

Serial Number 1951/60

THE FOREST AND RURAL FIRES REGULATIONS 1951

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 29th day of
March, 1951

Present :

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Forest and Rural Fires Act, 1947, and the Forests Act, 1949, the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

PART I—PRELIMINARY

1. (1) These regulations may be cited as the Forest and Rural Fires Regulations 1951.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. These regulations are arranged as follows:—

Part I—Preliminary—

Regulations 1 to 3—Introductory.

Regulation 4—Exemption from regulations.

Part II—Fire Fighting Apparatus and Precautions Against Fire—

Regulation 5—Operations presenting a fire hazard.

Regulations 6 and 7—Engines.

Regulations 8 to 10—Logging and sawmilling operations.

Regulation 11—Water supplies.

Regulation 12—Gas producers.

Regulation 13—Sparks and ashes.

Regulation 14—Fires lit under permit.

Part III—Fire Authorities—

Regulation 15—Duties and powers of Fire Authorities.

Regulation 16—Terms and conditions of fire fighting service.

Regulation 17—Rural Fire Officer's warrant of appointment.

Part IV—Miscellaneous—

Regulation 18—Requisition for assistance.

Regulations 19 to 23—Fire signs.

Part IV—Miscellaneous—*continued*

Regulation 24—Testing of apparatus.

Regulations 25 and 26—Inspections.

Regulation 27—Permit required to enter exotic forest.

Regulation 28—Wax matches prohibited in certain areas.

Regulation 29—Unlawful interference with property.

Regulation 30—Annual return of fires.

Regulation 31—Offences.

Regulation 32—Revocations.

Schedules.

3. (1) Unless the context otherwise requires, expressions used in these regulations shall have the same meaning as in the Forest and Rural Fires Act, 1947.

(2) In these regulations, unless the context otherwise requires,—

“Apparatus” includes all engines, vehicles, horses, implements, fire extinguishers, water containers, water supplies, and things used for or in connection with the prevention or suppression of fires or the protection of life or property in case of fire :

“Chemical fire extinguisher” means—

(a) A chemical foam extinguisher of not less than 2 gallons capacity ; or

(b) A vaporizing liquid chemical extinguisher ; or

(c) A “loaded stream” extinguisher of not less than 2 gallons capacity which expels water by means of a carbon dioxide cartridge ; or

(d) A carbon dioxide extinguisher of not less than 10 lb. capacity :

“Closed fire season”, in relation to any rural fire district, means any closed fire season in the district specified under section 17 of the Forest and Rural Fires Act, 1947 :

“District” means, as the case may require, a rural fire district, a soil conservation district, or a county area :

“Fire line” means an area cleared of combustible material which constitutes a fire hazard :

“Forest Officer”, in relation to any area or State forest land, means an officer within the meaning of the Public Service Act, 1912, who is employed in the New Zealand Forest Service and who is for the time being in charge of the area or State forest land ; and, so far as he has delegated his powers, functions, or duties to any officer, includes that officer :

“Hand tank pump” means a tank of not less than 3 gallons capacity with a built in pump capable of discharging 3 gallons of water in not more than two minutes and capable of throwing a jet of water for a horizontal distance of 30 ft. in still air :

“Knapsack pump” means an appliance having a knapsack tank of a capacity not less than 3 gallons with an attached pump capable of discharging 3 gallons of water in not more than five minutes and capable of throwing a jet of water for a horizontal distance of 30 ft. in still air :

- “Operator”, in relation to any operation, means the person for the time being in charge of the operation, and includes the owner or any person who is acting or who purports to be acting in the general management or control of the operation :
- “Refuse” includes sawdust, shavings, slabs, bark, and dockings from sawmilling operations :
- “Rural Fire Officer”, in relation to a rural fire district, a soil conservation district, or a county area, means the principal Rural Fire Officer appointed for the district or area by a Fire Authority under the Forest and Rural Fires Act, 1947 ; and, so far as he has delegated his powers, functions, or duties to any officer, includes that officer :
- “Sawmill” includes a pulp mill, paper mill, or building used for processing timber or forest produce ; and also includes all industrial buildings, timber stacks, slab heaps, refuse piles, and refuse pits associated with any sawmill :
- “State forest land” means State forest land within the meaning of the Forests Act, 1949.

(3) Nothing in these regulations, or in any permit or exemption granted by a Rural Fire Officer or Forest Officer under these regulations, shall be deemed to relieve any person from any liability which he would otherwise incur in consequence of any act, matter, or thing done by that person under any such permit or by reason of any such exemption as aforesaid.

Exemption from Regulations

4. A Rural Fire Officer or Forest Officer may, in his discretion and subject to such conditions or requirements as he may impose, grant complete or partial exemption in respect of any or all of these regulations in respect of any operation or of any area over which he has jurisdiction. In granting any such exemption a Rural Fire Officer or Forest Officer, as the case may require, shall, as far as possible ensure that persons, and property of any kind whatsoever, are properly safeguarded from fire. Any such exemption shall be in writing and for a period stated in writing, but not in any case extending beyond the 30th day of June immediately following the date of the exemption.

