



#### ANALYSIS

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Term of office of members of Council.</p> |  | <p>3. Offence to resist members of brigade in the execution of their duty.</p> <p>4. Inquiries as to fires.</p> |
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1952, No. 7

Title.

AN ACT to amend the Fire Services Act 1949.

[25 August 1952

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 Fire Services Amendment Act 1952, and shall be read together with and deemed part of the Fire Services Act 1949 (hereinafter referred to as the principal Act).

1949, No. 18

Term of office of members of Council.

2. (1) Section four of the principal Act is hereby amended by omitting from subsection three the words “nineteen hundred and fifty-three”, and substituting the words “nineteen hundred and fifty-four”.

(2) Section four of the principal Act is hereby further amended by adding to subsection three the following proviso:—

“Provided that the Minister, Council, or Association which has appointed any such member for the term expiring on the thirty-first day of January, nineteen

hundred and fifty-four may, at any time before the thirty-first day of January, nineteen hundred and fifty-three, revoke his appointment as from the last-mentioned date, and appoint some other person in his stead to hold office for the balance of that term.”

3. The principal Act is hereby amended by inserting, after section seventy-seven, the following section:—

Offence to resist members of brigade in the execution of their duty.

“77A. Every person commits an offence against this Act, and shall be liable on summary conviction to a fine not exceeding twenty pounds, who—

“(a) Acts in contravention of or fails to comply in any respect with any provision of this Act or any order, direction, requirement, condition, or restriction given or imposed by or pursuant to this Act:

“(b) Resists, obstructs, hinders, or deceives the Superintendent or any officer or member of any brigade, or any other person in the exercise, or attempted exercise, of any power or the performance, or attempted performance, of any function or duty conferred or imposed by or under this Act.”

4. The principal Act is hereby amended by inserting, after section eighty-one, the following section:—

Inquiries as to fires.

“82. (1) The Minister may, at the request of the Council or of any Urban Fire Authority or of his own motion, appoint any person or persons to hold an inquiry into and report upon the circumstances of and the steps taken to deal with any fire, whether it occurred before or after the commencement of this section, and any other matter which the Minister may consider appropriate to the inquiry.

“(2) The person or persons holding any such inquiry shall, for the purposes thereof be deemed to be a Commission of Inquiry under the Commissions of Inquiry Act 1908, and, subject to the provisions of this section, the provisions of that Act shall apply accordingly.

See Reprint of Statutes, Vol. I, p. 1036

“(3) In any such case the Urban Fire Authority in whose district the fire occurred or whose brigade is responsible for the protection of the property from fire may, pending the holding of the inquiry as to that fire,

take and retain possession of any property damaged, or the remains of any property destroyed by the fire, and where the fire occurred in any premises, take and retain possession of those premises.

“(4) At any such inquiry the Council and the said Urban Fire Authority may be represented by a member thereof, or by any other person authorized by the Council or that Authority, and the person so representing the Council or that Authority may appear and be heard and may adduce evidence and examine and cross-examine witnesses.”

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