by the Minister or on the written authority of the Minister.	The corporation known as The Minister of Agriculture.

Capacity	Employer
<p>Member of a firefighting organization registered under section 27 of this Act in respect of which there is a nominated council and whose name is for the time being included on the list of members kept and maintained by the fire-fighting organization under section 27a of this Act.</p>	<p>The nominated council.</p>
<p>Member of a firefighting organization registered under section 27 of this Act in respect of which there is not a nominated council and whose name is for the time being included on a list of members kept by the firefighting organization under section 27a of this Act.</p>	<p>The Corporation known as The Minister of Agriculture.</p>

(3) In this section "the living wage" means the living wage for adult male employees in force in the part of the State where and at the time which the injury or disease giving rise to a claim under the Workmen's Compensation Act occurred.

Liability of the corporation for compensation.

37. Any liability for workmen's compensation arising under this Act payable by the corporation known as The Minister of Agriculture shall be met out of the general revenue of the State which is hereby to the necessary extent appropriated accordingly.

Amendment of principal Act, s. 37a—
Fire party leaders.

7. Section 37a of the principal Act is amended by striking out subsection (3).

Amendment of principal Act, s. 43—
Restriction on burning stubble.

8. Section 43 of the principal Act is amended—

(a) by striking out the passage "two hundred dollars" and inserting in lieu thereof the passage "four hundred dollars";

and

- (b) by striking out the passage "four hundred dollars" and inserting in lieu thereof the passage "eight hundred dollars".

9. Section 44 of the principal Act is amended by striking out from paragraph (a) thereof the passage "two chains" and inserting in lieu thereof the passage "40 metres".

Amendment of principal Act, s. 44—
Burning stubble for firebreaks during prohibited period.

10. Section 47 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (1) the word "inflammable" and inserting in lieu thereof the word "flammable";

and

- (b) by striking out from paragraph (a) of subsection (1) the passage "twelve feet" and inserting in lieu thereof the passage "four metres".

Amendment of principal Act, s. 47—
Burning stubble in irrigation areas during prohibited or conditional burning period.

11. Section 49 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (1) the word "inflammable" twice occurring and inserting in lieu thereof in each case the word "flammable";

- (b) by striking out from paragraph (a) of subsection (1) the passage "six feet" and inserting in lieu thereof the passage "2 metres";

- (c) by striking out from paragraph (a) of subsection (1) the passage "twelve feet" and inserting in lieu thereof the passage "4 metres";

- (d) by striking out from paragraph (b) of subsection (1) the passage "five miles" and inserting in lieu thereof the passage "8 kilometres";

and

- (e) by striking out from paragraph (d) of subsection (1) the passage "one mile" and inserting in lieu thereof the passage "2 kilometres".

Amendment of principal Act, s. 49—
Rules for burning stubble.

12. Section 52 of the principal Act is amended—

- (a) by striking out the passage "two hundred dollars" and inserting in lieu thereof the passage "four hundred dollars";

and

- (b) by striking out the passage "four hundred dollars" and inserting in lieu thereof the passage "eight hundred dollars".

Amendment of principal Act, s. 52—
Restriction on burning scrub.

Amendment of
principal Act,
s. 54—
Rules for
burning scrub.

13. Section 54 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (1) the word “inflammable” and inserting in lieu thereof the word “flammable”;
 - (b) by striking out from paragraph (a) of subsection (1) the passage “twelve feet” and inserting in lieu thereof the passage “4 metres”;
 - (c) by striking out from paragraph (b) of subsection (1) the passage “five hundred acres” and inserting in lieu thereof the passage “200 hectares”;
 - (d) by striking out from paragraph (c) of subsection (1) the passage “five miles” and inserting in lieu thereof the passage “8 kilometres”;
 - (e) by striking out from paragraph (e) of subsection (1) the passage “one mile” and inserting in lieu thereof the passage “2 kilometres”;
- and
- (f) by striking out from paragraph (f) of subsection (1) the passage “one mile” and inserting in lieu thereof the passage “2 kilometres”.

