



Australian Capital Territory

Bushfire Regulations¹ (Amendment)

Subordinate Law No. 51 of 1993²

The Australian Capital Territory Executive makes the following Regulations under the *Bushfire Act 1936*.

Dated 17 December 1993.

TERRY CONNOLLY
Minister

BILL WOOD
Minister

Commencement

1. These Regulations commence on the day on which they are notified in the *Gazette*.

Principal Regulations

2. In these Regulations, “Principal Regulations” means the Careless Use of Fire Regulations.

Citation

3. Regulation 1 of the Principal Regulations is amended by omitting “Careless Use of Fire” and substituting “Bushfire”.

Insertion

4. The Principal Regulations are amended by inserting after regulation 1 the following regulation:

Interpretation

“1A. In these Regulations—

‘Act’ means the *Bushfire Act 1936*;

‘factory’ means a building or other place where goods are manufactured or repaired in the course of carrying on a trade or business;

‘heating appliance’ means an appliance in which heat is provided by the combustion of liquefied petroleum gas or by the use of electricity for the purpose of cooking foods or heating liquids.”.

Selling, distributing or using any stick or crude phosphorus

5. Regulation 3 of the Principal Regulations is amended by omitting “(proof whereof shall lie upon the person charged)”.

Steam-engines

6. Regulation 4 of the Principal Regulations is amended—

(a) by inserting in subregulation (2) “or she” after “he”; and

(b) by inserting in subregulation (2) “or her” after “his”.

Internal combustion engines

7. Regulation 5 of the Principal Regulations is amended—

(a) by omitting from subregulation (1) “the first day of” and substituting “1”;

(b) by omitting from subregulation (1) “the thirty-first day of” and substituting “31”; and

(c) by omitting from subregulation (2) “the last preceding subregulation” and substituting “subregulation (1)”.

Addition

8. The Principal Regulations are amended by adding at the end the following regulation:

Prescribed fires

“6. For the purposes of paragraph 7A (2) (c) of the Act, each of the following is a prescribed class of fire:

- (a) a fire lit, maintained or used at a factory if the fire is lit, used or maintained in a building or other structure and reasonable steps have been taken to prevent the escape of fire, sparks or incandescent or burning material from the building or other structure;
- (b) a fire lit, maintained or used by or under the authority of any person or body of persons, whether corporate or unincorporate, for or in conjunction with the repair or maintenance of services or equipment essential for continuance or restoration of the supply of heat, light, power, water, sewerage, transport or communication where—
 - (i) the Chief Fire Control Officer has been notified of the intention to light, maintain or use the fire; and
 - (ii) reasonable steps have been taken to prevent the escape of fire, sparks or incandescent or burning material from the place where the fire is lit, maintained or used;
- (c) a fire lit, maintained or used for the purpose of using a heating appliance anywhere on land, whether unleased land the property of the Commonwealth or land held under a lease from the Commonwealth or in fee simple, if—
 - (i) the appliance is under the control of a responsible adult who is present at all times while the appliance is in use;
 - (ii) the area around the appliance for a distance of not less than 3 metres is cleared of flammable material while it is in use; and
 - (iii) a means of applying a continuous stream of water is available for immediate use.”.

NOTES

1. Reprinted as at 30 June 1991.
2. Notified in the ACT Gazette on 24 December 1993.

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