PART II—FIRE FIGHTING APPARATUS AND PRECAUTIONS AGAINST FIRE

Operations Presenting a Fire Hazard

5. (1) Subject to these regulations, every person who in any district or on any State forest land is conducting any operation which by reason of its situation constitutes a potential danger to adjoining land, forest, vegetation, or property shall provide apparatus which is suitable and adequate for the suppression and extinction of fires arising from the operation ; and shall place that apparatus in localities and upon sites where it will be readily accessible and convenient for use and shall provide such structures and do all such things as may be necessary for the protection of the apparatus ; and shall maintain the apparatus in good order and condition and ensure that it is readily accessible and convenient for use at all times.

(2) In the case of any question arising as to whether a potential fire danger exists or as to the suitability or adequacy of any apparatus, the question shall be determined by a Rural Fire Officer or Forest Officer having jurisdiction in the district or area. Any person who is prejudiced by any such determination may appeal to a Magistrate's Court against that determination; and the Court may make such order in the premises as it considers just.

(3) A portion of the metal and wooden parts of all such apparatus and structures sufficient for identification purposes shall be painted red and the apparatus shall not be used for any purpose other than in connection with fire fighting.

Engines

6. (1) During the period between the 1st day of August in any one year and the 30th day of April in the following year every operator of a steam operated or internal combustion engine, while it is operated in any district or on any State forest land, shall provide on the said engine and maintain in serviceable condition for immediate use at all times the fire fighting equipment specified hereunder, that is to say:—

- (a) On a steam driven locomotive—two knapsack pumps full of water, two shovels, and two slashers:
- (b) On a steam driven traction engine—one knapsack pump full of water and one shovel:
- (c) On a tractor, loading crane, or logging truck where the tractor, loading crane, or logging truck is operated by an internal combustion engine—a chemical foam extinguisher of not less than 2 gallons capacity and one shovel.

(2) Nothing in subclause (1) of this regulation shall have any application to tractors used in the ordinary course of land cultivation.

(3) During the said period every operator of a steam driven locomotive, while it is operated in any district or on any State forest land, shall provide and maintain at intervals of not exceeding one mile along his tramway containers filled with not less than 40 gallons of water:

Provided that in any case where a stream crosses or is in close proximity to a tramway, an earth or other dam to provide a permanent water supply may be constructed as an alternative to a container, in which case a notice indicating the position of the dam shall be prominently displayed in a suitable position on the tramway.

(4) The apparatus for every patrol which is provided under subsection (3) of section 25 of the Forest and Rural Fires Act, 1947, or subclause (3) of regulation 13 of these regulations shall include one knapsack pump full of water, one shovel, and one slasher for each patrolman.

7. (1) No steam log hauler shall be operated in any exotic forest.

(2) The operator of any steam log hauler, while it is operated in any district or on any State forest land, shall keep available at the hauler at all times a sufficient supply of water for fire fighting purposes and shall equip the hauler with 200 ft. of hose of not less than $\frac{3}{4}$ in. inside diameter with a $\frac{3}{8}$ in. nozzle attached to a power driven pump,

which pump and hose shall be kept always in repair and in serviceable condition and capable of supplying a 30 ft. vertical stream of water at the end of a hose 200 ft. long.

(3) While any such hauler is operated as aforesaid, the surface of the ground surrounding the hauler for a distance of not less than 1 chain in all directions from the hauler shall, during all operating periods, be maintained clear of all combustible material that constitutes a fire hazard, and the operator of any such hauler, before operating it as aforesaid in indigenous forest, shall fell all dead trees and snags 10 ft. and over in height above ground and within 200 ft. of the hauler.

(4) During the period between the 1st day of August in any one year and the 30th day of April in the following year, while any such hauler is being operated as aforesaid, the operator shall, at his own expense, if so directed by a Rural Fire Officer or Forest Officer having jurisdiction where it is being operated, maintain a watchman at the said hauler for at least thirty minutes following the time when operations cease, to prevent the occurrence or spread of fire.

Logging and Sawmilling Operations

8. (1) Every operator of a sawmill which is established or is being established at the date of the commencement of these regulations, and which is situated in any district or on any State forest land, and which by reason of its situation constitutes a potential danger to any land, forest, vegetation, or property by fire, shall construct and maintain a fire line not less than 1 chain wide around the land on which the sawmill is situated, and shall take such other precautions to protect all land, forest, vegetation, and property from damage by fire as a Rural Fire Officer or Forest Officer having jurisdiction in the area where the sawmill is situated may require by notice in writing served upon the operator.

