

REPUBLIC OF NAURU
RESCUE AND FIRE SERVICE BILL 2019
EXPLANATORY MEMORANDUM

The *Rescue and Fire Service Bill 2019* is a Bill for the *Rescue and Fire Service Act 2019*.

This memorandum provides an explanation of the Bill and is only intended to indicate the general effect.

EXPLANATION OF CLAUSES

PART 1 – PRELIMINARY

Clause 1 provides that, once enacted, the short title of the Bill will be the *Rescue and Fire Service Act 2019*.

Clause 2 sets out when the Bill's provisions will commence which is on 22 October 2019.

Clause 3 defines certain terms used in the Bill.

Clause 4 ensures that this Bill does not affect any power or duty of persons to comply with, carry out or enforce any other written laws. This clause is required as a result of other written laws which may vest powers and duties onto the Rescue and Fire Service.

PART 2 – ADMINISTRATION

Clause 5 provides that the Rescue and Fire Service shall have overall authority and responsibility in relation to fire safety and protection and emergency rescue. The Service shall also have such duties and functions vested on it by this Bill or any other written law.

Clause 6 provides for the functions of the Service which are to:

- (a) ensure that the Service personnel complies with this Act and maintains an efficient fire service having regard to life and property;
- (b) ensure that personnel are coordinated and trained for the purposes of fire protection, reinforcement at serious fire or other emergencies including coastal waters rescue and motor traffic accidents;
- (c) supervise or carry out fire prevention activities and allow research work with respect to fire service methods, equipment, organisation or coordination with other services;
- (d) establish courses or training and generally direct the training of fire officers for the purposes of compliance with the requirements of the International Civil Aviation Organisation;
- (e) advise the public on prevention and protection measures in the event of a fire or any other emergency;
- (f) conduct training courses in relation to any aspect of fire safety and emergency preparedness;
- (g) organise community education and awareness programs relating to fires and other emergencies;

- (h) provide for such degree of standardisation of plant, equipment and training as it considers necessary for fire or any emergency operations;
- (i) undertake rescue operations in case of road traffic accidents or any other incidents;
- (j) publish reports, information and advice on rescue and fire service and safety;
- (k) carry out inspection of premises for fire safety purposes;
- (l) respond to severe weather related events, natural hazard events and disasters;
- (m) serve as an agent for firefighting equipment;
- (n) carry out periodic inspections of any premises at the request of the owner or occupier and to charge fees for the same;
- (o) respond to any other situation where the Service has the capability to assist;
- (p) perform such other functions and duties conferred on it under this Act and any other written law; and
- (q) do all things as are necessary to be done for the proper administration of this Act.

Clause 7 provides for the appointment of a Chief Fire Officer by the Secretary in consultation with the Cabinet. Subclause (2) requires the Chief Fire Officer to act under the directive of the Secretary. The Chief Fire Officer is charged with directing all technical matters including the training of fire officers.

Clause 8 provides for the appointment of a Deputy Chief Fire Officer by the Secretary on the recommendation of the Chief Fire Officer. Subclause (2) provides that the Deputy Chief Fire Officer may perform the functions and powers of the Chief Fire Officer as may be authorised in writing by the Chief Fire Officer from time to time.

Subclause (3) provides that the Deputy Chief Fire Officer shall have the same powers as the Chief Fire Officer when exercising the functions and powers of the Chief Fire Officer under subclause (2).

Clause 9 provides for the appointment of fire officers, firefighters and other staff of the Service as may be necessary for the efficient performance of the powers and functions under this Bill.

Clause 10 requires a person appointed as a fire officer or firefighter to subscribe to an oath or affirmation contained in Schedule 1.

PART 3 – POWERS OF SERVICE AND FIRE OFFICERS

Clause 11 provides for the command and control by the Service at the site of the emergency. The highest ranking fire officer at the site shall immediately assume command and take charge and ensure all necessary measures are taken for the safety of officers and any other person at risk. The highest ranking fire officer may require any other person having responsibilities in relation to the emergency to provide facilities and assistance enabling the fire officer to exercise the powers conferred by this Bill.

