

Country Fire Authority (Amendment) Bill 1983

EXPLANATORY MEMORANDUM

Clause

- 1 Short title.
- 2 Principal Act.
- 3 Date of operation.
- 4 Definition of "Deputy Regional Officer".
- 5 Empowers the Authority to appoint a Deputy Regional Officer in each Region.
- 6 Makes provision for the delegation of the Chief Officer's powers to Deputy Regional Officers.
- 7 Extends the powers of the Chief Officer before and after a fire to officers in charge of brigades and forest officers.
- 8 Rationalizes the provisions dealing with the lighting of fires in the open air during fire danger periods in the country area of Victoria (other than lands within fire protected areas) as follows:
 - Section 37 prohibits the lighting of fires in such circumstances unless authorized by the Act.
 - Section 38 enables fires to be lit in such circumstances in accordance with a permit issued by the proper officer of a department, public authority or municipality or the Chief Officer for the purpose of burning grass, etc., converting wood into charcoal or for any other purpose for which the lighting of a fire in accordance with the conditions prescribed in the Act would be impracticable, e.g. rubbish tips, destruction of livestock, brigade training activities.
 - Section 38A enables fires to be lit for a variety of purposes subject to compliance with the conditions prescribed in the Act.
 - Section 39 re-enacts several offence provisions relating to the lighting of fires currently contained in the Act.
- 9 Re-enacts in a more logical order and phraseology the existing provisions relating to total fire ban days and empowers the Chief Fire Officer of the Metropolitan Fire Brigades to delegate his authority to grant permits to burn on such days.
- 10 Empowers municipal proper officers to enter land to inspect for fire hazards, subject to giving seven days prior notice to the owner or occupier.
- 11 Empowers municipal proper officers to enter land to ascertain whether a direction to clear fire hazards has been complied with, subject to giving seven days prior notice to the owner or occupier.
- 12 Consequential amendment empowering the Governor in Council to vest in a Deputy Regional Officer the powers and duties of a municipal proper officer if those duties are not being properly discharged.
- 13 Empowers members of the police force, the Chief Officer or brigade officers to order the extinguishment of fires on public land as well as on private land.
- 14 Removes the requirement for industrial operations in the country area of Victoria (not including lands within any fire protected area) to provide and use prescribed means of disposing of industrial waste. Where such operations require the lighting of a fire, a permit could be issued under the proposed section 38.

- 15 (1) Requires off-road and recreational vehicles, in addition to motor cars used on a highway to be fitted with an efficient silencing device if driven in contact with grass or other vegetation.
- (2) Requires tractors and construction machinery used in contact with crops, grass or other vegetation to be fitted with a spark arrester which complies with prescribed standards of performance in lieu of "an efficient spark arrester" and enables the fire suppression equipment required to be carried by such vehicles to be prescribed by regulation rather than in the Act.
- (3) Empowers the Chief Officer to exempt such vehicles from the requirement to carry the prescribed fire suppression equipment in particular circumstances such as farm machinery displays.
- 16 Removes the function of recommending the allowance or disallowance of applications for permits to burn-off during a fire danger period from local advisory committees.
- 17 (a) Defines a casual fire-fighter as a person who assists a brigade anywhere in or outside Victoria.
- (b) Consequential amendment including Deputy Regional Officers in the definition of "Officer in Charge" being the officer who may request persons to assist brigades.
- 18 Entitles casual fire-fighters to compensation for personal injury suffered anywhere in or outside Victoria.
- 19 (a) Entitles casual fire-fighters to compensation for destroyed or damaged personal property anywhere in or outside Victoria.
- (b) Extends such compensation coverage to loss of personal property.
- (c) Increases the maximum amount of such compensation from \$40 to \$200.
- 20 Empowers the Authority to form a salvage force of "persons" in lieu of "men".
- 21 Entitles members of sub-committees of the governing bodies of the two volunteer fire-fighters associations to personal and travelling expenses in respect of the number of meetings approved by the Authority rather than only one a year as at present.
- 22 Consequential amendment deeming a certificate signed by a Deputy Regional Officer that any place is within the country area of Victoria to be sufficient evidence of that fact.
- 23 (a) Empowers the making of Regulations for the payment of compensation to the "spouse" of a deceased registered fire-fighter in lieu of to the "wife".
- (b) (2A) Enables the adoption of Australian Standards in the Regulations, principally for the purpose of prescribing standards of performance in respect of spark arresters.
- (2B) Empowers the Chief Officer to vary the conditions prescribed in the Regulations for the operation of the business of sawmilling in respect of individual sawmills.
- 24 Alters the titles of regional advisory committees and local advisory committees to regional fire prevention committee and local fire prevention committee respectively.