



ANALYSIS

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2. Measures by local authorities and public bodies to remove certain fire hazards.
3. Liability for loss or damage.
4. Penalty for breach of regulations.

1951, No. 32

Title.

AN ACT to amend the Forest and Rural Fires Act 1947.
[1 December 1951

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 1951, and shall be read together with and deemed part of the Forest and Rural Fires Act 1947 (hereinafter referred to as the principal Act).

1947, No. 34

2. The principal Act is hereby amended by inserting, after section forty-eight, the following section:—

Measures by local authorities and public bodies to remove certain fire hazards.

“ 48A. Any local authority or other public body which owns or controls any land on which any forest or trees are growing may in its discretion, subject to the provisions of any other Act, do all or any of the following things:—

“ (a) Take measures, on land which it owns or (with the consent of the owner) on any other land either within or beyond its jurisdiction, to avoid or remove or reduce fire hazards which may endanger the forest or trees:

“(b) Enter into contracts, agreements, or arrangements for any such purpose as aforesaid:

“(c) Expend money for any such purpose as aforesaid.”

3. Section forty-nine of the principal Act is hereby amended by adding the following subsection:—

Liability for loss or damage.

“(4) Every person who is convicted of any offence against this Act shall be liable for any loss or damage which is suffered by any Fire Authority and is caused by the act constituting the offence in addition to the penalty for the offence, and the amount payable in respect of that liability may be awarded by the Court in fixing the penalty and may be recovered as a fine. In assessing the amount so payable the Court may take into account salaries, wages, and incidental expenses incurred in the investigation of the act constituting the offence and in remedying the damage caused by that act and all other relevant factors.”

4. (1) Subsection two of section fifty-one of the principal Act is hereby amended by adding the following paragraph:—

Penalty for breach of regulations.

“(c) Prescribing penalties, not exceeding those which may be imposed under paragraphs (a) and (b) of subsection two of section forty-nine of this Act, for the breach of any regulations made under this Act.”

(2) This section shall be deemed to have come into force on the twenty-eighth day of March, nineteen hundred and fifty-one.