(2) After the date of the commencement of these regulations no person shall establish any sawmill in any district or on any State forest land within 10 chains of any forest or of any area on which there remains any forest slash or debris :

Provided that nothing in this subclause shall prevent the completion, alteration, or improvement of any sawmill which is established or is being established at that date.

(3) Where any sawmill is established in any district or on any State forest land and the sawmill is situated within 15 chains of any forest or any area on which there remains any forest slash or debris or (being situated at a greater distance from any forest or any such area) constitutes a potential danger to any forest by fire, if the establishment of the sawmill has been commenced after the date of the commencement of these regulations, the operator of the sawmill shall—

- (a) Clear all combustible material which constitutes a fire hazard from a continuous belt of land not less than 10 chains wide surrounding the sawmill, and keep the land so cleared ; and
- (b) Clear the land comprising the outer perimeter of that belt for a width of not less than 1 chain, or any portion of that belt which a Rural Fire Officer or Forest Officer having jurisdiction in the area where the belt is situated may require, down to mineral earth, and keep the land so cleared.

(4) Every operator of a sawmill, whenever established, which is situated within any district or on any State forest land, and which by reason of its situation constitutes a potential danger by fire to any forest, shall—

- (a) Provide, by means of gravitational service or a pumping appliance operated by an independent internal combustion engine, a high pressure water supply so established by means of water mains, standpipes, hoses, and other fire fighting equipment as to deliver to any point in the sawmill such a quantity of water, being not less than 200 gallons per minute at a pressure of 40 lb. to the square inch when using $\frac{3}{4}$ in. nozzles, as may be reasonably necessary for extinguishing any fire in the sawmill which is likely to endanger the forest ; and
- (b) Make suitable arrangements for the organization, training, and availability of a sufficient staff to operate effectively the fire fighting apparatus provided.

(5) In the event of any question as to whether a potential fire danger exists or as to the suitability or adequacy of any provisions made for fire fighting under this regulation the question shall be determined by a Rural Fire Officer or Forest Officer having jurisdiction in the area in which the sawmill is situated :

Provided that no such determination shall require the provision of a high pressure water supply exceeding 400 gallons per minute at a pressure of 40 lb. per square inch or the provision of a quantity of water in an overhead tank, reservoir, or static supply exceeding a total quantity of 10,000 gallons.

(6) Any operator of a sawmill may appeal to a Magistrate's Court against any requirement or determination of a Rural Fire Officer or Forest Officer under this regulation ; and the Court may make such order in the premises as it considers just.

(7) During the period between the 1st day of August in any one year and the 30th day of April in the following year no operator of any sawmill whenever established nor any person employed in connection therewith shall light or maintain any fire in the open air for the purpose of burning refuse from sawmilling operations or permit any fire which is burning any such refuse to remain alight unless—

- (a) The refuse is burnt in a suitable and properly constructed burner ; or
- (b) The burning is carried out at a safe distance from the forest and is confined to pits or sites which are approved by a Rural Fire Officer or Forest Officer having jurisdiction where the pits or sites are situated and which are of sufficient size and depth to ensure that all such refuse is kept at least 6 ft. below the level of the ground or bank of earth surrounding the pit or site and within a fire line not less than 1 chain wide maintained around the pit or site.

9. In respect of all logging or sawmilling operations in any district or on any State forest land the operator shall, in addition to everything else required by these regulations, provide and maintain at the site of the logging operations and at the sawmill at a readily accessible place for fire fighting purposes by his employees (where their

number does not exceed ten) two axes, four shovels, three mattocks, two knapsack pumps, and 40 gallons of water, or (where their number exceeds ten) five axes, nine shovels, six mattocks, three knapsack pumps, and 80 gallons of water.

10. (1) Where felling or logging operations are conducted in any district or on any State forest land the operator shall conduct those operations in a manner that will provide a minimum fire risk to all adjoining land, forest, vegetation, and property.

(2) Every such operator shall ensure that all logging debris is deposited on land on which he has a right to deposit it and is kept clear of adjoining boundaries, and shall take all such other steps as may reasonably be necessary to prevent fire which may occur on the land on which the operations are conducted or on which the debris is deposited from spreading to the adjoining forest and land.

(3) The operator of any logging operations on any State forest land or in an exotic forest in any district shall, during the period between the 1st day of August in any one year and the 30th day of April in the following year, arrange for the area covered by the logging operations to be patrolled by a responsible person for not less than thirty minutes after the departure of his workmen from the area. The person carrying out any such patrol shall arrange for the suppression of any fire immediately it is detected.

Water Supplies

11. All water provided pursuant to these regulations shall at all times be maintained free of vegetation, debris, or foreign matter of any sort that will prevent it from being freely passed through the pumps prescribed by these regulations.