Amendment of
principal Act,
s. 59—
Burning scrub
or stubble on
Good Friday,
Christmas Day
and Sundays.

14. Section 59 of the principal Act is amended—

- (a) by striking out the passage “one hundred dollars” and inserting in lieu thereof the passage “two hundred dollars”;
- and
- (b) by striking out the passage “two hundred dollars” and inserting in lieu thereof the passage “four hundred dollars”.

Amendment of
principal Act,
s. 60—
Burning scrub
or stubble on
Saturdays and
holidays.

15. Section 60 of the principal Act is amended by striking out from paragraph (b) the passage “one hundred dollars” and inserting in lieu thereof the passage “two hundred dollars”.

Amendment of
principal Act,
s. 61—
Power of
councils to
restrict fires in
open air.

16. Section 61 of the principal Act is amended—

- (a) by striking out from subsection (3) the passage “one hundred dollars” and inserting in lieu thereof the passage “two hundred dollars”;
- and
- (b) by striking out from subsection (3) the passage “two hundred dollars” and inserting in lieu thereof the passage “four hundred dollars”.

17. Section 62 of the principal Act is amended—

Amendment of
principal Act,
s. 62—
Clearance
around certain
fires in open
air.

- (a) by striking out from subsection (1) the passage “twelve feet” and inserting in lieu thereof the passage “4 metres”;
 - (b) by striking out from subsection (1) the word “inflammable” and inserting in lieu thereof the word “flammable”;
 - (c) by striking out from subsection (1) the passage “one hundred dollars” and inserting in lieu thereof the passage “two hundred dollars”;
 - (d) by striking out from subsection (1) the passage “two hundred dollars” and inserting in lieu thereof the passage “four hundred dollars”;
 - (e) by striking out from paragraph (b) of subsection (2) the passage “twelve feet” and inserting in lieu thereof the passage “4 metres”;
 - (f) by striking out from paragraph (b) of subsection (2) the word “inflammable” and inserting in lieu thereof the word “flammable”;
 - (g) by striking out from subsection (3) the passage “one hundred dollars” and inserting in lieu thereof the passage “two hundred dollars”;
- and
- (h) by striking out from subsection (3) the passage “two hundred dollars” and inserting in lieu thereof the passage “four hundred dollars”.

18. Section 63 of the principal Act is amended—

Amendment of
principal Act,
s. 63—
Fires for lime
and charcoal
burning.

- (a) by striking out from paragraph (a) the word “inflammable” and inserting in lieu thereof the word “flammable”;
 - (b) by striking out from paragraph (a) the passage “fifty feet” and inserting in lieu thereof the passage “15 metres”;
 - (c) by striking out the passage “one hundred dollars” and inserting in lieu thereof the passage “two hundred dollars”;
- and
- (d) by striking out the passage “two hundred dollars” and inserting in lieu thereof the passage “four hundred dollars”.

Amendment of
principal Act,
s. 64—

Fires in
honey houses,
etc.

19. Section 64 of the principal Act is amended—

- (a) by striking out the passage “twelve feet” and inserting in lieu thereof the passage “4 metres”;
 - (b) by striking out the word “inflammable” and inserting in lieu thereof the word “flammable”;
- and
- (c) by striking out the passage “one hundred dollars” and inserting in lieu thereof the passage “two hundred dollars”.

Amendment of
heading in
principal Act.

20. The heading in the principal Act immediately preceding section 65 is amended by striking out the passage “Serious Fire Risk” and inserting in lieu thereof the passage “Extreme Fire Danger”.

Amendment of
principal Act,
s. 65—

Warning of day
of extreme fire
danger.

21. Section 65 of the principal Act is amended—

- (a) by striking out from subsection (2) the word “section” secondly occurring and inserting in lieu thereof the word “subsection”;
 - (b) by striking out from subsection (3) the passage “serious fire risk” and inserting in lieu thereof the passage “extreme fire danger”;
 - (c) by striking out from subsection (4) the passage “two hundred dollars” and inserting in lieu thereof the passage “four hundred dollars”;
- and
- (d) by striking out from subsection (4) the passage “four hundred dollars or three” and inserting in lieu thereof the passage “eight hundred dollars or six”.

