

AUSTRALIAN CAPITAL TERRITORY.

No. 1 of 1942.

AN ORDINANCE

To amend the Careless Use of Fire Ordinance 1936-1940.*

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1940*, as follows:—

1.—(1.) This Ordinance may be cited as the *Careless Use of Fire Ordinance 1942*. Short title and citation

(2.) The *Careless Use of Fire Ordinance 1936-1940* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Careless Use of Fire Ordinance 1936-1942*.

2. Section five g of the Principal Ordinance is amended by omitting the word “Board” and inserting in its stead the word “Council”. Secretary to the Council.

3. Section five n of the Principal Ordinance is amended by adding, at the end of sub-section (2.), the words “or, in the absence of any of these officers, by any member of the Council”. Powers and authorities of Chief Fire Control Officer.

4. Section five o of the Principal Ordinance is amended by inserting in sub-section (1.), after the word “Controller” (last occurring), the words “or member of the Council”. Fire Control Officers not to be liable for damage done in exercise of powers.

5. Section ten of the Principal Ordinance is repealed and the following section inserted in its stead:—

“10.—(1.) Notwithstanding anything contained in this Ordinance, the owner of any land may burn any inflammable material (including wood, straw, stubble, grass and herbage) which is on his land— Lighting fires for burning-off purposes.

(a) where the land is within the City Area—during daylight on any day—

(i) during the period commencing on the first day of March and ending on the thirty-first day of October in any year—if he keeps the fire within his land, takes suitable measures to keep it under constant control and extinguishes it at night fall; and

* Notified in the *Commonwealth Gazette* on 15th January, 1942.
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(ii) during any other period—after he has obtained from the Chief Officer of the Canberra Fire Brigade a written permit so to do and upon compliance with such conditions as are specified in the permit; or

(b) where the land is outside the City Area—on any day—

(i) during the period commencing on the first day of March and ending on the thirty-first day of October in any year—after he has cleared of inflammable materials the land around the inflammable material to be burnt for a distance of not less than the prescribed distance, or, if no distance has been prescribed, for a distance of not less than sixty-six feet in every direction therefrom, and has given to every occupier of land contiguous to that on which he intends to burn the inflammable material not less than twenty-four hours previous notice in writing of his intention so to do; and

(ii) during the period commencing on the first day of November in any year and ending on the last day of February in the following year and during any other period in any year which the Council specifies by notice in the *Gazette* and in a newspaper circulating in the Territory—after he has obtained from the Chief Fire Control Officer a written permit so to do, and upon compliance with such conditions as are specified in the permit.

“(2.) The owner of any land who burns any inflammable material on his land otherwise than in accordance with the provisions of the last preceding sub-section shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.”

Dated this fourteenth day of January, 1942.

GOWRIE

Governor-General.

By His Excellency's Command,

J. S. COLLINGS

Minister of State for the Interior.

By Authority: L. E. JOHNSON, Commonwealth Government Printer, Canberra.