Gas Producers

12. (1) Any person who, in any district or on any State forest land, during the period between the 1st day of August in any one year and the 30th day of April in the following year—

- (a) In the open air operates any gas producer unit which is not fitted and mounted and maintained so as to prevent effectively the escape of fire, sparks, grit, cinders, ashes, clinker coals, and burning gas ; or
- (b) Empties from any gas producer unit any live fuel, hot ashes, clinker, or any material from which sparks or fire may be emitted, unless the live fuel, hot ashes, clinker, or other material is emptied into a receptacle containing water sufficient to extinguish completely the said live fuel, hot ashes, clinker, or other material,—

commits an offence against these regulations.

(2) The Minister may from time to time, by notice in the *Gazette*, prohibit the use of any road or portion of any road situated within or adjoining any district or any State forest land by any motor vehicle operated wholly or partly by means of a gas producer unit during such period or periods as may be specified in the notice.

(3) Any notice under this regulation may at any time be in like manner revoked or varied.

(4) Every person who uses any motor vehicle wholly or partly operated by a gas producer unit on a road or portion of a road, the use of which has been prohibited by the Minister by notice under this regulation commits an offence against these regulations.

Sparks and Ashes

13. (1) No person shall operate on or within one mile of any State forest land between the 1st day of August in any one year and the 30th day of April in the following year any locomotive engine, traction engine, portable engine, stationary engine, or any steam or internal combustion engine whatsoever which is not provided with safe and efficient means for preventing the escape of dangerous sparks or flame from funnel or exhaust and for preventing the escape of live coals or fire from ash pan or fire box.

(2) Every person in charge of any such engine as aforesaid used or operated on or within one mile of any State forest land shall at all times dispose of the ashes from the engine by dumping and totally extinguishing them in such a manner as to prevent the outbreak of fire.

(3) No owner or other person having control or management of any tramway in or within one mile of any State forest land during the period between the 1st day of August in any one year and the 30th day of April in the following year, or in any county area while an order is in force under section 18 of the Forest and Rural Fires Act, 1947, shall use or cause to be used any steam locomotive engine along that tramway unless he has provided a patrol with adequate fire extinguishing equipment who shall patrol the route followed by that engine not earlier than ten minutes nor later than thirty minutes after the passing of that engine, and shall extinguish promptly any fires along that route.*

Fires Lit Under Permit

14. (1) Without limiting the requirements of these regulations or of any enactment, it is hereby declared that, in a rural fire district during the closed fire season for the district, or in a soil conservation district or county area while an order under section 18 of the Forest and Rural Fires Act, 1947, is in force in respect thereof, or on any State forest land at any time, a permit to light a fire shall be subject to the following conditions and to such other conditions and requirements as the Rural Fire Officer or Forest Officer who grants the permit may prescribe :—

- (a) A fire shall not be lit in any position where it is likely to present a fire hazard :
- (b) A fire for the purpose of camping or cooking or comfort or warmth shall not be lit within 10 ft. of any tree, log, or stump, and a fire for any such purpose shall not be lit unless and until all the ground within 10ft. of the site of the fire has been cleared of all combustible material :
- (c) Where a fire is lit in accordance with any such permit, the person lighting the fire, or such other person as may be authorized by him, shall remain in attendance on the fire until it is completely extinguished.

(2) Before any fire is lit in any district pursuant to a permit under section 19 of the Forest and Rural Fires Act, 1947, the person to whom the permit is granted shall notify all occupiers of adjoining properties within a distance of one mile of the area specified in the permit of the date on which and the time at which he intends to light the fire.

(3) Where a fire is lit in any district in accordance with a permit given under section 19 of the Forest and Rural Fires Act, 1947, or on any State forest land or within a mile of any State forest land, the permit holder, or a person or employee specially appointed by him for the purpose, shall, while the fire is burning, remain in attendance with such other person or persons and with such apparatus as may be reasonably necessary for the control of the fire, and shall not permit the fire to be left unattended before it is totally extinguished or unless adequate precautions have been taken to prevent it from spreading beyond the boundaries of the area specified in the permit.

(4) A permit to light a fire under section 19 of the Forest and Rural Fires Act, 1947, or under the Forests Act, 1949, may be in the form or to the effect of form No. 1 set out in the First Schedule hereto.

PART III—FIRE AUTHORITIES

Duties and Powers of Fire Authorities

15. In carrying out its obligations under the Forest and Rural Fires Act, 1947, to promote and carry out measures for the prevention, detection, control, and suppression of fires in its district, every Fire Authority shall provide and maintain adequate first aid outfits of a standard approved in that behalf by a Medical Officer of Health, which shall be readily available for use during fire fighting operations, and may do all or any of the following things :—