Amendment of
principal Act,
s. 67—

Requirement as
to stationary
engines.

22. Section 67 of the principal Act is amended—

- (a) by striking out from subsection (2) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”;
- (b) by striking out from subsection (3) the word “non-inflammable” and inserting in lieu thereof the word “non-flammable”;
- (c) by striking out from paragraph (a) of subsection (3) the passage “twelve feet” and inserting in lieu thereof the passage “4 metres”;

- (d) by striking out from paragraph (a) of subsection (3) the word "inflammable" and inserting in lieu thereof the word "flammable";
- (e) by striking out from paragraph (b) of subsection (3) the passage "fifty feet" and inserting in lieu thereof the passage "15 metres";
- and
- (f) by striking out from subsection (4) the word "non-inflammable" and inserting in lieu thereof the word "non-flammable".

23. Section 68 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 68 of principal Act and enactment of section in its place—

68. A person shall not during the prohibited burning period or the conditional burning period use an internal combustion engine for—

Equipment on engines used in harvesting, etc.

- (a) harvesting a flammable crop on a holding;
- (b) moving or transporting a flammable crop within the boundaries of the holding on which it was harvested:
- or
- (c) spreading lime or fertilizer,

unless—

- (d) the internal combustion engine is fitted with a spark arrester;
- and
- (e) a shovel or rake and a portable water spray fully charged with water are attached to or carried on the internal combustion engine or are attached to or carried on any machine drawn by that internal combustion engine.

Penalty: Two hundred dollars.

24. Section 69 of the principal Act is amended—

Amendment of principal Act, s. 69—
Spark arrestors on vehicles near flammable material.

- (a) by striking out from subsection (1) the passage "six feet" and inserting in lieu thereof the passage "2 metres";
- (b) by striking out from subsection (1) the word "inflammable" and inserting in lieu thereof the word "flammable";
- and

- (c) by striking out from subsection (1) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of
principal Act,
s. 70—
Fire
extinguishers
on caravans.

25. Section 70 of the principal Act is amended by striking out the passage "Fifty dollars" and inserting in lieu thereof the passage "One hundred dollars".

Repeal of s. 71
of principal Act
and enactment
of section in its
place—
Movement of
aircraft.

26. Section 71 of the principal Act is repealed and the following section is enacted and inserted in its place:—

71. (1) Subject to subsection (2) of this section, a person shall not cause or permit any aircraft to alight or take off from any land during the prohibited burning period or a conditional burning period unless—

- (a) the land on which the aircraft alights or takes off is cleared of all flammable materials;
 - (b) the land adjoining on all sides the whole of the land on which the aircraft alights or takes off is either ploughed and cleared of all flammable material to a width of at least 2 metres or cleared of all flammable material to a width of at least 4 metres;
- or
- (c) there are adjacent to the said land at the time when the aircraft alights or takes off two men able to assist in controlling fires, and two portable water sprays fully charged with water, and a motor vehicle in readiness to transport the men and water sprays.

Penalty: Two hundred dollars.

(2) This section does not apply to or in relation to—

- (a) any aircraft alighting on or taking off from any Government or licensed airfield;
- (b) any aircraft on a mercy flight or fire fighting operations under the direction of a fire control officer;
- (c) any aircraft alighting or taking off in circumstances where the alighting or taking off is reasonably necessary to avoid hazard to the aircraft or its occupants;

and

(d) any aircraft operations carried out under an exemption given pursuant to subsection (3) of this section where those operations are carried out in accordance with the requirements, if any, set out in that exemption.

(3) The Minister may by notice in writing exempt the aircraft operations specified in the notice subject to those operations complying with the requirements, if any, set out in the notice and the Minister may by a like notice revoke any such exemption or vary or amend any requirements so set out.