Clause 12 empowers a fire officer in an emergency, fire or rescue situation to do anything reasonably necessary to:

- (a) prevent, fight, control and extinguish fires;
- (b) protect persons, animals, property and the environment against fire or any other emergency;
- (c) rescue or protect persons from serious harm as a result of a road traffic accident; and
- (d) provide rescue services to any person, animal or property endangered as a result of a road or other accident.

Subclause (2) details the actions a fire officer may carry out to ensure the safety and protection of persons, animals, property and the environment. A fire officer may:

- (a) enter premises or a place, by force if necessary, without the consent of the owner or occupier of the premises or place;
- (b) remove, using reasonable force where necessary, any person:
 - (i) who by his or her presence or otherwise, interferes with operations to deal with emergency, fire or rescue operation; or
 - (ii) in the Chief Fire Officer's or fire officer's opinion, is in danger or is likely to cause danger to any other person or property;
- (c) cause to shut off or disconnect the supply of electricity or gas to any premises;
- (d) remove any vehicle impeding personnel;
- (e) break into a vehicle without the consent of its owner;
- (f) close a road;
- (g) stop and regulate traffic; and
- (h) restrict the access of persons to premises, a place or an area.

Clause 13 provides for the powers of a fire officer during a fire which are to:

- (a) take such measures as he or she deems necessary to:
 - (i) protect and save persons, animals, property and the environment; and
 - (ii) control and extinguish fire;
- (b) control and direct the operation at a fire and in particular may:
 - (i) cause any road or place in the vicinity of a fire to be closed to traffic during the continuance of the fire;
 - (ii) without payment use any convenient supply of water for the purpose of extinguishing or controlling a fire;
 - (iii) take such steps as he or she deems necessary to remove the hazard or risk; or
 - (iv) cause the evacuation of any are, premises, aircraft, vessel or vehicle.

Clause 14 provides for the power to enter premises etc. after a fire. Subclause (1) allows a fire officer to enter and inspect premises or adjacent premises or board aircraft, vessel or

vehicle or seize and detain the aircraft or vehicle for the purpose of investigating the cause or origin of any fire occurring in or on any premises, aircraft, vessel or vehicle.

Subclause (2) empowers any fire officer to exercise such power without notice within a 48 hour period after the fire and, in any other case, only after giving notice in writing of the intended entry to the occupier of the premises or intended boarding of the aircraft, vessel or vehicle.

Clause 15 provides for the power of entry and inspection of a fire officer to at any reasonable time enter and inspect any land or premises to do one or more of the following:

- (a) make such inquiry as may be necessary;
- (b) obtain information necessary for pre-incident planning;
- (c) assess compliance with the requirements under this Bill;
- (d) conduct post-incident analysis;
- (e) require the production of and inspect any fire certificate in relation to the building or premises;
- (f) in relation to equipment in or on the premises:
 - (i) require the person for the time being in charge to produce for inspection fire protection equipment or any fire alarm and detection equipment in the premises;
 - (ii) inspect such equipment so produced;
 - (iii) conduct examination or tests of such equipment found in the building or premises, either at the premises or by removing the equipment from the premises to conduct examinations or tests of it.

Subclause (2) provides that where a fire officer deems it necessary for the purposes of his or her inspection, he or she may also carry out an inspection of buildings or premises or part of buildings or premises that form part or are adjacent to the building or.

Subclause (3) provides that a fire officer requires a warrant under clause 53 to enter residential premises if he or she does not have the consent of the owner or occupier.

Clause 16 empowers a fire officer to prohibit or restrict access of any person to any land, area or premises which is an emergency site where the fire officer believes on reasonable grounds that it is necessary to preserve or record evidence relating to the emergency or, prevent tampering with or alteration, mutilation or destruction of anything involved in any manner in the emergency.

Subclause (2) provides that the prohibition or restriction of access under subclause (1) may only apply for a period no longer than is reasonably necessary to meet the objectives under subclause (1).