- (a) Establish, maintain, equip, and staff observation posts and lookouts :
- (b) Take any land on lease or other tenancy, or acquire easements or enter into agreements or arrangements for the occupation of land necessary for the purposes of the last preceding paragraph ; and, with the consent of the Minister of Forests, may purchase any land and sell or exchange any land so purchased :
- (c) Enter into arrangements, whether temporary or for some prescribed period, and on such terms as to costs, expenses, and otherwise as it thinks proper, with forest owners, saw-millers, or other persons in respect of all or any of the matters mentioned in paragraph (a) of this regulation or for the supply or use of apparatus and labour :
- (d) Enter into arrangements, whether temporary or for some prescribed period, and on such terms as to costs, expenses, and otherwise as it thinks proper, with any Department of State or with owners or operators of aircraft for the establishment and maintenance of aerial reconnaissance and patrol :
- (e) Provide and maintain telephones, radio telephone equipment, signalling equipment, and other means of communication :
- (f) Provide and maintain apparatus :
- (g) Carry out publicity ; and acquire or prepare any notices, signs, or posters, and erect and maintain them :

- (h) Establish voluntary rural fire fighting organizations and enrol persons as volunteer rural fire fighters, and maintain, control, and prescribe the duties of any such organization or volunteer rural fire fighters :
- (i) Pay gratuities for voluntary or special services rendered by any person (whether a member of a voluntary rural fire fighting organization or an independent volunteer fire fighter or otherwise) in respect of the prevention, detection, control, or suppression of any fire or by way of grant to promote or maintain efficiency in any voluntary rural fire fighting organization or group of volunteer rural fire fighters :
- (j) Pay such fees or charges as may be necessary to provide that all members of volunteer rural fire fighting organizations and all volunteer rural fire fighters acting with the authority of a Fire Authority are insured so as to cover damage to clothing and footwear and to provide the equivalent of payments under the Workers' Compensation Act, 1922 :
- (k) Pay the cost of any assistance rendered by a fire brigade :
- (l) Replace, or pay for damage to, the clothing or footwear of any fire fighter where the clothing or footwear is damaged while the fire fighter is acting with the authority of the Rural Fire Authority :
- (m) Establish such auxiliary first aid posts as may be required at fire fighting operations to provide emergency treatment for injuries :
- (n) Generally take all such other measures as the Fire Authority considers necessary for the prevention, detection, control, and suppression of fires, or for diminishing the danger to life and property arising from fire.

Terms and Conditions of Fire Fighting Service

16. (1) Every person (other than a member of a voluntary rural fire fighting organization or a volunteer rural fire fighter) who, in response to a requirement by a Rural Fire Officer under the Forest and Rural Fires Act, 1947, or a Forest Officer under the Forests Act, 1949, or by arrangement with a Rural Fire Officer or Forest Officer, assists in extinguishing any fire or otherwise assists in fire fighting operations shall be entitled to be remunerated by the Fire Authority at the rates, and shall be deemed to be employed upon the conditions, set out hereunder :—

- (a) If the person is normally employed pursuant to an award, industrial agreement, or other established terms and conditions of employment and assists in fire fighting operations the rate payable shall be the rate applicable to his normal daily employment :
- (b) In the case of any person to whom the last preceding paragraph does not apply, the rate payable shall be the ordinary time rate prescribed from time to time by the Government Service Tribunal for a labourer employed by the New Zealand Forest Service :
- (c) Notwithstanding anything hereinbefore contained in this regulation, the hourly rate for any work performed on any Saturday, Sunday, or statutory holiday, or in excess of eight hours a day, or outside the hours between 7.30 a.m.

and 5 p.m., shall be one and a half times the ordinary time rate prescribed from time to time by the Government Service Tribunal for a labourer employed by the New Zealand Forest Service :

- (d) For the purpose of the foregoing provisions of this regulation, time worked shall be computed to the nearest quarter of an hour and paid accordingly :
- (e) Every claim for payment shall be accompanied by a certificate under paragraph (i) of this regulation :
- (f) The Fire Authority shall provide or arrange for ample supplies of drinking water to be available to all persons assisting in fire fighting operations :
- (g) The Fire Authority shall, as far as may be practicable, arrange that no person is employed at the scene of a fire for any period exceeding four hours without receiving refreshments :
- (h) The Fire Authority shall provide or arrange for all necessary transport for persons engaged in fire fighting operations :
- (i) Every such person who assists in fire fighting operations shall notify the Rural Fire Officer or Forest Officer or other person in charge of fire fighting operations before commencing duty, or as soon as practicable after commencing duty, and every such person, other than a member of a voluntary rural fire fighting organization or a volunteer rural fire fighter, shall be entitled to receive a certificate in the form or to the effect of form No. 2 set out in the First Schedule hereto, and such a certificate duly completed by a Rural Fire Officer or Forest Officer shall entitle the person named therein to payment at the prescribed rates for the period during which assistance was given as specified in the certificate.

(2) Where arrangements are made by any Fire Authority for the organization of a voluntary rural fire fighting organization or for the utilization at fires of the services of independent volunteer rural fire fighters, the Fire Authority shall arrange for the insurance of the members of the organization and of the volunteer rural fire fighters under a policy providing the equivalent of the payments to which they would be entitled under the Workers' Compensation Act, 1922, if they were paid for their services at the rates provided in this regulation.