(4) In this section "mercy flight" means a flight regarded as a mercy flight under an Aeronautical Information Publication issued under the authority of the Air Navigation Regulations of the Commonwealth.

27. Section 72 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage "six feet" and inserting in lieu thereof the passage "2 metres";
- (b) by striking out from subsection (1) the word "inflammable" and inserting in lieu thereof the word "flammable";
- and
- (c) by striking out from subsection (1) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of principal Act, s. 72—
Smoking near flammable matter.

28. Section 73 of the principal Act is amended by striking out from subsection (1) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of principal Act, s. 73—
Throwing burning material from vehicles.

29. Section 74 of the principal Act is amended by striking out the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of principal Act, s. 74—
Using fire in rabbit fumigators.

30. Section 75 of the principal Act is amended—

- (a) by striking out from paragraph (b) the passage "fifty feet" and inserting in lieu thereof the passage "15 metres";
- and
- (b) by striking out the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of principal Act, s. 75—
Blasting trees, etc.

Amendment of
principal Act,
s. 76—
Ignitable
wadding
prohibited.

31. Section 76 of the principal Act is amended—

(a) by striking out from subsection (2) the passage “Fifty dollars” and inserting in lieu thereof the passage “One hundred dollars”;

and

(b) by striking out from the penalty set out at the end of subsection (4) the passage “Fifty dollars” and inserting in lieu thereof the passage “One hundred dollars”.

Amendment of
principal Act,
s. 77—
Fire protection
at saw mills and
other premises.

32. Section 77 of the principal Act is amended—

(a) by striking out from subsection (7) the passage “one hundred and fifty dollars” and inserting in lieu thereof the passage “three hundred dollars”;

(b) by striking out from subsection (7) the passage “three hundred dollars” and inserting in lieu thereof the passage “six hundred dollars”;

(c) by striking out from subsection (8) the passage “one hundred and fifty dollars” and inserting in lieu thereof the passage “three hundred dollars”;

and

(d) by striking out from subsection (8) the passage “three hundred dollars” and inserting in lieu thereof the passage “six hundred dollars”.

Amendment of
principal Act,
s. 78—
Prohibition on
the sale of
certain matches.

33. Section 78 of the principal Act is amended—

(a) by inserting after the passage “of phosphorus” in subsection (1) the passage “or matches which have an after glow exceeding three seconds as specified by British Standard 3795: 1964”;

and

(b) by striking out from subsection (1) the passage “Fifty dollars” and inserting in lieu thereof the passage “One hundred dollars”.

Amendment of
principal Act,
s. 79—
Removal of
debris from
roads.

34. Section 79 of the principal Act is amended—

(a) by striking out from subsection (1) the word “inflammable” and inserting in lieu thereof the word “flammable”;

and

(b) by striking out from paragraph (a) of subsection (2) the word “inflammable” and inserting in lieu thereof the word “flammable”.

35. Section 80 of the principal Act is amended by striking out from paragraph (a) the word "inflammable" and inserting in lieu thereof the word "flammable".

Amendment of principal Act, s. 80—
Power of council to clear roads.

36. Section 81 of the principal Act is amended by striking out from the second sentence in subsection (1) the passage "one chain" and inserting in lieu thereof the passage "20 metres".

Amendment of principal Act, s. 81—
Power to order destruction of shrubs or bushes.

37. The following section is enacted and inserted in the principal Act immediately after section 81 thereof:—

Enactment of s. 81a of principal Act—

81a. (1) If a council is of the opinion that the creation of a fire break on any land within its area is likely to inhibit the starting or spreading of fires, the council may by notice in writing given to the owner or occupier of that land, require the owner or occupier to create such a fire break in the manner specified in the notice within the time specified in the notice.

Power of the council to order the creation of fire breaks.

(2) There shall be an appeal to the Minister against any requirement of a council under this section, and any such appeal shall be lodged in writing at the office of the Minister within fourteen days of the giving of the notice by the council.

