**BUSH FIRES ACT AMENDMENT BILL1942**

**Legislative Council, 11 August 1942, pages 280-1**

Second reading

Having obtained leave the Minister of Agriculture introduced a Bill for an Act to amend the Bush Fires Act, 1933-1941. Read a time.

Second reading.

**The Hon. A. P. BLESING (Northern Minister of Agriculture)—**Section 4 of the Bush Fires Act sets out the conditions under which stubble may be burnt during the summer months. Subsection (3) empowers a council to burn stubble on any street, road, or reserve under the control of the council and requires various safeguards to be provided by the council when burning stubble pursuant to this provision. Clause 2 extends the powers given to ascouncils by this subsection to the burning or stubble on travelling stock reserves. On occasion the presence of dry stubble on these reserves can be a potential danger to neighbouring properties and it is therefore considered that a council should have authority to burn the stubble on any such reserve in its district. In order to secure that necessary feed on these reserves should not be destroyed by a council, it is provided by the clause that the consent in writing of the Commissioner of Crown Lands must be obtained before the stubble is burnt.

Section 8 of the Act prescribes the conditions upon which scrub may be burnt during the period between the last day of January and the first day of the following May. If scrub is burnt during this period, the landholder desiring to burn must provide a 15 feet firebreak around the area to be burnt, must give notice to his neighbours and to the council of the district, must have at least four men at the fire, and must comply with certain other requirements. In parts of the State, particularly those outside council districts, where areas of holdings are extensive, it is sometimes difficult, if not impossible, to comply with all the conditions prescribed by the section and with the present shortage of manpower these difficulties nave been accentuated. In instances it would be sufficiently safe to burn without strict compliance with all the conditions set out in the section and clause 3 therefore provides that, in any particular ease, the Minister may give permission to burn scrub on such conditions as he thinks proper in the circumstances.

Section 19 0f the Act makes it an offence or any person, during the period between October 31 and the following May 1 to throw away any lighted cigarette or cigar is thrown from any moving vehicle in any part of the State outside a municipality or town. The section does not provide for the case where the cigarette or cigar is thrown from a stationary vehicle and clause 4 therefore amends the section so that throwing of lighted cigarettes and cigars from vehicles will be prohibited under the

the circumstance mentioned in the section, whether vehicle is stationary or moving.

Clause 5 deals with two matters relating to fire control officers. In the past some councils have appointed council members fire control officers. Section 52 of the Local Government Act provides that a councillor who is interested in employment under the council is disqualified for continuing as a fire control officers, even though they receive no payment for their services as such. In order to enable councillors to be appointed fire control officers, clause 5 provides that any such appointment may be made so long as the councellor is not to receive any payment for his services as fire control officer.

It has also been open to doubt whether a person appointed as a fire control officer without payment for his services is deemed to be employed by the council for the purpose of rights to compensation in the event of his being injured in the course of carrying out his duties as a fire control officer. It is common for fire control officers, not members of the council, to be appointed by councils on a voluntary basis and it is obvious that the rights of these officers to compensation in the event of injury should be made clear. Clause 5, therefore, provides that any fire control officer appointed by a council to act without payment for his services as such, including a councillor so appointed, shall be deemed to be a workman employed by the council for the purpose of any Act relating to the liability of employers to their workmen. Councils will thus be liable to pay compensation to those officers if injured in the course of their duties and should, of course, take out policies of insurance to cover these risks. I move the second reading.

The Hon. E. A. OATES secured the adjournment of the debate.