

FIRE SERVICE AMENDMENT ACT 1984**No. 34 of 1984**

TABLE OF PROVISIONS

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Short title. 2. Commencement. 3. Principal Act. 4. Amendment of section 3 of Principal Act (Interpretation). 5. Amendment of section 26 of Principal Act (Urban fire brigades). 6. Amendment of section 33 of Principal Act (Groups of brigades). 7. Amendment of section 34 of Principal Act (Officers of country fire brigades and groups of brigades). | <ol style="list-style-type: none"> 8. Amendment of section 74 of Principal Act (Interpretation). 9. Amendment of section 77B of Principal Act (Returns required to be lodged by insurance companies). 10. Amendment of section 79 of Principal Act (Contributions payable by corporations of municipalities). 11. Amendment of section 81c of Principal Act (Collection by municipalities of contribution or fire protection levy). 12. Amendment of section 133 of Principal Act (General fire regulations). 13. Validation of certain special rates made and levied by corporations. |
|--|--|



FIRE SERVICE AMENDMENT ACT 1984

—————
 No. 34 of 1984
 —————

AN ACT to amend the Fire Service Act 1979.

[Royal Assent 20 June 1984]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Fire Service Amendment Act* Short title. 1984.

2—(1) This section and section 1 shall commence on the day Commence- on which this Act receives the royal assent. ment.

(2) Except as provided in subsection (1), this Act shall commence on a day to be fixed by proclamation.

Principal Act.

3—In this Act, the *Fire Service Act* 1979* is referred to as the Principal Act.

Amendment of
section 3 of
Principal Act
(Interpre-
tation).

4—Section 3 (1) of the Principal Act is amended as follows:—

- (a) by omitting “part-time” from the definition of “composite member urban fire brigade” and substituting “volunteer”;
- (b) by omitting the definition of “group of brigades” and substituting the following definition:—
“group of brigades” means a group of brigades formed under section 33;
- (c) by omitting the definition of “part-time member”;
- (d) by omitting the definition of “part-time member urban fire brigade”;
- (e) by omitting “of only” from the definition of “permanent member urban fire brigade” and substituting “principally of”;
- (f) by omitting “brigade.” from the definition of “volunteer member” and substituting “brigade;”;
- (g) by inserting the following definitions after the definition of “volunteer member”:—
“volunteer member urban fire brigade” means an urban fire brigade the membership of which consists of only volunteer members;
“volunteer urban member” means a member of an urban fire brigade, whether or not he receives remuneration for his services as such a member, and whose sole or principal means of livelihood is not the performance of those services.

Amendment of
section 26 of
Principal Act
(Urban fire
brigades).

5—Section 26 of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1A) (c) “part-time” and substituting “volunteer”;
- (b) by omitting from subsection (2) “part-time” where twice occurring and substituting “volunteer urban”.

* No. 35 of 1975. For this Act, as amended up to and including 30th April 1981, see the continuing Reprint of Statutes. Subsequently amended by Nos. 73 and 74 of 1981, Nos. 9 and 10 of 1982, and Nos. 22, 24, 61, and 88 of 1983.

6—Section 33 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:—

Amendment of section 33 of Principal Act (Groups of brigades).

- (1) For the purposes of preventing or extinguishing fires—
- (a) 2 or more country fire brigades;
 - (b) an urban fire brigade and a country fire brigade; or
 - (c) an urban fire brigade and 2 or more country fire brigades,

may combine to form a group of brigades.

7—Section 34 of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:—

Amendment of section 34 of Principal Act (Officers of country fire brigades and groups of brigades).

(2) Where 2 or more brigades have combined to form a group of brigades under section 33, a group captain, a deputy group captain, and such other officers of the group of brigades as may be prescribed shall be elected by the following members of brigades from their number and in the prescribed manner:—

- (a) in the case of a group of brigades formed by 2 or more country fire brigades, by the brigade captains and deputy brigade captains of those country fire brigades;
- (b) in the case of a group of brigades formed by an urban fire brigade and a country fire brigade, by the chief officer and deputy chief officer of that urban fire brigade and the brigade captain and deputy brigade captain of that country fire brigade;
- (c) in the case of a group of brigades formed by an urban fire brigade and 2 or more country fire brigades, by the chief officer and deputy chief officer of that urban fire brigade and the brigade captains and deputy brigade captains of those country fire brigades.

8—Section 74 (1) of the Principal Act is amended by omitting “part-time” from paragraph (c) of the definition of “urban group of brigades” and substituting “volunteer”.

Amendment of section 74 of Principal Act (Interpretation).

Amendment of section 77B of Principal Act (Returns required to be lodged by insurance companies).

9—Section 77B of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:—

(1) An insurance company shall, not later than 14 days after the end of a quarter, lodge a return with the Commission, in a form approved by the Commission and containing such particulars as are required by the Commission, of the premium income received by the company in respect of the prescribed classes of insurance during that quarter.

Amendment of section 79 of Principal Act (Contributions payable by corporations of municipalities).

10—Section 79 (3) of the Principal Act is amended by omitting the formula and substituting the following formula:—

$$a = \left(\frac{b}{c} \times d \right) + \left(\frac{x}{y} \times z \right),$$

Amendment of section 81c of Principal Act (Collection by municipalities of contribution or fire protection levy).

11—Section 81c (2) of the Principal Act is amended by omitting “made and levied by it in respect of each district under the *Local Government Act 1962*” and substituting “which it may make and levy in respect of each district”.

Amendment of section 133 of Principal Act (General fire regulations).

12—Section 133 (1) (c) of the Principal Act is amended by omitting “and prescribe the fees that may be charged for the issue of those certificates”.

Validation of certain special rates made and levied by corporations.

13—(1) Any special rate purportedly made and levied by a corporation of a municipality during a period commencing on 1st March 1980 and ending on the day immediately before the commencement of this section in respect of a contribution required to be made by it under section 81B of the Principal Act in respect of urban land in each district is by virtue of this section validly made and levied and the corporation shall be deemed during that period to have had the power to make and levy such a rate.

(2) The expressions used in this section have the same meanings as they have for the purposes of the Principal Act.