(3) The Minister may hear and determine an appeal made under subsection (2) of this section or may appoint some person to do so and the Minister or person appointed by him shall make such order as to the Minister or such other person seems fair and reasonable and the order when made shall be final.

(4) Any person who, without reasonable excuse, proof of which shall lie upon him—

(a) refuses or fails to comply with any requirement under this section that has not been appealed against in the manner set out in subsection (2) of this section;

or

(b) refuses or fails to comply with any order made by the Minister or person appointed by him pursuant to subsection (3) of this section,

shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(5) Where an owner or occupier has been convicted of an offence under this section and the requirement or order has not been complied with the council which gave the notice referred to in subsection (1) of this section may do or cause to be done all acts and things that the owner or occupier was required to do pursuant to the requirement or order and may recover its costs and expenses incurred therein as a debt due to the council from the owner or occupier.

Amendment of
principal Act,
s. 82—
Provision of
firefighting
equipment by
council.

38. Section 82 of the principal Act is amended by striking out from subsection (4) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of
principal Act,
s. 86—
Powers of fire
control officers
and fire party
leaders.

39. Section 86 of the principal Act is amended—

- (a) by striking out from subsection (1) the word "only";
- (b) by striking out from paragraph (c) of subsection (1) the passage "not adequately controlled" and inserting in lieu thereof the passage "reasonably likely to get out of control";
- (c) by inserting in subsection (1) immediately after paragraph (d) the passage "and this section applies in circumstances where there is an imminent danger that a fire to which this section applies will occur.";
- (d) by striking out from subsection (2) the passage "to fires";
- (e) by inserting in subsection (3) after the passage "of controlling" the passage ", preventing";
- (f) by striking out from subsection (3) the passage ", subject to subsection (3a) of this section,";
- (g) by striking out from paragraph (b) of subsection (3) the word "inflammable" and inserting in lieu thereof the word "flammable";
- (h) by striking out paragraph (g) from subsection (3) and inserting in lieu thereof the following paragraph:—
 - (g) In the absence of a member of the police force, prohibit or regulate the movement of vehicles, persons or animals in the vicinity of any fire or in the vicinity of any place where there is an imminent danger of fire;;
- (i) by striking out from paragraph (h) the passage "(other than water contained in a tank at a dwellinghouse and apparently required for domestic purposes)";
- (j) by striking out paragraph (l) of subsection (3) and inserting in lieu thereof the following paragraph:—
 - (l) Do anything which is in his opinion necessary for or incidental to—
 - (i) the exercise of any of the powers referred to in this subsection;
 - (ii) the preventing of the outbreak of any fire to which this subsection applies;
 - (iii) the controlling or extinguishing of any such fire or preventing the spread of any such fire;

or

(iv) the protecting of life and property from injury arising from the likely outbreak or continuance of any such fire;;

(k) by striking out subsection (3a) and inserting in lieu thereof the following subsection:—

(3a) In addition to and without derogating from the powers conferred on a fire control officer by subsection (3) of this section, a fire control officer may light or cause to be lit fires on any land for the purposes of creating a fire break.;

and

(l) by inserting in subsection (5) after the passage “or person” the passage “and whether or not that land is a public place”.

40. Section 89 of the principal Act is amended—

Amendment of principal Act, s. 89—

(a) by striking out from subsection (2) the passage “one hundred dollars” and inserting in lieu thereof the passage “three hundred dollars”;

Power of fire control officers as to certain fires.

and

(b) by striking out from subsection (2) the passage “two hundred dollars or three” and inserting in lieu thereof the passage “five hundred dollars or six”.

41. Section 90 of the principal Act is amended—

Amendment of principal Act, s. 90—

(a) by striking out from paragraph (a) of subsection (2) the passage “one mile” and inserting in lieu thereof the passage “2 kilometres”;

Power of fire control officers to prohibit fires

(b) by striking out from paragraph (3) the passage “one hundred dollars” and inserting in lieu thereof the passage “three hundred dollars”;

and

(c) by striking out from subsection (3) the passage “two hundred dollars or imprisonment for three” and inserting in lieu thereof the passage “five hundred dollars or imprisonment for six”.

