

1956/155



## THE FOREST AND RURAL FIRES REGULATIONS 1956

C. W. M. NORRIE, Governor-General

### ORDER IN COUNCIL

At the Government Buildings at Wellington this 17th day  
of September 1956

Present:

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Forest and Rural Fires Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

#### PART I—PRELIMINARY

1. (1) These regulations may be cited as the Forest and Rural Fires Regulations 1956.

(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.

Regulations 12 and 13—Gas producers.

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.

Regulation 24—Testing of apparatus.

Regulations 25 and 26—Inspections.

Part IV—Miscellaneous—*continued*

- 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 and savings.

## 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 1955.

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

“The Act” means the Forest and Rural Fires Act 1955:

“Apparatus” includes all engines, vehicles, horses, reels, buckets, hoses, pumps, ladders, escapes, tools, fire extinguishers, implements, 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 foam extinguisher of not less than 2 gallons capacity; or
- (b) A vaporising liquid extinguisher of not less than 1 quart capacity; or
- (c) An alkali-metal salt solution type extinguisher known as a “loaded stream” extinguisher, of not less than 2 gallons capacity, where the extinguishing solution is expelled by a carbon dioxide cartridge; or
- (d) A liquid carbon dioxide extinguisher of not less than 7lb. capacity; or
- (e) A dry chemical extinguisher of not less than 4lb. capacity, where the dry chemical is expelled by a carbon dioxide cartridge:

“Closed fire season”, in relation to any district, means any closed fire season in the district specified under section 19 of the Act:

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

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

“Fire Officer” or “Rural Fire Officer”, in relation to any rural fire district or soil conservation district or county area, means a Rural Fire Officer appointed under the Act by the Fire Authority for the district or area; and, in relation to any State area, means a Forest Officer under the Forests Act 1949 or a person appointed by the Minister as a Rural Fire Officer for the area:

“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:

“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 area”—

(a) Means—

(i) Any State forest land within the meaning of the Forests Act 1949; and any land or forest in respect of which the Minister acts as agent under section 64 of that Act; and

(ii) Any National Park within the meaning of the National Parks Act 1952; and

(iii) Any lands of the Crown within the meaning of section 176 of the Land Act 1948; but

(b) Does not include any area included in a rural fire district or a soil conservation district or a district controlled by an Urban Fire Authority.

(3) Nothing in these regulations, or in any permit or exemption granted by a Fire 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 Fire 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 apparatus or of any operation or of any area over which he has jurisdiction. In granting any such exemption a Fire Officer 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 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 Fire Officer having jurisdiction in the district. Any person who considers he may be 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 in 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, 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, log hauler, or logging truck where the tractor, loading crane, log hauler, or logging truck is operated by an internal combustion engine—a chemical fire extinguisher 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 unless a Fire Officer in any case so directs; and no such direction shall be given unless the tractor, while being so used, constitutes a potential fire danger to a forest; and no such direction shall have any force or effect while the tractor is being used in the ordinary course of farming operations in the vicinity of farm buildings or yards.

(3) During the said period every operator of a steam driven locomotive while it is operated in any district, 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 28 of the Act, 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, 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 the 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 Fire 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 was established or was being established at the 30th day of March 1951 (being the date of the commencement of the Forest and Rural Fires Regulations 1951), and which is situated in any district, and which by reason of its situation constitutes a potential danger by fire to any land, forest, vegetation, or property, 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 Fire Officer having jurisdiction in the area where the sawmill is situated may require by notice in writing served upon the operator.

(2) No person shall establish any sawmill in any district 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 was established or was being established at the said 30th day of March 1951.

(3) Where any sawmill is established in any district 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 Fire 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 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 organisation, 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 Fire 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 Fire 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 Fire 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 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 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 area 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 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 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.

13. 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 regulation 12 of these regulations commits an offence against these regulations.

*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 19 or section 20 of the Act is in force in respect thereof, or on any State area 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 Fire 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 10 ft. 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 authorised 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 21 of the Act, 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 21 of the Act, or on or within a mile of any State area 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 21 of the Act may be in the form or to the effect of form No. 1 set out in the First Schedule hereto.

(5) In determining whether and on what conditions any permit is given to light a fire within the protected area of an Urban Fire Authority, the Fire Officer shall take into account any representations which may be made to him by the Urban Fire Authority or any officer of the Urban Fire Authority.

