

FIRE BRIGADES ORDINANCE 1950.⁽¹⁾

No. 24 of 1950.

An Ordinance relating to the Establishment of Fire Brigades and the Protection of Life and Property from Fire.

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 *Papua and New Guinea Act 1949*, as follows:—

Short title and citation.

1. This Ordinance may be cited as the *Fire Brigades Ordinance 1950*.⁽¹⁾

Repeal.

2. The *Fire Brigades Ordinance 1937*⁽²⁾ of the Territory of New Guinea is repealed.

Definition.

3. In this Ordinance, unless the contrary intention appears—
“Fire Officer” includes the Superintendent of Fire Brigades, an Area Fire Officer, a Deputy Area Fire Officer and an Assistant Area Fire Officer.

Fire areas.

4.—(1.) The Administrator may by notice⁽³⁾ in the *Gazette* declare that any town or area in any District shall be a fire area.

(2.) The Administrator may establish a Fire Brigade in any fire area.⁽⁴⁾

(3.) A Fire Brigade shall consist of an Area Fire Officer and such members of the Royal Papuan Constabulary or the New Guinea Police Force as are appointed under this Ordinance to be members of the Fire Brigade.

(1) Particulars of this Ordinance are as follows:—

Date on which made by Gov.-Gen. in Council.	Date on which notified in <i>Cwllth. Gaz.</i>	Date on which took effect.
19.10.1950	26.10.1950	26.10.1950 (<i>Cwllth Gaz.</i> of 26.10.1950)

(2) Printed in *The Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II., on pp. 2129-2132.

(3) A Table containing particulars of notices made in pursuance of Section 4 (1.) declaring Fire Areas is printed in this Volume on p. 512 and the notices are printed immediately after the Table.

(4) Pursuant to Section 4 (2.), the Administrator, by notices, particulars of which are set out in the following Table, *established* fire brigades in the following fire areas:—

Date on which notice made.	Date on which published in <i>Papua and N.G. Govt. Gaz.</i>	Fire Areas within which Fire Brigades established.
1.2.1951	8.2.1951	Rabaul, Wau, Kavieng, Lorengau, Port Moresby, Samarai, Kokopo, Daru and Lae
22.2.1951	1.3.1951	Madang

5. The Commissioner of Police shall be the Superintendent of Fire Brigades and shall under the Administrator have the government, superintendence and control of every Fire Brigade and all members of every Fire Brigade. Superintendent
of Fire
Brigades.

6.—(1.) The ranks of members of a Fire Brigade and the order of their precedence and seniority shall be as follows:— Ranks of
members of a
Fire Brigade.

- (a) Area Fire Officer;
- (b) Deputy Area Fire Officer;
- (c) Assistant Area Fire Officer;
- (d) Senior Fireman;
- (e) Fireman.

(2.) Every member of a Fire Brigade shall take seniority in his rank according to his rank and seniority in the Royal Papuan Constabulary or the New Guinea Police Force.

7.—(1.) The senior commissioned officer of the Royal Papuan Constabulary or the New Guinea Police Force stationed in a fire area shall be the Area Fire Officer of the Fire Brigade in that fire area. Area Fire
Officer, &c.

(2.) If a commissioned officer of the European Constabulary Branch of the Royal Papuan Constabulary or the New Guinea Police Force, not below the rank of Sub-Inspector, is stationed in a fire area, he shall be the Area Fire Officer of the Fire Brigade in that fire area.

(3.) The Superintendent of Fire Brigades may appoint a member of the Royal Papuan Constabulary or the New Guinea Police Force to be—

- (a) a Deputy Area Fire Officer; or
- (b) an Assistant Area Fire Officer,

of a Fire Brigade.

(4.) The Area Fire Officer of the Fire Brigade in a fire area may appoint—

- (a) a non-commissioned officer of the Royal Papuan Constabulary or the New Guinea Police Force stationed in that fire area to be a senior fireman; and
- (b) a Constable of the Royal Papuan Constabulary or the New Guinea Police Force stationed in that Fire Area, to be a fireman

of that Fire Brigade.

