

APPEALED : See Act, 19 No.



**NEW ZEALAND**

ANALYSIS

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Fire Authority may act in adjoining area where there is no Fire Authority.</li> <li>3. Fire Officers and other servants.</li> <li>4. Prohibition of certain operations during periods of fire danger.</li> </ol> | <ol style="list-style-type: none"> <li>5. Permits to light fires.</li> <li>6. Escape routes in exotic forests.</li> <li>7. Appeal from notice to make provision for alternative access routes.</li> <li>8. Maintenance of apparatus by persons cutting timber.</li> <li>9. Costs of fire-fighting.</li> </ol> |
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1948, No. 43

Title. AN ACT to Amend the Forest and Rural Fires Act, 1947.  
[19th November, 1948

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Forest and Rural Fires Amendment Act, 1948, and shall be read together with and deemed part of the Forest and Rural Fires Act, 1947 (hereinafter referred to as the principal Act).

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Fire Authority may act in adjoining area where there is no Fire Authority.

2. Section ten of the principal Act is hereby amended by adding the following subsection:—

“(2) Any Fire Authority may in its discretion promote and carry out such measures as it thinks fit for the prevention, detection, control, and suppression of fires in any area adjoining its district in which there is no Fire Authority, and for that purpose it may do anything which it could do if it were the Fire Authority for that area.”

Fire Officers and other servants.

3. Section eleven of the principal Act is hereby amended by adding to subsection one the words “ unless the Fire Authority otherwise approves ”.

4. Section eighteen of the principal Act is hereby amended by inserting, after subsection one, the following subsection:—

“(1A) Where there is no Fire Authority for any part of any area to be affected by an order under this subsection, an order under this section in respect of such area as may be specified may be issued by a Fire Officer for a district adjoining that area or by a Conservator of Forests. While an order so issued by a Fire Officer remains in force the Fire Authority for the district to which that Fire Officer belongs shall be deemed the Fire Authority for the area specified and every Fire Officer for that district shall be deemed a Fire Officer for that area. While an order so issued by a Conservator of Forests remains in force the Conservator of Forests shall be deemed to be the Fire Authority and the Fire Officer for that area.”

Prohibition of certain operations during periods of fire danger.

5. Section nineteen of the principal Act is hereby amended by inserting, after subsection one, the following subsection.

“(1A) A Fire Officer may in his discretion refuse to grant a permit in any case.”

Permits to light fires.

6. Section twenty-one of the principal Act is hereby amended by adding the following subsection:—

“(6) The owner of every exotic forest shall, so far as is reasonably practicable, provide and maintain at least two safe alternative routes whereby persons engaged in any forest or industrial operation may escape from the forest in the event of fire therein. If the owner of any exotic forest fails to provide and maintain such routes as aforesaid to the satisfaction of any Fire Officer for the district, that Fire Officer may by notice in writing require that owner, within such time as may be specified in the notice, to do such work to provide and maintain the routes as may be specified in the notice.”

Escape routes in exotic forests.

7. Section twenty-two of the principal Act is hereby amended by inserting in subsection one, after the words “subsection one”, the words “, or under subsection six,”.

**REF. 19**

**No. 5.**  
Appeal from notice to make provision for alternative access routes.

8. Section twenty-six of the principal Act is hereby amended by inserting in subsection one, after the words “for the purpose of”, the words “securing the safety of lives from fire and of”.

Maintenance of apparatus by persons cutting timber.

Costs of  
fire-fighting.

**Exp.** 19

**Exp.** 24

9. (1) Section thirty-five of the principal Act is hereby amended by adding to subsection one the following proviso:—

“ Provided that in any case where the outbreak of fire, if it had not been controlled or suppressed, would have constituted a menace to property belonging to any other person or persons the whole or a portion of any such costs shall, if the Fire Authority so determines, be payable by the owners of the land and property or by one or more of them to the exclusion of the others or other of them in such shares and proportions as the Fire Authority thinks fit.”

(2) Section thirty-five of the principal Act is hereby further amended—

(a) By omitting from subsection three the words “ by resolution ” where they first appear :

(b) By omitting from subsection three the words “ resolution of ”.

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