## PART III—FIRE AUTHORITIES

*Duties and Powers of Fire Authorities*

15. In carrying out its obligations under the Act 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 outfits 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 look-outs:
- (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 paragraph (a) of this regulation; 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, sawmillers, 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 organisations and enrol persons as volunteer rural fire fighters, and maintain, control, and prescribe the duties of any such organisation 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 organisation 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 organisation 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 organisations 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 organisation or a volunteer rural fire fighter) who, in response to a requirement by a Fire Officer or by arrangement with a Fire 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 paragraph (a) of this subclause 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 subclause:
- (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 Fire 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 organisation 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 Fire 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 organisation of a voluntary rural fire fighting organisation or for the utilisation at fires of the services of independent volunteer rural fire

fighters, the Fire Authority shall arrange for the insurance of the members of the organisation 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 organisation 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 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 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 Director of Forestry where the Minister of Forests is the Fire Authority; 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 Act, 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 or State area shall, in respect of any part of the district in which the lighting of fires is prohibited by order under section 19 or section 20 of the Act (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 or a light colour, except for the letters, which shall be solid block in a strong red or black or other distinctive colour.

(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 or a light colour, except for the letters, which shall be solid block in a strong red or black or other distinctive colour.

(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 such sign 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 authorised 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 Fire Officer in respect of the district under his jurisdiction to see that the provisions of the Act 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 authorised by the operator in that behalf.

(2) In the performance of his duties and functions under the Act and these regulations the Fire Officer or any person appointed by the Fire Officer 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 Fire Officer or any person so appointed by him as aforesaid in making any such visit or inspection or testing any apparatus.

26. If in the course of an inspection or test the Fire Officer 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 Fire Officer.

#### *Permits 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 herein-before 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 18 of the Act.

(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 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 31st day of May 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 with the 30th day of April 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 Fire 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, or to both, and, if the offence is a continuing one, to a further fine not exceeding £10 for every day during which the offence continues:
- (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 and Savings*

32. (1) The Forest and Rural Fires Regulations 1951\* are hereby revoked.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the revocation of any provision by these regulations shall not affect any document made or anything whatsoever done under the provision so revoked or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing was done.

\*S.R. 1951/60.

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## SCHEDULES

## FIRST SCHEDULE

## FORMS

## FORM NO. 1

Reg. 14 (4)

*Fire Authority:* .....

PERMIT UNDER SECTION 21 OF THE FOREST AND RURAL FIRES ACT 1955  
 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 18 of the Forest and Rural Fires Act 1955) 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.

## Form No. 2

*Forest and Rural Fires Act 1955*

Reg. 16 (1) (i)

*Fire Authority:* .....

## 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.

...../...../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.

FIRST SCHEDULE—*continued*

## COMPLETION OF SERVICE

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

.....  
Rural Fire Officer.

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

## Form No. 3

Reg. 17 (1)

*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 13 of the Forest and Rural Fires Act 1955 for the [*Here state name of rural fire district or county or soil conservation district or State area*].

.....  
for Fire Authority.

## Form No. 4

Reg. 18

## REQUISITION OF ASSISTANCE TO EXTINGUISH FIRES

(*Issued under the Forest and Rural Fires Act 1955*)

To .....

Occupation:.....

Address:.....

TAKE notice that, pursuant to section 34 of the Forest and Rural Fires Act 1955, 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.

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



FIRST SCHEDULE—*continued*

Form No. 5

Reg. 30

Forest and Rural Fires Regulations 1956

RETURN OF FIRE AUTHORITY FOR THE ..... FOR THE PERIOD 1 MAY  
19..... TO 30 APRIL 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 sections 19 and 20 of the Forest and Rural Fires Act 1955:.....

Total number of fires reported:.....

General remarks:.....

PARTICULARS OF FIRES REPORTED

Cause of Fire	Number Caused	Area of Ground Cover Burnt			Number of Sawmills Burnt
		Grass (Acres)	Scrub (Acres)	Forest (Acres)	
Road traffic .. .. .	..				
Tractors and motor vehicles ..	..				
Tramways and railways ..	..				
Hunters (camp or billy fires, etc.) ..	..				
Smokers .. .. .	..				
Land clearing .. .. .	..				
Incendiary .. .. .	..				
Industrial (sawmill, logging, etc.) ..	..				
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

Reg. 20 (1)

Diagram No.1



Reg. 20 (2)

Diagram No.2



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 re-enact the provisions contained in the Forest and Rural Fires Regulations 1951 with minor variations which are mainly consequential on the passing of the Forest and Rural Fires Act 1955 and the application of that legislation to all State forest land, National Parks, and unoccupied lands of the Crown.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 20 September 1956.

These regulations are administered in the New Zealand Forest Service.