(3) For the purposes of this regulation a volunteer rural fire fighter means a person other than a member of a voluntary rural fire fighting organization or of a fire brigade registered under section 41 of the Fire Services Act, 1949, who, without being requisitioned or stipulating for remuneration at the time of his engagement, voluntarily engages in fire fighting at a fire in any district or on any State forest land with the approval of the officer in charge at the fire.

Rural Fire Officer's Warrant of Appointment

17. (1) Every person appointed by a Fire Authority as a Rural Fire Officer shall be furnished with a warrant of appointment by the Fire Authority in the form or to the effect of form No. 3 set out in the First Schedule hereto.

(2) Any such warrant of appointment shall be sufficiently authenticated if signed by—

- (a) The Minister of Forests ; or

- (b) The Clerk in any case where a local authority is the Fire Authority; or
- (c) The Secretary in any case where a Rural Fire Committee is the Fire Authority; or
- (d) The Chairman or Secretary of the Soil Conservation Committee appointed by the Soil Conservation and Rivers Control Council where the said Council is the Fire Authority.

PART IV—MISCELLANEOUS

Requisition for Assistance

18. Without limiting any of the provisions of the Forests and Rural Fires Act, 1947, or the Forests Act, 1949, it is hereby declared that a notice requiring any person to assist in extinguishing a fire may be in the form or to the effect of form No. 4 set out in the First Schedule hereto.

Fire Signs

19. (1) The Fire Authority of a rural fire district shall erect signs in the said rural fire district in such positions as may be necessary reasonably to ensure that residents or members of the visiting public are informed of the existence of the rural fire district and that the lighting of fires is prohibited in the district.

(2) The Fire Authority of a district other than a rural fire district shall, in respect of any part of the district in which the lighting of fires is prohibited by order under section 18 of the Forest and Rural Fires Act, 1947 (herein referred to as a county fire area), erect signs in such positions in the said county fire area as may be necessary reasonably to ensure that residents or members of the visiting public are informed of the existence of the county fire area and that the lighting of fires is prohibited in the area.

20. (1) The sign specified in regulation 19 (1) hereof shall be in the form of the diagram No. 1 in the Second Schedule hereto—that is to say, in the form of an equilateral triangle with the base side horizontal and with each of the three sides 3 ft. in length. The sign shall be white, except for the letters, which shall be solid block in a strong red.

(2) The sign specified in regulation 19 (2) hereof shall be in the form of the diagram No. 2 in the Second Schedule hereto—that is to say, in the form of an equilateral triangle with the base side horizontal and with each of the three sides 3 ft. in length. The sign shall be white except for the letters, which shall be solid block in a strong red.

(3) No written matter apart from that hereinbefore prescribed shall appear on any such sign or on the support for any such sign.

21. Every sign the erection of which is required by these regulations shall be erected by the Fire Authority or on behalf of the Fire Authority.

22. The Fire Authority liable for the erection of a sign shall at all times, while any sign heretofore erected that conforms with these regulations remains in position, maintain the sign in reasonable repair, undefaced, and undamaged, and so as to be in legible condition and with the prescribed colour thereof clearly displayed.

23. No Fire Authority or person shall erect or maintain or cause to be erected or maintained or to be on any road, or in any place visible from a road, any sign in or similar to the forms herein prescribed which is not used solely for denoting the matters authorized by these regulations.

Testing of Apparatus

24. The operator shall arrange for all mechanical apparatus provided under these regulations to be given a fully effective test at least once a fortnight during the period between the 1st day of August in any one year and the 30th day of April in the following year. Any such test shall be deemed not to be fully effective unless all internal combustion engines are operated until they reach operating temperature and pumps have delivered water at full capacity for a period of not less than two minutes and all road vehicles have been given a road test for a distance of not less than five miles.

Inspections

25. (1) It shall be the duty of every Rural Fire Officer in respect of the district under his jurisdiction and of every Forest Officer in respect of any State forest land to see that the provisions of the Forest and Rural Fires Act, 1947, the Forests Act, 1949, and these regulations are complied with, and from time to time make such inspections and arrange for such tests in his presence as may be necessary in connection with this duty. Any inspection or test pursuant to this regulation shall be made in the presence of the operator or some other person authorized by the operator in that behalf.

(2) In the performance of his duties and functions under the said Acts and these regulations the Rural Fire Officer or Forest Officer, as the case may be, or any person appointed by either of these officers in writing, shall, at all convenient times, have full and free access to any land, operations, or apparatus, and may use all convenient means and appliances belonging thereto or connected therewith; and it shall be the duty of the operator or occupier and all persons in any way employed in or about any such land or operations to afford such assistance as is reasonably required for facilitating the exercise of these powers.

(3) Every person commits an offence against these regulations who refuses to permit the use of any such means or appliances, or to render any such assistance, or who obstructs any such officer or any person so appointed by any such officer as aforesaid in making any such visit or inspection or testing any apparatus.

26. If in the course of an inspection or test the Rural Fire Officer or Forest Officer, as the case may be, discovers any defect or weakness in the apparatus tested, or that the steps taken for the prevention, detection, control, and suppression of fire are inadequate, he may forthwith notify the operator in writing, and the operator shall have the defect or weakness remedied or the necessary steps taken forthwith after the receipt of any such notice or within such time as may be approved by the officer concerned.

Permit Required to Enter Exotic Forest

27. (1) Any person who, without a written permit from the owner or occupier, enters any exotic forest situated within any district as hereinbefore defined or, being a permit holder, fails to observe the conditions set out therein, commits an offence against these regulations.

(2) Any such permit may be cancelled for any breach of its conditions or without any reason being assigned.

(3) Any such permit shall cease to be operative and shall be of no effect on any day in respect of which a broadcast warning has been given under section 16 of the Forest and Rural Fires Act, 1947.

(4) This regulation shall not apply, in respect of any part of any exotic forest, to any owner or occupier of that part or to his employees or agents or to the holder of any licence, lease, right, or authority in respect of that part or to his employees or agents.

Wax Matches Prohibited in Certain Areas

28. Any person who carries, distributes, or uses in any exotic forest or rural fire district or on any State forest land any wax matches or any matches other than those so made as to strike only on a preparation affixed to the containing box, or a box containing the same description of matches, commits an offence against these regulations.

Unlawful Interference With Property

29. Any person who wilfully tears, damages, defaces, removes, interferes with, or pulls down any notice, poster, or sign erected by the New Zealand Forest Service or any Fire Authority drawing attention to the danger of fires or to the fire laws, or otherwise, or who, without lawful authority, interferes with, removes, damages, or uses any apparatus provided under these regulations, commits an offence against these regulations.

Annual Return of Fires

30. The Fire Authority for each district, or in any case where two or more Fire Authorities are acting together the joint Fire Authorities, shall not later than the 30th day of September in each year furnish to the Director of Forestry, New Zealand Forest Service, Wellington, for and on behalf of the Minister of Forests, a return for the period of 12 months ending on the 30th day of June immediately preceding that date containing the particulars specified in form No. 5 set out in the First Schedule hereto.

Offences

31. (1) Every person commits an offence against these regulations who fails to comply with or does any act in contravention of the provisions of these regulations or of any requirement of a Rural Fire Officer or Forest Officer under these regulations.

(2) Every person who commits an offence against these regulations for which no penalty is provided elsewhere than in this regulation shall be liable on summary conviction—

- (a) In the case of an individual, to imprisonment for a term not exceeding one month, or to a fine not exceeding £100, and, if the offence is a continuing one, to a further fine not exceeding £10 for every day during which the offence continues, or to both such imprisonment and such fine :
- (b) In the case of a body corporate, to a fine not exceeding £500, and, if the offence is a continuing one, to a further fine not exceeding £50 for every day during which the offence continues.

Revocations

32. The regulations specified in the Third Schedule hereto are hereby revoked.

SCHEDULES

FIRST SCHEDULE

FORMS

FORM NO. 1

..... *Fire Authority**New Zealand Forest Service*

PERMIT UNDER SECTION 19 OF THE FOREST AND RURAL FIRES ACT, 1947

M. [Name], of [Address], is hereby permitted to set on fire, in the open air, combustible material—i.e., [Description of material to be burnt] on land owned or occupied by him, [Description of land] subject to the following conditions and all relevant provisions of the said Act:—

(1) This permit shall remain in force from the date of issue thereof until, unless sooner cancelled by notice:

(2) No fires shall be lit while a heavy wind is blowing or if conditions are such that a fire is likely to spread beyond the limits of the land the subject of this permit:

(3) This permit shall cease to operate and shall be of no effect on any day in respect of which a broadcast warning has been given (under section 16 of the Forest and Rural Fires Act, 1947) totally prohibiting the lighting of fires in the area:

(4) [State any further conditions].

Nothing in this permit shall be deemed to relieve the holder of this permit from liability for any actionable damage sustained by any other person in consequence of any action or thing done by the holder of this permit.

Dated at, this day of, 19..

.....
Rural Fire Officer.
Forest Officer.

Form No. 2

..... *Fire Authority**New Zealand Forest Service*

CERTIFICATE OF ENGAGEMENT

THIS is to certify that [Name], [Occupation], of [Address], reported to me at on the day of, 19.., at a.m. (p.m.) for the purpose of assisting in fire fighting operations at and was immediately engaged—

(a) On the understanding that he would be remunerated for his services.

(b) On the understanding that he would not be remunerated for his services.

.....
Rural Fire Officer.
Forest Officer.

...../...../19..

NOTE.—Either (a) or (b) should be deleted so as to show whether the person assisting is to be remunerated for his services or not.

COMPLETION OF SERVICE

The above named was released from duty on the day of, 19.., at a.m. (p.m.).

.....
Rural Fire Officer.
Forest Officer.

NOTE.—This certificate must be presented when a claim for payment is made.

Form No. 3

..... *Fire Authority*

RURAL FIRE OFFICER'S WARRANT OF APPOINTMENT

THE bearer, [Full name], [Occupation], of [Address], has been appointed a Rural Fire Officer under section 11 of the Forest and Rural Fires Act, 1947, for the [Here state name of rural fire district or county or soil conservation district].

.....
for Fire Authority.

Form No. 4

REQUISITION OF ASSISTANCE TO EXTINGUISH FIRES

(Issued under the Forest and Rural Fires Act, 1947, and the Forests Act, 1949)

To

Occupation:

Address:

TAKE notice that, pursuant to section 30 of the Forest and Rural Fires Act, 1947, and section 51 of the Forests Act, 1949, you are hereby required to assist in extinguishing the fire now burning at

You are to report at at a.m. (p.m.) on, the day of, 19.., for the purpose of rendering the assistance required from you.

If in the stress of fire fighting operations you are overlooked, please report to me or to another officer or deputy for instructions.

.....
Rural Fire Officer.
Forest Officer.

...../...../19..

Form No. 5

Forest and Rural Fires Regulations 1950

RETURN OF FIRE AUTHORITY FOR THE FOR THE PERIOD 1ST JULY.
19.., TO 30TH JUNE, 19..

Name of Fire Authority:

Name of Rural Fire Officers:—

Principal:

.....

.....

PERIOD or periods during which burning was prohibited and nature of other prohibitions imposed under section 18 of the Forest and Rural Fires Act, 1947: ..

Total number of fires reported:

General remarks:

PARTICULARS OF FIRES REPORTED

| Cause of Fire. | Number Caused. | Area of Ground Cover Burnt. | | | Number of Saw-mills Burnt. |
|--|----------------|-----------------------------|----------------|-----------------|----------------------------|
| | | Grass (Acres). | Scrub (Acres). | Forest (Acres). | |
| Road traffic | | | | | |
| Tractors and motor vehicles | | | | | |
| Tramways and railways | | | | | |
| Hunters (camp or billy fires, &c.) | | | | | |
| Smokers | | | | | |
| Land clearing | | | | | |
| Incendiary | | | | | |
| Industrial (sawmill, logging, &c.) | | | | | |
| Unknown | | | | | |
| Totals | | | | | |

Number of prosecutions for offences against the Act:

Number of convictions entered:

Summary of charges:

Total amount of fines imposed: £.....

Total amount of costs imposed: £.....

Total amount of damages awarded: £.....

General comments and suggestions:

Signature:

for Fire Authority.

Date:

To be forwarded to the Director of Forestry, New Zealand Forest Service,
Wellington.

SECOND SCHEDULE

DIAGRAMS

Diagram No. 1.



COLOUR SPECIFICATION

Lettering solid black in a strong red on a white ground

Diagram No 2



THIRD SCHEDULE
REGULATIONS REVOKED

| Regulations Revoked. | Published in <i>Gazette</i> . | |
|--|------------------------------------|-------|
| | Year. | Page. |
| Regulations 28, 29, and 30 of the regulations made under the State Forests Act, 1908, on the 31st day of March, 1909 | 1909 | 1031 |
| | Published in Statutory Regulations | |
| | Serial Number. | Page. |
| The Forest (Fire Prevention) Regulations 1940 | 1940/246 | 770 |
| The Forest (Fire Prevention) Regulations 1940, Amendment No. 1 | 1943/31 | 55 |
| The Rural Fire Committee Regulations 1949 : Regulation 18 | 1949/21 | 105 |

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

These regulations consolidate and amend the previous regulations for the prevention and control of forest and rural fires. They supplement the provisions of the Forest and Rural Fires Act, 1947, and the Forests Act, 1949, which were passed after most of the previous regulations were made. They prescribe the apparatus to be provided, and the methods to be used, by sawmillers and others for preventing and suppressing fires. They specify the conditions under which a permit may be granted to light a fire during the closed season or during a danger period. They define further the duties and powers of Fire Authorities under the Forest and Rural Fires Act, 1947, and the terms and conditions under which persons may be employed for fire fighting service. They also deal with the requisitioning of the services of persons for fire fighting, volunteer fire fighting, standardized fire signs, the testing and inspection of fire fighting apparatus, the prohibition of entry into exotic forests except with the consent of the owner, the prohibition of the carrying of wax matches in exotic forests and rural fire districts and on State forest land, the furnishing of annual reports of fire damage, and offences.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 5th day of April, 1951.

These regulations are administered in the New Zealand Fire Service.