Clause 17 allows a fire officer to enter any premises at all reasonable hours for various purposes. There are conditions to this right exercised by a fire officer. The fire officer is required under subclause (2) to provide a written notice of the intended entry to the owner or occupier 24 hours' prior to the intended entry. The intended entry may be for:

- (a) determining whether there is or has been, on or in connection with the premises, any contravention of this Act;
- (b) obtaining information required for firefighting purposes in relation to the character of the premises, the availability of water supplies and the means of access thereto and other material circumstances relating to firefighting purposes;
- (c) conducting fire drills and exercises, provided prior notice in writing is provided to the owner or occupier of such premises;
- (d) determining whether there are any fire hazards in or on the premises;
- (e) determining whether or not any place of public assembly or premises used for purposes of entertainment or recreation are being used to accommodate a larger number of persons than is permitted under any regulations made under this Act;
- (f) checking and testing fire safety measures; and
- (g) the performance by the Chief Fire Officer of his or her powers under this Bill or any other written law.

Clause 18 empowers the Chief Fire Officer to prohibit in writing the lighting of fires in open air in an area or prohibit or restrict any other activity in an area.

Clause 19 provides that police officers may provide support to fire officers in the exercise of the fire officers' powers and performance functions for the purpose of this Bill.

Clause 20 requires the Nauru Utilities Corporation to assist the Service. This relates to the provision of water and ensuring safety from electrical hazards during a fire.

PART 4 – FIRE SAFETY CERTIFICATES

Clause 21 in subclause (1) requires any premises set out in Schedule 2 to have an annual fire safety certificate which certifies that the premises meet all safety requirements.

Subclause (2) provides that no premises under subclause (1) shall be occupied, used or any works carried out in relation to the premises unless it has been issued a fire safety certificate.

Subclause (3) makes it an offence if an owner or a person who is responsible for the premises set out in Schedule 1 fails to obtain a fire safety certificate under Part 4. Penalty – a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 2 years or to both.

Subclause (4) makes it an offence if an owner or a person who is responsible for any premises set out in Schedule 1 who allows such premises to be occupied, used or works be carried out in relation to the premises without a fire safety certificate or with an expired safety certificate. Penalty – a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 2 years or to both.

Subclause (5) requires the owner or the person responsible to comply with the conditions specified in the premises fire safety certificate.

Subclause (6) provides that the Chief Fire Officer may revoke a fire safety certificate where the holder fails to comply with any condition specified in the fire safety certificate.

Clause 22 requires a person applying for a fire safety certificate to comply with the application requirements set out in clause 23.

Clause 23 provides that the application for a fire safety certificate is to be in the prescribed form, that the relevant documents be provided, copies of the relevant documents be provided, signed by the person and be accompanied with the prescribed fee.

Clause 24 requires the Chief Fire Officer to keep and maintain records for each application received for the issuance of a fire safety certificate.

Clause 25 provides for the Chief Fire Officer to consider each application made and for the Chief Fire Officer to inform the applicant of the decision within 7 days of the date when the application was lodged. The Chief Fire Officer shall grant the fire safety certificate if he or she is satisfied that the application complies with the Act.

Clause 26 provides for the contents and issue of a fire safety certificate. All applications received whether granted or refused shall be recorded by the Chief Fire Officer. Where an application has been approved, the Chief Fire Officer may issue a certificate in the prescribed form and specify:

- (a) the name of the premises;
- (b) the name of the person responsible for the premises;
- (c) the district where the premises is located;
- (d) any conditions;
- (e) the date when the certificate is granted; and
- (f) the date when the fire certificate expires.

Clause 27 provides for the duration of a fire safety certificate. A fire safety certificate is valid for a period of 12 months from the date the certificate was granted.

Clause 28 states that a fire safety certificate shall not be granted to a person under the age of 18 years.

Clause 29 provides for applications for renewal of fire safety certificates to be made in the prescribed form at least 1 month prior to the expiration of the certificates. If a fire safety certificate is expired and an application is lodged for its renewal, such application must be made in the prescribed form, accompanied with the renewal and late fee.

Clause 30 provides that a fire safety certificate is not to be assigned or transferred to any other person by the certificate holder. It is an offence for any person to assign, transfer or permit another person to use his or her fire certificate. The penalty for this offence upon conviction is a fine not exceeding \$10,000 or a term of imprisonment not exceeding 2 years or both.

Clause 31 requires holders of fire safety certificates to display the certificates in visible places in the premises. This requirement carries a fixed penalty of \$1,000 against a

person who does not display his or her certificate. If the person fails to pay the fixed penalty within 7 days of receipt of the notice of this breach, he or she will be prosecuted.

Clause 32 requires an owner of any premises with a fire safety certificate who intends to make material structural changes to part of or the entire premises to notify the Chief Fire Officer in the prescribed form and to provide specifications and plan for the changes to be made.

Subclause (2) provides that the Chief Fire Officer may review the plans provided and make amendments to the fire safety certificate or issue a new fire certificate specifying the amendments.

Subclause (3) provides that the Chief Fire Officer where there are reasonable grounds to believe that there has been a material change to the premises, the Chief Fire Officer may cancel the certificate, vary the conditions applicable to the fire safety certificate, require the owner to submit a modified fire safety plan for approval, or take such other action as the Chief Fire Officer deems fit. This subclause applies where an owner of any premises with a fire safety certificate does not notify the Chief Fire Officer of the changes made to the premises.

PART 5 – FIRE PREVENTION AND SAFETY DUTIES

Clause 33 allows the Chief Fire Officer to require in writing an owner of any premises to take reasonable measures in order to reduce the risk of fire occurring on the premises or reducing danger to persons, animals, property or the environment in the event of a fire occurring within the premises.

Subclause (2) provides that the Chief Fire Officer may require the owner of any premises to:

- (a) ensure that the means of escape from the premises in the event of a fire can be safely and effectively used at all material times;
- (b) ensure that the firefighting equipment are in operational order at all material times;
- (c) make and maintain adequate firebreaks in accordance with directions given by the Chief Fire Officer under subclause (1); or
- (d) take reasonable measures to ensure an adequate supply of water or any other fire extinguishing material that may be required.

Clause 34 provides that the Chief Fire Officer may request persons responsible for premises as maybe prescribed to prepare fire safety plans and submit copies of such plans to him or her for approval.

Subclause (2) provides that any plan provided under subclause (1) shall be in the prescribed form and may include a fire and evacuation plan and a fire safety management plan.

Subclause (3) provides that the Chief Fire Officer may approve the plan submitted or propose any amendment before approving the plan upon payment of the prescribed fee and, on approval of the plan, impose such conditions the Chief Fire Officer deems fit.

Subclause (4) requires fire safety plans to be updated in a manner as directed by the Chief Fire Officer where the person responsible proposes to make any material extension or structural alteration, substantially increase the number of persons accessing the premises, or store or use explosive or highly flammable material on the premises.

Clause 35 in subclause (1) provides that for fire safety purposes, an inspection of residential premises may be carried out by the Service on request made in writing to the Chief Fire Officer for such inspection to be carried out.

The Chief Fire Officer may make recommendations to the owner or occupier of such residential premises in relation to fire safety and prevention.

Clause 36 in subclause (1) requires a person intending on constructing new premises or making repairs or alterations to existing premises to submit the plans and specifications of such works to the Chief Fire Officer for review.

Subclause (2) provides that where the Chief Fire Officer considers the plans or specifications under subclause (1) contravenes this Bill or any other written law, the Chief Fire Officer shall advise and require such person to remedy the contravention.

Subclause (3) provides that where the Chief Fire Officer is satisfied that such plans or specifications provided are sufficient, the Chief Fire Officer may endorse the plans or specifications.

Clause 37 imposes a duty on an owner or occupier of any land or premises to take all reasonable fire precautions and measures in accordance with this Bill and any other written law in relation to the prevention of fire.

Clause 38 imposes a duty on any person who becomes aware of a fire on his or her land or premises to immediately report such fire to the Service.

PART 6 – INVESTIGATION OF FIRE

Clause 39 in subclause (1) provides for an investigation of the origin or circumstances of every fire where there was loss of life or where a person suffered injury or, where property has been destroyed or damaged.

Subclause (2) set out the powers of the Chief Fire Officer or a fire officer in carrying out an investigation. Such powers include:

- (a) taking any other persons and any equipment the fire officer deems necessary;
- (b) inspecting and copying any documents or records on the premises or removing them from the premises;
- (c) carrying out any inspections, measurements and tests in relation to the premises or to an article or substance found on the premises, that the fire officer deems necessary;
- (d) taking samples of an article or substance found on the premises, but not so as to destroy it or damage it unless it is necessary to do so for the purpose of the investigation;

- (e) dismantling an article found on the premises, but not so as to destroy it or damage it unless it is necessary to do so for the purpose of the investigation;
- (f) taking possession of an article or substance found on the premises and detain it for as long as is necessary for any of these purposes:
 - (i) to examine it and do anything he or she has power to do under paragraph (c) or (e);
 - (ii) to ensure that it is not tampered with before his or her examination of it is completed;
 - (iii) to ensure that it is available for use as evidence in proceedings for an offence relevant to the investigation;
- (g) requiring a person present on the premises to provide him or her with any facilities, information, documents or records, or other assistance, that he or she may reasonably request.

Subclause (3) provides that in the exercise of a power under subclause (2)(d), the fire officer is required to leave a notice at the premises with the person responsible or fixed in a conspicuous place if it not practicable to leave the notice with the person responsible stating that the fire officer has taken a sample of an article or substance. Where it is practicable, the fire officer may give to the person responsible at the premises a portion of the sample marked in a manner sufficient to identify the sample.

Subclause (4) provides that in the exercise of a power under subclause (2)(f), the fire officer is required to leave a notice at the premises with the person responsible or fixed in a conspicuous place providing particulars of the article or substance and stating the he or she has taken possession of it.

Subclause (5) requires a fire officer to leave the premises effectively secured against unauthorised entry. This is a requirement where a fire officer enters premises which are unoccupied or where the occupier is temporarily absent.

Subclause (6) provides that on completion of an investigation, the Chief Fire Officer shall provide to the Secretary a report in the prescribed form which shall include:

- (a) facts relating to the fire;
- (b) cause of the fire;
- (c) origin of the fire; and
- (d) recommendations based on the findings.

Clause 40 provides for the closure of buildings or premises by fire officers. A fire officer may in relation to a building in which a fire had occurred, close such building and prohibit any person other than a police officer from entering or remaining in the building until completion of the investigation of a fire. A fire officer may also remove anything which in the opinion of the fire officer is material to the investigation from a building or premises and retain such thing for the investigation or any subsequent proceedings

Clause 41 provides that where an investigation has been carried out and completed under clause 39 and the Secretary is of the opinion that there is sufficient evidence to charge a person with the crime of arson or a threat or intention to commit arson, the Secretary shall immediately submit the investigation report and evidence to the Commissioner of Police and the Director of Public Prosecutions.

The Rescue and Fire Service and not the Nauru Police Force is responsible under this Bill for investigating the origin or circumstances of every fire in which there was loss of life, persons suffered injury or, property was damaged or destroyed. The Rescue and Fire Service is trained specifically to investigate the origin or causes of fire.

PART 7 – COMPLIANCE

Clause 42 in subclause (1) provides that where a fire officer is of the opinion on or after inspection of premises that there has been a contravention of the Bill, such fire officer may serve on the person responsible for the building or premises an enforcement notice:

- (a) specifying the failure or contravention;
- (b) requiring the person responsible to produce for inspection or copying any record or other document that the fire officer believes on reasonable grounds contains information relevant to the administration of the Bill;
- (c) stating the necessary steps to remedy the contravention or failure and complying with the provision in question; and
- (d) requiring the person responsible to take such steps as specified in the enforcement notice to remedy the failure or contravention and ensure compliance within such reasonable time or such other further time.

Subclause (2) provides that a notice by a fire officer under subclause (1) shall be in the prescribed form.

Clause 43 empowers the Chief Fire Officer to require an owner, occupier or person responsible for public premises to hold periodic fire safety and emergency drills or exercises.

Subclause (2) allows the Chief Fire Officer for the purpose of subclause (1) to:

- (a) cause to be carried out fire drills for public premises;
- (b) cause to be carried out exercises for emergency responses for public premises; and
- (c) provide 24 hours' notice to the owner, occupier or person responsible for the premises.

This clause ensures that public premises such as office buildings, shops, schools, correctional facility and hospital carry out fire drills and emergency response exercises to ensure all persons are prepared and know what to do in the event of a fire or other emergency situation. Notice is required to be provided by the Chief Fire Officer to ensure that owners, occupiers or responsible persons makes the time for such drills and exercises to take place.

It is an offence for any person under subclause (2) to not comply with a requirement of the Chief Fire Officer. The penalty for such offence upon conviction: a fine not exceeding \$10,000 or term of imprisonment not exceeding 2 years or both.

PART 8 – EMERGENCY RESCUE

Clause 44 provides that the Service shall make provision for the purpose of a response in the event of road traffic accidents and to protect persons from serious harm in the event of any road traffic accident.

Subclause (2) requires the Service to:

- (a) secure the necessary personnel, services and equipment;
- (b) provide for training of personnel;
- (c) make arrangements for dealing with calls for help and for summoning personnel;
- (d) make arrangements for obtaining information needed for the purpose under subclause (1); and
- (e) make arrangements for ensuring that reasonable steps are taken to prevent or limit damage to property resulting from action taken for the purpose under subclause(1).

This clause ensures that the Service is resourced and capable of carrying out rescue of persons where road traffic accidents occur.

Clause 45 provides that the Service shall make provision in order to rescue persons in the event of emergencies that occur in the coastal waters and to protect persons from serious harm in the event of coastal water emergency.

Subclause (2) requires the Service to:

- (a) secure the necessary personnel, services and equipment necessary efficiently to meet all normal requirements;
- (b) provide for training of personnel;
- (c) make arrangements for dealing with calls for help and for summoning personnel;
- (d) make arrangements for obtaining information needed for the discharge of such function; and
- (e) make arrangements for ensuring that reasonable steps are taken to prevent or limit damage to property resulting from discharging a function under subclause(1).

This clause ensures that the Service is resourced and capable of carrying out rescue of persons where coastal water emergencies occur.

PART 9 – OFFENCES AND PENALTIES

Clause 46 makes it an offence to obstruct or hinder a fire officer or any other person authorised under the Bill while carrying out duties or exercising their powers. Fire officers must be able to perform their duties without any obstruction.

The penalty for this offence is a fine not exceeding \$10,000 or a term of imprisonment of not more than 2 years or both.

Clause 47 makes it an offence to assault a fire officer or any other person authorised under the Bill while carrying out duties or exercising their powers. The penalty for this offence is a fine not exceeding \$10,000 or a term of imprisonment of not more than 2 years or both.

Clause 48 makes it an offence for a person to enter, attempt to enter or to tamper with land or premise that have been closed off under this Bill. The penalty for this offence is a fine not exceeding \$10,000 or a term of imprisonment of not more than 2 years or both.

Clause 49 makes it an offence for a person to report or give an alarm of fire to the Department or a fire officer without knowing or believing there is a fire. The penalty for this offence is a fine not exceeding \$10,000 or a term of imprisonment of not more than 2 years or both.

Clause 50 makes it an offence for any person to light a fire in open air in any area while a prohibition issued under clause 16 is in effect. The penalty for this offence is a fine not exceeding \$10,000 or a term of imprisonment of not more than 2 years or both.

Clause 51 authorises the Service to be the agent for the import, supply, installation and maintenance of firefighting equipment in the Republic.

Subclause (2) makes it an offence for any person other than the Service to import, supply, install and maintain firefighting equipment.

Subclause (3) provides the penalty which is a fine not exceeding \$10,000 or a term of imprisonment of not more than 2 years or both.

Clause 52 provides for an offence provision for any act committed by a body corporate and those managing the corporations. Those in the management control of the corporation can be charged. The management employees can be fined up to \$20,000 or face 2 years imprisonment.

PART 10 – MISCELLANEOUS

Clause 53 provides that the Court on an application is satisfied that there are reasonable grounds for believing that it is necessary for the purposes determining whether a person has committed or is committing an offence under this Bill, may issue a warrant to a fire officer for the exercise of powers in relation to any land, building or premises specified in the warrant. A warrant authorises the person named in the warrant within the period specified in the warrant to enter upon and search any land, building or premises specified in the warrant and to exercise all or any of the powers described.

In the exercise of powers under this Act a fire officer may seek from any police officer such assistance as is reasonably necessary to give effect to those powers. A fire officer may exercise all or any of the powers under subclause (2) without a warrant under subclause (1) where:

- (a) the conditions for obtaining a warrant exist; and
- (b) the fire officer has reasonable grounds to believe that the delay caused by obtaining a warrant may result in:
 - (i) danger to human life or safety; or
 - (ii) the loss, removal or destruction of evidence.

Clause 54 empowers the Chief Fire Officer to issue Orders and General Instructions the Chief Fire Officer deems necessary for the recruitment, appointment, discipline and conduct of fire officers and personnel of the Service. Such Orders and General Instructions may be of general or limited application.

Clause 55 provides for the removal of debris after a fire. The owner of any premises where a fire occurred is required to remove any debris or flammable material which may be in or on such premises and which constitutes a fire hazard or a danger to life or property.

Subclause (2) allows the Chief Fire Officer to require the owner in writing to remove the debris or flammable material within 24 hours of the notice or such longer period the Chief Fire Officer deems necessary.

Subclause (3) allows the Chief Fire Officer where the owner of the premises fails to comply with the notice under subclause (2) to cause the debris or flammable material to be removed and recover the expenses incurred in removing the debris and flammable material as a debt due to the Department.

Clause 56 provides that an owner or occupier of land may be required in writing by the Chief Fire Officer to remove any vegetation or other thing on the land where the Chief Fire Officer reasonably considers that such vegetation or other thing is likely to endanger person or property by increasing risk or spread of fire or is a source of imminent danger from fire to life, property or road.

Clause 57 provides that a Service vehicle has priority over any motorists when an instrument or apparatus that emits sound or light fitted or carried on a Service vehicle is operated. Persons driving motor vehicles on a road shall give way to the Service vehicle. A Service vehicle must be given clear path to the fire or emergency site.

Clause 58 authorises the Minister to prescribe by notice in the Gazette fees for inspecting premises, issuing fire certificates, providing or refilling fire extinguishers and carrying out fire safety training.

Clause 59 provides that where the Chief or Deputy Chief Fire Officer certifies a document, such document is admissible as evidence.

Clause 60 provides that any damage to property caused by the Chief Fire Officer or a fire officer or any other person authorised under the Bill in exercising in good faith powers, duties

or obligations under the Bill at or in connection with any fire, such damage shall be deemed to have been caused by the fire.

The clause ensures that the Chief Fire Officer or a fire officer or any other person authorised under the Bill are exempted from liability for any damage caused as a result of fighting or extinguishing a fire.

Clause 61 requires any notice to be provided under this Act shall delivered personally or by electronic mail or affixed to a conspicuous part of the premises.

Clause 62 provides that the Chief Fire Officer, any fire officer or any person acting under this Act or any written law shall not be liable for any act done or ordered to be done in the performance in good faith of any function, duty or power under this Bill.

Clause 63 vests jurisdiction in the District Court to hear matters relating to any offence committed under the Act.

Clause 64 provides for the Cabinet's regulation making power to make regulations to prescribe all matters necessary or convenient including disciplinary proceedings.