

Mr May

FIRE SERVICES AMENDMENT

ANALYSIS

Title	6. Chief Fire Inspector of New Zealand
1. Short Title	7. Members of Urban Fire Authorities
2. Interpretation	8. Elections to Office
3. Members of the Commission	9. Election by insurance companies
4. Meetings of the Commission	10. Failure of local authority to elect
5. Provision relating to remuneration	11. Extraordinary vacancies

A BILL INTITULED

An Act to amend the Fire Services Act 1949

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

1. Short Title—This Act may be cited as the Fire Services Amendment Act 1972 and shall be read together with and deemed part of the Fire Services Act 1949 (hereinafter referred to as the principal Act).

10 **2. Interpretation**—(1) Subsection (1) of section 2 of the principal Act is hereby amended—

(a) By repealing the definition of the term “Council”;

(b) By inserting before the definition of the term “Committee”, the following definition:

15 “‘Commission’ means the Fire Services Commission under this Act”;

No. 5—1

(c) By inserting before the definition of the term “Chief Fire Officer”, the following definition:

“‘Chief Fire Inspector of New Zealand’ means the Chief Fire Inspector of New Zealand appointed by the Minister under this Act; 5
and ‘Deputy Chief Fire Inspector of New Zealand’ means the Deputy Fire Inspector of New Zealand so appointed.”

(2) Every reference in the principal Act or any other enactment, instrument, or document to the Council shall be 10
read as a reference to the Commission.

3. Members of the Commission—Section 4 of the principal Act is hereby amended by repealing subsection (1) and substituting the following subsection:

“(1) The Commission shall consist of— 15

(a) One person appointed by the Minister who shall have senior administrative experience, to be chairman of the Commission:

(b) One person appointed by the Minister to the position of Chief Fire Inspector of New Zealand: 20

(c) One person appointed by the Minister to the position of Deputy Chief Fire Inspector of New Zealand.”

4. Meetings of the Commission—Section 5 of the principal Act is hereby amended by repealing subsection (1) and substituting the following subsection: 25

“(1) Meetings of the Commission shall be held at such times and places as the Chairman of the Commission from time to time determines.”

5. Provision relating to remuneration—The principal Act is hereby amended by repealing section 14. 30

6. Chief Fire Inspector of New Zealand—Section 16 of the principal Act is hereby amended by omitting the term “Chief Fire Service Officer” in each place where it occurs, and substituting in each case the term “Chief Fire Inspector of New Zealand”. 35

7. Members of Urban Fire Authorities—The principal Act is hereby amended by repealing section 23 and substituting the following section:

“23. (1) The Fire Board of every existing or new united urban fire district shall consist of—

5 (a) Such number of members (being not less than 4 or more than 8) as may be fixed in that behalf by the Governor-General by Order in Council, to be elected to represent the local authorities whose districts or any part thereof are within the united fire district, and the Governor-General may, by the same or any subsequent Order in Council, prescribe the number
10 of members (if any) to represent each local authority and also the method of election:

(b) Two persons appointed by the Minister to represent the fire brigade.

(2) Every other Fire Board and every Fire Committee shall
15 consist of—

(a) Four members to be elected by the contributory local authority or, where the district has a population of more than 30,000 people, 6 members may be elected:

20 (b) Two persons appointed by the Minister to represent the fire brigade.

(3) Every Fire Brigade Committee shall consist of 3 members to be elected by the local authority, and 2 persons appointed by the Minister to represent the fire brigade.

25 (4) Of the 2 persons appointed to a Board or Committee by the Minister under this section, 1 shall be appointed upon the nomination of the officers, and the other upon the nomination of the brigadesmen not being officers.

30 (5) Neither of the 2 persons appointed to a Board or Committee by the Minister under this section shall be entitled to vote on matters concerning rates of remuneration or the size of monetary allowances and benefits.”

8. **Elections to Office**—Section 24 of the principal Act is hereby amended by omitting from subsection (4) the following
35 words “and all rules made by insurance companies and for the time being in force with respect to those elections shall, with the necessary modifications, apply to any election under the said subsections.”.

9. **Election by insurance companies**—The principal Act is hereby amended by repealing section 25.

10. Failure of local authority to elect—The principal Act is hereby amended by repealing section 26 and substituting the following section:

“26. If from any cause any local authority whose duty it is to elect a member or members to any Board or Committee fails, neglects, or refuses to do so within a time appointed in that behalf, the Minister may appoint any person whomsoever to be a member of that Board or Committee instead and that person shall be deemed for all purposes to have been elected by the local authority.”

11. Extraordinary vacancies—Section 27 of the principal Act is hereby amended by omitting from subsection (1) the following words:

“Provided that in the case of the Board or Committee for any district with a population of less than 3,000, the absence without leave from any meeting of any member elected or deemed to have been elected by the insurance companies shall not cause his office to become vacant unless the member is absent from every meeting of the Board or Committee in any financial year”.