

# FIRE BRIGADES ORDINANCE 1937. <sup>(1)</sup>

## No. 12 of 1937.

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

**B**E it ordained by the Legislative Council for the Territory of New Guinea, in pursuance of the powers conferred by the *New Guinea Act 1920-1935*, as follows:—

1. This Ordinance may be cited as the *Fire Brigades Ordinance* 1937. <sup>(1)</sup> Short title.

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

3.—(1.) The Administrator may, by notice, <sup>(2)</sup> declare that any town or area in any District shall be a fire area. Fire Areas.

(2.) The Administrator may establish a fire brigade in any fire area.

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

4. The Superintendent 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.

5.—(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;

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

Date of assent by Administrator.	Date notified in <i>N.G. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
4.3.1937	22.6.1937	4.3.1937 ( <i>Laws of T.N.G.</i> , Vol. XIV, p. 57)

(2) Pursuant to Section 3, the Administrator, by notice dated 7.4.1937 and published in *N.G. Gaz.* of 15.4.1937 declared “that the town of Rabaul shall be a fire area”.

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- (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 New Guinea Police Force.

Area Fire  
Officer, &c.

6.—(1.) The senior commissioned officer of the New Guinea Police Force stationed in a fire area shall be the Area Fire Officer of the fire brigade in that fire area :

Provided that if a commissioned officer of the European Constabulary Branch of the New Guinea Police Force not below the rank of inspector is stationed in a fire area he shall be the Area Fire Officer of the fire brigade in that fire area.

(2.) The Superintendent of Fire Brigades may appoint any member of the New Guinea Police Force to be—

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

of any fire brigade.

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

- (a) any non-commissioned officer of the New Guinea Police Force stationed in that fire area to be a senior fireman ; and
- (b) any constable of the New Guinea Police Force stationed in that fire area to be a fireman,

of that fire brigade.

Powers of  
Fire Officers.

7. 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 ;
- (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 ;

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- (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, 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 for the purpose of extinguishing the fire;
- (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 any member of a fire brigade or any member of 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 to control, extinguish, or prevent 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 extinguishing, or preventing the extension of, the fire.

8. 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 connection with any fire; but such damage shall be deemed damage by fire within the meaning of the policy of insurance against fire covering the damaged property.

Liability for damage by fire brigade.

9. Any person who hinders or obstructs any member of a fire brigade in the performance of his duty or who interferes with or damages any fire apparatus or hose being used in connection with any fire shall be guilty of an offence.

Hindering or obstructing member of fire brigade, &c.

Penalty: Fifty pounds.

FIRE BRIGADES—

Power to make regulations.

10. The Administrator in Council may make regulations,<sup>(3)</sup> 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 prescribing matters providing for and in relation to—

- (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.

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(3) No regulations have been made.