8. The Senior Fire Officer present at a fire—

- (a) shall control and direct the Fire Brigade engaged at the fire and all persons who there place their services at his disposal;

Powers of Fire
Officers.

PART A : FIRE BRIGADES—

- (b) may enter and, if necessary, break into any building or premises which may be on fire or in the vicinity of the fire for the purpose of taking any steps which he thinks necessary for extinguishing or preventing the extension of the fire;
- (c) may remove from any building or premises referred to in the last preceding paragraph, without responsibility for any consequent loss or damage, any inflammable, explosive or dangerous material found therein;
- (d) may, for the purpose of extinguishing or preventing the extension of the fire, cause any building which is on fire or in the vicinity of the fire to be pulled down wholly or partially or otherwise destroyed or damaged;
- (e) may cause any street, private road, thoroughfare or public place in the vicinity of the fire to be closed for traffic during the continuance of the fire;
- (f) may, for the purpose of extinguishing the fire, without payment, use any water mains, pipes, pumps or hydrants and all water therein or in any well, tank or stream, and cause water to be shut off from any main or pipe in order to obtain a greater pressure and supply of water;
- (g) may shut off or disconnect, or order any person having the control thereof to shut off or disconnect, the supply of gas or electricity to any building which is on fire or in the vicinity of the fire;
- (h) may remove, or order a member of a Fire Brigade or a member of the Royal Papuan Constabulary or the New Guinea Police Force to remove, any person who, by his presence or otherwise, interferes with the operations of the Fire Brigade;
- (i) may, at the time of the fire or afterwards, pull down or shore up any wall or building damaged by fire that is, or may be likely to become, dangerous to life or property;
- (j) may take possession of any vessel if that vessel is at or near a wharf when the wharf or vessel is on fire, and may cause the vessel to be removed or, if it is necessary for the purpose of controlling, extinguishing or preventing the spread of the fire, sunk;
- (k) may take any measures which appear to him to be necessary or expedient for the protection of life and property; and
- (l) generally may do all other things which are reasonably necessary for controlling, extinguishing or preventing the spread of the fire.

9. No liability shall attach to the Administration or any Fire Officer or any member of a Fire Brigade in respect of any damage to property occasioned by any Fire Officer or any member of a Fire Brigade in the bona fide exercise of his duty at or in connexion with any fire, but damage so occasioned shall be deemed to be damage by fire within the meaning of any policy of insurance against fire covering the damaged property.

Liability for damage by Fire Brigade.

10. A person who wilfully or negligently hinders or obstructs a member of a Fire Brigade in the performance of his duty, or who wilfully or negligently interferes with or damages any fire apparatus or hose being used or kept for the purpose of being used in connexion with any fire or the prevention and control of fire generally, shall be guilty of an offence.

Hindering or obstructing member of Fire Brigade, &c.

Penalty: Fifty pounds.

11. The Administration⁽⁵⁾ in Council may make regulations⁽⁶⁾ not inconsistent with this Ordinance, prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance and in particular for providing for—

Regulations.

- (a) the duties of members of Fire Brigades;
- (b) the maintenance of the efficiency, discipline and good conduct of members of Fire Brigades;
- (c) the administration of Fire Brigades;
- (d) the protection of life and property from fire; and
- (e) the imposition of penalties not exceeding Fifty pounds for breaches of regulations made under this section.

(5) The word "Administration" appeared in the original Ordinance. *Semble*, "Administrator" was intended.

(6) No Regulations have been made before 1.1.1952.

PART A : FIRE BRIGADES—

**NOTICES MADE PURSUANT TO SECTION 4 (1.)
OF THE FIRE BRIGADES ORDINANCE 1950
DECLARING TOWNS OR AREAS TO BE FIRE
AREAS.**

Particulars of these notices are set out in the Table below, and the notices are printed immediately after the Table.

TABLE.

Date on which notice made.	Date on which published in Papua and N.G. Govt. Gaz.	Town or Area declared to be a Fire Area.	Page in this Volume on which printed.
1.2.1951	8.2.1951	Towns of Rabaul, Kokopo, Kavieng, Lae, Lorengau and Wau	512
1.2.1951	8.2.1951	Areas comprised in Townships of Port Moresby, Samarai and Daru	513
22.2.1951	1.3.1951	Area comprised in Township of Madang ..	513

TEXT OF NOTICES.

[Notice dated 1st February, 1951, and published in Papua and New Guinea Govt. Gaz. of 8th February, 1951.]

Fire Brigades Ordinance 1950.

DECLARATION OF FIRE AREAS.

I FREDERICK BEAUMONT PHILLIPS, a Deputy of the Administrator of the Territory of Papua and New Guinea, by virtue of the powers conferred by Section 4 of the *Fire Brigades Ordinance 1950* and all other powers me enabling, hereby declare the towns shown in the Schedule hereto to be Fire Areas for the purposes of the said Ordinance.

SCHEDULE.

Rabaul,	Kokopo,
Kavieng,	Lae,
Lorengau,	Wau.

Dated at Port Moresby, this first day of February, 1951.

F. B. PHILLIPS,
Deputy Administrator.

[Notice dated 1st February, 1951, and published in Papua and New Guinea Govt. Gaz. of 8th February, 1951.]

Fire Brigades Ordinance 1950.

DECLARATION OF FIRE AREAS.

I, FREDERICK BEAUMONT PHILLIPS, a Deputy of the Administrator of the Territory of Papua and New Guinea, by virtue of the powers conferred by Section 4 of the *Fire Brigades Ordinance 1950* and all other powers me enabling, hereby declare the areas shown in the Schedule hereto to be Fire Areas for the purposes of the said Ordinance.

SCHEDULE.

1. The area comprised in the Township of Port Moresby⁽¹⁾ for the purposes of the *Police Offences Ordinance, 1912-1947*, of the Territory of Papua, to be known as the "Port Moresby Fire Area".

2. The area comprised in the Township of Samarai⁽²⁾ for the purposes of the *Police Offences Ordinance, 1912-1947*, of the Territory of Papua, to be known as the "Samarai Fire Area".

3. The area comprised in the Township of Daru⁽³⁾ for the purposes of the *Police Offences Ordinance, 1912-1947*, of the Territory of Papua, to be known as the "Daru Fire Area".

Dated at Port Moresby, this first day of February, 1951.

F. B. PHILLIPS,

Deputy Administrator.

[Notice dated 22nd February, 1951, and published in Papua and New Guinea Govt. Gaz. of 1st March, 1951.]

Fire Brigades Ordinance 1950.

DECLARATION OF FIRE AREA.

I, JACK KEITH MURRAY, Administrator of the Territory of Papua and New Guinea, by virtue of the powers conferred by Section 4 of the *Fire Brigades Ordinance 1950* and all other powers me enabling, hereby declare the area shown in the Schedule hereto to be a Fire Area for the purposes of the said Ordinance.

SCHEDULE.

The area comprised in the Township of Madang⁽⁴⁾ for the purposes of the *Town Boundaries Ordinance 1924* of the Territory of New Guinea, to be known as the "Madang Fire Area".

Dated at Port Moresby, this twenty-second day of February, 1951.

J. K. MURRAY,

Administrator.

(1) See notice dated 26.9.1950 published in Papua and N.G. Govt. Gaz. of 5.10.1950 and printed in Part B of Volume II.

(2) See Proclamation dated 18.12.1896, published in British N.G. Govt. Gaz. of 2.1.1897 and printed in *The Laws of the Territory of Papua 1888-1945 (Annotated)*, Vol. II., p. 1464.

(3) See Proclamation dated 1.4.1909 published in Papua Govt. Gaz. of 7.4.1909 and printed in *The Laws of the Territory of Papua 1888-1945 (Annotated)*, Vol. II., p. 1466.

(4) See notice dated 31.3.1931 published in N.G. Gaz. of 15.4.1931 and printed in *The Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. IV., p. 4493 as amended by notice dated 14.2.1950 published in Papua and N.G. Govt. Gaz. of 1.3.1950 and printed in Part C of Volume II.