42. Section 91 of the principal Act is amended by striking out from subsection (1) the passage “One hundred dollars or imprisonment for two months” and inserting in lieu thereof the passage “Two hundred dollars or imprisonment for three months”.

Amendment of principal Act, s. 91—

Hindering fire control officer or fire party leader.

Repeal of s. 92 of principal Act and enactment of section in its place—

Powers of member of the police force.

43. Section 92 of the principal Act is repealed and the following section is enacted and inserted in its place:—

92. (1) A member of the police force may—

- (a) give directions prohibiting or regulating the movement of vehicles or persons in the vicinity of any fire or in the vicinity of any place where in his opinion there is imminent danger of a fire occurring;
- (b) where he has reasonable cause to believe that a contravention of or failure to comply with any provision of this Act has occurred, enter and remain upon any premises or place for the purposes of making such inquiries as to the contravention or failure to comply as to him seems necessary;

and

- (c) in the absence of a fire control officer or a fire party leader where he has reasonable cause to believe that a fire has been lighted or maintained in contravention of this Act, take such measures as are necessary in his opinion to extinguish that fire or cause that fire to be extinguished and may give such directions as to him seem reasonable for that purpose.

(2) A person shall not without reasonable excuse, proof of which shall lie upon him, refuse or fail to comply with a direction given by a member of the police force acting under subsection (1) of this section.

Penalty: One hundred dollars.

Amendment of principal Act, s. 93—
Power to demand name and address.

44. Section 93 of the principal Act is amended by striking out from subsection (2) the passage “Forty dollars” and inserting in lieu thereof the passage “One hundred dollars”.

Amendment of principal Act, s. 94—
Covering or interfering with fire plugs.

45. Section 94 of the principal Act is amended by striking out the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of principal Act, s. 95—
Misuse of fire alarms.

46. Section 95 of the principal Act is amended by striking out from subsection (1) the passage “twenty dollars or seven days imprisonment” and inserting in lieu thereof the passage “two hundred dollars or twenty-one days imprisonment”.

Amendment of principal Act, s. 96—
Coronial inquiry into certain fires.

47. Section 96 of the principal Act is amended—

- (a) by striking out the passage “by which injury or damage or loss has been caused to any person”;

and

- (b) by striking out the passage “injury, damage or loss” and inserting in lieu thereof the word “fire”.

48. Section 97 of the principal Act is amended by inserting in subsection (1) after the passage "fire control officer" twice occurring in each case the passage "a member of the police force".

Amendment of principal Act s. 97—
Immunity of fire control officers, etc.

49. Section 99 of the principal Act is amended by striking out from paragraph (b) of subsection (1) the word "inflammable" and inserting in lieu thereof the word "flammable".

Amendment of principal Act, s. 99—
Liability of South Australian Railways Commissioner.

50. Section 100 of the principal Act is amended—

(a) by striking out from paragraph (a) of subsection (1) the word "inflammable" and inserting in lieu thereof the word "flammable";

Amendment of principal Act, s. 100—
Damage by fire to dividing fence.

(b) by striking out from paragraph (a) of subsection (1) the passage "twelve feet" and inserting in lieu thereof the passage "4 metres";

and

(c) by striking out from paragraph (b) of subsection (1) the passage "twelve feet" and inserting in lieu thereof the passage "4 metres".

51. Section 101 of the principal Act is amended by striking out the passage "nine feet" and inserting in lieu thereof the passage "3 metres".

Amendment of principal Act, s. 101—
Power of occupier to clear portion of road.

52. Section 107 of the principal Act is amended—

(a) by striking out paragraph (d) and inserting in lieu thereof the following paragraph:—

Amendment of principal Act, s. 107—
Regulations.

(d) the design, construction, control, maintenance and use of fire danger indicator signs;

and

(b) by striking out from paragraph (g) the passage "one hundred" and inserting in lieu thereof the passage "two hundred".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor