

CHAPTER 163

FIRE SERVICE

1960-11

This Act came into operation on 27th February, 1961.

Amended by:

1964-1

1979-39

1987-3

1978-15

1981-23

2000-4

1967/168

1989-25

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1979

1991

1985

2002

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 163

FIRE SERVICE 1960-11

Arrangement of Sections

PART I

PRELIMINARY

1. Short title
2. Interpretation

PART II

ESTABLISHMENT OF THE SERVICE

3. Establishment of Fire Service
4. Composition of Service
5. Responsibility and duties of Chief Fire Officer

PART III

ENLISTMENT AND DISCIPLINE ETC

6. Appointment and enlistment of subordinate members of the Service
7. Qualifications of subordinate fire officers and firemen
8. Enlistment

9. Resignation from the Service
10. Reduction, suspension and dismissal of subordinate fire officers and firemen
11. Subordinate fire officer or fire officer absenting himself from duty
12. Members of the Service on resignation etc. to deliver up all articles supplied
13. Punishment for serious offence
14. Punishment for less serious offence
15. Other offences

PART IV

POWERS OF MEMBERS OF THE SERVICE

16. Powers of the Service in extinguishing fires
17. Power of the Chief Fire Officer or member in charge at fire
18. Powers and immunities of members
19. Protection for members of the Service
20. Police to aid Service on request
21. Location of hydrants
22. Prevention of fire and removal of combustibles

PART V

CONDITIONS OF SERVICE

23. Clothing and equipment
24. Hospital accommodation and medical attention
25. Funeral expenses
26. Reward Fund
27. Common reputation
28. Delivery up of articles on death of member of the Service

PART VI

FIRE SERVICE ASSOCIATION AND RESTRICTION OF ACTIVITIES OF
THE SERVICE

29. Constitution of Fire Service Association
30. Rules of Fire Service Association
31. Members of the Service not to join unauthorised associations
32. Prohibition of members of the Service receiving benefits from unauthorised association
33. Meaning of “ unauthorised association ”
34. Members of Fire Service not to engage in trade or business

PART VII

AUXILIARY FIRE OFFICERS

- 35. Auxiliary fire officer: powers, etc.
- 36. Parades and drills
- 37. Resignation and revocation of appointment
- 38. Penalty for refusing service
- 39. Payment to auxiliary fire officers
- 40. Sick and injury benefits

PART VIII

OFFENCES

- 41. False alarms of fire
- 42. Assaulting, etc. of members of the Service
- 43. Improper possession of clothing of the Service
- 44. Personation of member of the Service
- 45. Refusing to aid member of the Service assaulted
- 46. Obtaining admission into the Service by fraud
- 47. Offences
- 48. General penalty

PART IX

MISCELLANEOUS

- 49. Exercise of Governor-General's functions
- 50. Regulations
- 50A. Order respecting fees
- 51. Regulations in relation to discipline
- 52. Report
- 53. Validation provision

**BARBADOS****FIRE SERVICE
1960-11**

An Act to constitute a Fire Service for Barbados and for related matters.

[Commencement: 27th February, 1961]

**PART I
PRELIMINARY****Short title**

1. This Act may be cited as the *Fire Service Act*.

Interpretation

2. For the purposes of this Act,
“fire officer” means any member of the Service of a rank below that of subordinate fire officer;
[1978-15]
“Service” means the Barbados Fire Service established under this Act;
“subordinate fire officer” means, with effect from 8th May, 1978, a member of the Service of the rank of sub-officer or leading fire officer;
[1979-39]

“superior fire officer” means the Chief Fire Officer or any member of the Service of a rank above the rank of subordinate fire officer.

PART II

ESTABLISHMENT OF THE SERVICE

Establishment of Fire Service

3. There is hereby established a Fire Service for Barbados to be designated the Barbados Fire Service.

Composition of Service

4. The Service shall consist of a Chief Fire Officer, and such number of superior fire officers, subordinate fire officers and fire officers as may be authorised and provided by any order having effect by virtue of the *Civil Establishment Act*, Cap. 21.

Responsibility and duties of Chief Fire Officer

5. The Chief Fire Officer shall, subject to the general order and direction of the Minister, have the command and superintendence of the Service and shall be responsible for the efficient administration and government of the Service and for the proper expenditure of all public moneys appropriated for the service thereof.

PART III

ENLISTMENT AND DISCIPLINE ETC

Appointment and enlistment of subordinate members of the Service

6. Subject to the provisions of Chapter VIII of the *Constitution*, of this Act and of the regulations, the Governor-General may from time to time, as

occasion shall require, appoint or enlist fit and proper persons to be members of the Service and may determine the duties to be performed by such members.

[1967/168]

Qualifications of subordinate fire officers and firemen

7.(1) With respect to enlistment of subordinate fire officers and firemen, subsection (2) shall have effect.

- (2) No person shall be enlisted who
- (a) is less than 18 years of age;
 - (b) does not satisfactorily pass a medical examination as to his bodily fitness to be held by a duly qualified medical practitioner appointed for that purpose and, if the Governor-General thinks fit, by another duly qualified medical practitioner;
 - (c) does not produce evidence of good conduct satisfactory to the Governor-General;
 - (d) has not attained the standard of education from time to time fixed by the Chief Fire Officer with the approval of the Minister;
 - (e) is not of the required height and chest measurements, according to a standard to be from time to time fixed by the Chief Fire Officer with the approval of the Minister;
 - (f) is not a Commonwealth citizen.

[1967/168]

[1978-15; 2000-4]

Enlistment

8.(1) During the first 2 years after his enlistment in the Service, every fire officer shall be deemed to be on probation.

(2) Where a fire officer, during the period referred to in subsection (1) is found wanting in any qualities that are likely to render him a useful member of the Service, his services may forthwith be dispensed with by the Governor-General.

(3) Where at the end of the period referred to in subsection (1) the services of a fire officer have not been dispensed with under subsection (2), his enlistment shall be deemed to have been duly confirmed.

[1978-15; 1987-3]

Resignation from the Service

9.(1) No fire officer admitted to serve in the Service shall be at liberty to resign from or leave the Service until the expiration of the period of probation, unless he obtains the permission of the Governor-General so to do.

(2) The Governor-General may grant permission to any member of the Service to resign from or leave the Service at any time.

Reduction, suspension and dismissal of subordinate fire officers and firemen

10.(1) Subject to the regulations, the Governor-General may, for inefficiency, reduce any subordinate fire officer to a lower rank.

(2) Any subordinate fire officer or fire officer who is charged with an offence punishable under section 14 or 15 or punishable on summary conviction or indictment may be suspended by the Governor-General from the exercise of his duties as a member of the Service until the charge has been finally disposed of but shall nevertheless remain subject to the discipline of the Service.

(3) Any subordinate fire officer or fire officer who has been suspended under subsection (2) shall, during the period of suspension, receive not less than half the pay of his grade together with any other emoluments to which he may be

entitled, unless regulations prescribe that only a portion of such other emoluments shall be payable during a period of suspension.

[1989-25]

(4) Where the proceedings do not result in any conviction or punishment against such member of the Service, he shall be entitled to receive the full amount of his pay and other emoluments which he would have received if he had not been suspended, but where any conviction is recorded, such member of the Service shall not be entitled to any part of his pay or emoluments stopped under this subsection unless the Governor-General otherwise directs.

(5) The Governor-General may at any time dismiss from the Service or dispense with the services of any subordinate fire officer or fire officer whom he may consider unfit for further service in the Service.

[1978-15]

Subordinate fire officer or fire officer absenting himself from duty

11.(1) Every subordinate fire officer or fire officer who

- (a) absents himself from roll call or from duty for the space of 24 hours without lawful excuse; or
- (b) resigns from or leaves the Service without the permission of the Governor-General,

shall be deemed to have illegally resigned from or left the Service and shall be liable on conviction by a court of summary jurisdiction to imprisonment for 6 months or to a fine of \$100.

(2) It shall be sufficient on any charge or information for an offence under this section to state that the person proceeded against did illegally resign from or leave the Service, and the onus of proving that any resignation or withdrawal was with the permission of the Governor-General shall be on the person proceeded against.

[1978-15]

Members of the Service on resignation etc. to deliver up all articles supplied

12.(1) Unless specially authorised to do so by regulations, no member of the Service shall be entitled to keep or use for his own private use or benefit any article whatsoever supplied to him at the public expense, but he shall hold every such article at the order and disposal of the Minister.

(2) Every member of the Service who is dismissed or resigns from or otherwise leaves the Service shall immediately deliver up to the Chief Fire Officer or the person authorised by regulations for that purpose all articles which have been supplied to him at the public expense and which he has not been expressly authorised to keep or use for his private benefit.

(3) Every person who contravenes subsection (2) shall be liable on conviction by a court of summary jurisdiction to a fine of forty-eight dollars or to imprisonment for three months.

(4) It shall be lawful for any Justice of the Peace to issue his warrant to search for and seize all such articles as are required by this section to be, and are not, so delivered up, wherever the same may be found, and to arrest the person in whose possession the same may be found.

Punishment for serious offence

13. Any member of the Service who—

- (a) assaults any superior fire officer; or
- (b) draws or lifts or offers to draw or lift any weapon or offers any violence against any superior officer; or
- (c) pawns, sells, makes away with or wilfully spoils or damages his accoutrements, clothing or any public property,

shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of two hundred dollars or to imprisonment for twelve months.

[1978-15]

Punishment for less serious offence

14.(1) Every subordinate fire officer or fire officer who commits any of the following offences, that is to say—

- (a) insubordination;
- (b) wilful disobedience to lawful orders;
- (c) malingering;
- (d) pawning, selling, losing by neglect, making away with or wilfully spoiling or damaging his accoutrements, clothing or any public property,

is guilty of a disciplinary offence* and shall be liable to dismissal from the Service, to reduction to a lower grade or rate of pay and in addition to a fine of ten dollars.

*[See section 94 of the Constitution which vests disciplinary control in the Governor-General acting in accordance with the advice of the Public Service Commission. Certain disciplinary powers may be delegated to officers. See section 95 of the Constitution.]

[1967/168]

(2) In all cases of destruction, damage, or loss of accoutrements, clothing or other public property, in addition to such other punishment as may be awarded, the offender shall be under liability of making good the cost of repairing or replacing the article destroyed, damaged or lost.

[1978-15]

Other offences

15.(1) Every subordinate fire officer or fire officer charged with any of the following offences, that is to say—

- (i) drunkenness;
- (ii) absence from duty without leave;
- (iii) wilfully disobeying any order or regulation of the Service;
- (iv) any act, conduct, disorder or neglect to the prejudice of good order or discipline or in violation of duty in his office, or any other misconduct as a member of the Service,

is guilty of a disciplinary offence* and shall be liable to one or more of the following punishments—

*[See the note to section 14.]

- dismissal from the Service;
- reduction to a lower grade or rate of pay;
- a fine of ten dollars;
- a reprimand or severe reprimand.

[1967/168]

(2) In addition to such other punishment as may be awarded, absence without leave shall entail forfeiture of pay for the period of absence, and in the computation of such period any part of a day shall count as a whole day.

[1978-15]

PART IV
POWERS OF MEMBERS OF THE SERVICE

Powers of the Service in extinguishing fires

16.(1) Any member of the Service who is on duty may enter and if necessary break into any premises or place in which a fire has or is reasonably believed to have broken out or any premises or place which it is necessary to enter for the purposes of extinguishing a fire or of protecting the premises or place from acts done for fire-fighting purposes, without the consent of the owner or occupier thereof, and may do all such things as he may deem necessary for extinguishing the fire or for protecting from fire, or from acts done as aforesaid, any such premises or place or for rescuing any person or property therein.

(2) Any person who wilfully obstructs or interferes with any member of the Service who is engaged in operations for fire-fighting purposes shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars.

(3) At any fire the senior member of the Service present shall have the sole charge and control of all operations for the extinction of the fire and the saving of life, including the fixing of the positions of fire appliances and apparatus, the attaching of hose to any water pipes or the use of any water supply and the selection of the parts of the premises, object or place where the fire is, or of adjoining premises, objects or places against which the water is to be directed.

(4) The senior officer of police present at any fire, or in the absence of any officer of police the senior member of the Service present, may close to traffic any street or may stop or regulate the traffic in any street whenever in the opinion of that officer it is necessary or desirable to do so for fire-fighting purposes.

Power of the Chief Fire Officer or member in charge at fire

17.(1) On the occasion of a fire the Chief Fire Officer or other member in charge may in his discretion—

- (a) take command of other persons who may voluntarily place their services at his disposal;
- (b) remove or order any member of the Service or any member of the Police Force to remove any person who by his presence interferes with or obstructs the operations of the Service;
- (c) employ persons to aid in extinguishing any fire or in removing furniture or goods from any building or place on fire or in danger of fire and to secure the furniture or goods so removed;
- (d) cause any water to be shut off from the mains and pipes of any district in order to give a greater supply and pressure of water in the district where the fire or danger of fire exists;
- (e) cause any water to be extracted or taken from any well, pond, stream, tank or receptacle for use in extinguishing any fire or the spread of fire;
- (f) generally, take any measures that may appear expedient for the protection of life and property with power, by himself or the members of the Service, members of the Police Force and volunteers, to break into or through or take possession of, or pull down or destroy, any house, building or other premises or destroy any material for the purpose of controlling or extinguishing any fire.

(2) Before any house or building or any part thereof or any other property is destroyed pursuant to subsection (1), the Chief Fire Officer or other member in charge shall give notice to the owner of the house, building or other property to be destroyed or in the absence of such owner to the person in charge thereof and in a case where the house, building or other property to be destroyed is not itself on fire but is in imminent danger of taking fire, such notice shall indicate what house, building or property is to be destroyed and when the order for destruction

will be given and the Chief Fire Officer or other member in charge shall allow as much time as may be practicable to elapse between such notice and the actual order for destruction, and he shall do all in his power to diminish by removal of goods or otherwise the damage about to be done by such destruction.

(3) Where any property, which was not itself on fire but which was in imminent danger of fire, is destroyed pursuant to subsection (1), the Chief Fire Officer shall forward without delay to the Minister a report of the circumstances under which the house, building or other property was destroyed and describing with all possible detail the damage done by such destruction.

(4) Subject to subsections (5) and (6), it shall be lawful for the Minister, if he sees fit, to pay, on the application of the owner of the property destroyed, such sum as may be claimed by the owner or any lesser sum upon the terms that he accepts the sum in full satisfaction of his claim in respect of any damage or injury done to him by such destruction.

(5) No sum shall be payable under subsection (4) unless the property was destroyed on the order of the Chief Fire Officer or some other superior fire officer.

[1978-15]

(6) Where the sum claimed in any one case exceeds the sum of two hundred and fifty dollars, the same shall not be paid until a vote for the amount is obtained from Parliament.

(7) Where the amount of compensation cannot be agreed upon between the owner and the Minister it shall be determined in civil proceedings brought by the owner against the Crown under the *Crown Proceedings Act*, Cap. 197.

(8) In assessing such compensation the court shall take into account—

- (a) the amount which the owner may be entitled to receive under any policy of insurance covering the said house, building or other property; and
- (b) the risk of the house, building or other property being burnt or damaged by reason of the fire or by the water necessarily used to extinguish the fire.

Powers and immunities of members

18. All members of the Service on duty at any fire shall have the powers, authorities and immunities of constables and shall have power to arrest without warrant any person who assaults or obstructs or impedes any member of the Service in the discharge of his duties under this Act.

Protection for members of the Service

19.(1) Except as otherwise provided herein, no person shall have any claim, right or remedy in respect of anything lawfully done in pursuance of this Act.

(2) Any damage occasioned by the Service in the due execution of its duties imposed under this Act shall be deemed to be damage by fire within the meaning of any policy of insurance against fire.

Police to aid Service on request

20.(1) The Chief Fire Officer or any other superior fire officer of the Service may, in case of fire, request the Commissioner of Police to detail a sufficient number of the members of the Police Force to attend at the fire for the purpose of assisting the Service in the execution of their duties under this Act, and on receipt of such request the Commissioner of Police shall make available a sufficient number of men as requested.

(2) Every member of the Police Force detailed for duty under subsection (1) shall serve as if he were a member of the Service.

[1978-15]

Location of hydrants

21. It shall be lawful for the Chief Fire Officer to mark or cause to be marked on any land, building, wall, fence or other place the location of any hydrant in such manner as he may think fit.

Prevention of fire and removal of combustibles

22.(1) It shall be lawful for the Chief Fire Officer, or any other member of the Service authorised in that behalf by the Chief Fire Officer, to enter and examine all shops, places of public entertainment, buildings or other places (whether buildings or otherwise) where he has reason to believe any article or thing (not being articles or things forming any stock-in-trade) of a combustible nature likely to cause a fire hazard is collected or deposited and to remove such article or thing or to request the owner or occupier of any such shop, place of public entertainment, building or other place to remove such article or thing.

(2) When any such owner or occupier neglects or refuses to remove or cause to be removed such article or thing, the Chief Fire Officer or any other member of the Service authorised in that behalf by the Chief Fire Officer may cause the same to be removed and the cost of such removal may be recovered from such owner or occupier in addition to any other penalty to which he may be liable.

(3) Any such owner or occupier who neglects or refuses to remove or cause to be removed any such article or thing after being so requested by the Chief Fire Officer or any other member of the Service authorised in that behalf by the Chief Fire Officer shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars or to imprisonment for three months.

PART V**CONDITIONS OF SERVICE****Clothing and equipment**

23. Every member of the Service shall be furnished with suitable uniform and equipped at the public expense in such manner as may from time to time be prescribed by regulations.

Hospital accommodation and medical attention

24.(1) The Minister may—

- (a) provide hospital accommodation and medical and dental treatment for the members of the Service as he thinks fit;
- (b) cause medicine, food, attendance and other necessaries to be supplied to sick members in hospital and may order any deductions requisite to defray all or any of the charges so incurred to be made from the salary or pay of the sick members:

Provided that no deduction shall be made from the pay of a member sent to hospital on account of injury received by him in the performance of his duty.

(2) Where any member is incapacitated for duty by his own misconduct the Governor-General may order that he shall forfeit the whole or any part of his salary or pay for the period during which he is so incapacitated.

Funeral expenses

25. The funeral expenses of members of the Service, other than auxiliary fire officers, of or below the rank of Station Officer, dying in the service of the Service, not exceeding such amount as may be prescribed by the Minister, shall be paid from moneys voted for the purposes of this Act by Parliament.

Reward Fund

26.(1) All fines imposed on members of the Service shall be paid over to the Accountant-General and placed by him in the Barbados National Bank to the credit of a fund to be called the “ Fire Service Reward Fund ”.

(2) The Minister may apply this fund, and the interest thereon, in making special rewards to the members of the Service (except superior fire officers) who have rendered exceptional, dangerous or arduous service and in making

contributions to the cost of welfare facilities for the members of the Service on the recommendations of the Chief Fire Officer.

[1978-15]

(3) The Chief Fire Officer shall keep an account of the receipts and disbursements of the fund and such fund shall be subject to audit by the Auditor-General.

Common reputation

27. Where any question arises as to the right of any member of the Service to hold or execute any office in the Service, common reputation shall to all intents and purposes be deemed and held to be sufficient evidence of such right, and it shall not be necessary to produce any appointment or any oath, affidavit or other document or matter whatsoever in proof of such right.

Delivery up of articles on death of member of the Service

28.(1) When any member of the Service dies, his next of kin, executor or other representative and the person in whose house he dies being possessed of any articles which have been supplied to such member of the Service for the execution of his office shall be bound, after due notice by a superior fire officer, to deliver up, to the person appointed by the Chief Fire Officer for that purpose, all such articles whatsoever which may have been supplied at the public expense to, or which may have been in the possession of, such member of the Service for the execution of his office at the time of his death and which such member of the Service has not been expressly authorised to keep for his private benefit.

(2) Every person who contravenes this section shall be liable on conviction by a court of summary jurisdiction to a fine of twenty-five dollars or to imprisonment for three months.

(3) It shall be lawful for any Justice of the Peace to issue his warrant to search for and seize all such articles which are not so delivered over, wherever the same may be found, and to arrest the person in whose possession they may be found.

[1978-15]

PART VI

FIRE SERVICE ASSOCIATION AND RESTRICTION OF ACTIVITIES OF
THE SERVICE**Constitution of Fire Service Association**

29.(1) For the purpose of enabling subordinate fire officers and fire officers of the Service to consider and bring to the notice of the Chief Fire Officer and the Governor-General matters affecting their general welfare and efficiency, there shall be established an organisation to be called the Fire Service Association which shall act through a Committee as provided by rules made under this Act.

(2) No representation shall be made by the Fire Service Association in relation to any question of discipline, promotion, transfer, posting, leave or any other matter in so far as it affects individual cases.

(3) The Fire Service Association shall be entirely independent of and unassociated with any body outside the Service other than a Fire Service Association in and for Antigua, Dominica, Grenada, Jamaica, Montserrat, Saint Christopher, Nevis and Anguilla, Saint Lucia, Saint Vincent, Trinidad and Tobago, Guyana or British Honduras.

[1964-1; 1978-15]

Rules of Fire Service Association

30. The Chief Fire Officer acting after consultation with the Fire Service Association, may, with the approval of the Governor-General, make rules* for the constitution and management of the Fire Service Association and for any matters relating thereto.

**[The first set of rules was contained in the Schedule to the Fire Service Act, 1960, 1960-11, which was added by Act 1964-1. These rules are not printed with the Laws of Barbados.]*

[1964-1]

Members of the Service not to join unauthorised associations

31.(1) It shall not be lawful for any member of the Service to be or to become a member of any unauthorised association.

(2) Any member of the Service who contravenes subsection (1) shall be liable to be dismissed from the Service and to forfeit all rights to any pension, gratuity or other allowance.

[1964-1]

Prohibition of members of the Service receiving benefits from unauthorised association

32.(1) It shall not be lawful for any unauthorised association to permit any member of the Service to receive any benefit, financial or otherwise, from such association or for any such association to receive any money from a member of the Service.

(2) Upon the contravention of this section, the member of the Service and every member of the Association who is knowingly a party to such contravention shall be liable, on conviction by a court of summary jurisdiction, to a fine of one hundred and twenty dollars.

Meaning of “ unauthorised association ”

33. For the purposes of sections 31 and 32, the expression “unauthorised association” means—

- (a) any trade union as defined by the *Trade Unions Act*, Cap. 361, whether or not the union is registered or incorporated;
- (b) any league or association or body of persons, whether registered or not, which has for its objects, or one of its objects the promotion of feelings of ill-will and hostility between different classes or races;
- (c) any other association, society or club, any of the objects of which may be subversive of good discipline on the part of a member of the Service,

and which the Chief Fire Officer, with the approval of the Governor-General, declares to be an unauthorised association.

[1964-1]

Members of Fire Service not to engage in trade or business

34. A member of the Service shall not engage in any private business or trade without the consent of the Governor-General signified in writing under the hand of the Chief Fire Officer.

[1964-1]

PART VII

AUXILIARY FIRE OFFICERS

Auxiliary fire officer: powers, etc.

35.(1) The Governor-General may appoint such number of fit and proper persons as the Minister may determine to be auxiliary fire officers to aid and assist the Service and who may be called out for service with the Service whenever the Chief Fire Officer considers that their services are necessary.

(2) Save as otherwise provided, every auxiliary fire officer shall be deemed to be a member of the Service and when called out for service with the Service shall have, exercise and enjoy all the powers, authorities, privileges and immunities and be liable to the same duties and have the same responsibilities as a member of the Service.

[1978-15]

Parades and drills

36. Every auxiliary fire officer shall, whether or not he has been called out for service, attend and carry out such parades and drills in such places and at such times and in such manner as may be ordered by the Chief Fire Officer and

when he has been called out for service shall carry out such duties of the Service and in such places and at such times and in such manner as may be ordered by the Chief Fire Officer or the officer in command.

[1978-15]

Resignation and revocation of appointment

37.(1) Any auxiliary fire officer may, except when called out for service, on giving one month's notice in writing resign his appointment:

Provided that in any case such notice may be dispensed with by the Governor-General.

(2) The appointment of any auxiliary fire officer may at any time be revoked by the Governor-General.

[1978-15]

Penalty for refusing service

38. Every auxiliary fire officer who, without reasonable cause, neglects or refuses to serve when called out for service, shall, unless he is otherwise dealt with, be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars or to imprisonment for one month.

[1978-15]

Payment to auxiliary fire officers

39. Every auxiliary fire officer shall, when called out for service or attending parade or drill, be paid for his services in accordance with regulations.

[1978-15]

Sick and injury benefits

40.(1) Any auxiliary fire officer who, through no fault of his own, contracts any illness or sustains bodily injury while in actual discharge of his duties as such shall in accordance with regulations be provided with medicines, medical comforts and medical attendance at the public expense.

(2) Where any auxiliary fire officer sustains bodily injury in the circumstances specified in subsection (1) and is permanently disabled (either totally or partially) as a result thereof, the Minister may grant to him such pension or gratuity, and upon such terms and conditions, as shall be prescribed by regulations.

(3) Where such bodily injury results in death, the Minister may award to the dependants such pension or gratuity and upon such terms and conditions as shall be prescribed by regulations.

(4) Auxiliary fire officers shall not be regarded as workmen for the purposes of the Workmen's Compensation Act, 1963.*

**[This Act, 1964-3, is now be replaced by the National Insurance and Social Security Act, Cap. 47, and is not reprinted in these Laws.]*

(5) For the purposes of this section, the expression "dependant" shall have the meaning assigned to it by section 2 of the said Act.

[1978-15]

PART VIII**OFFENCES****False alarms of fire**

41. Any person who knowingly gives or causes to be given a false alarm of fire to the Service or to any member of the Service or to any constable shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars or to imprisonment for three months or to both such fine and such imprisonment.

Assaulting, etc. of members of the Service

42.(1) Any person who assaults, obstructs, or resists any member of the Service in the execution of his duty or any person acting in aid of such member, or who aids or incites any person so to assault, obstruct or resist shall, subject to subsection (2), be liable on conviction by a court of summary jurisdiction to imprisonment for six months or to a fine of fifty dollars.

(2) Where the magistrate is of opinion that the matter is a fit subject for a prosecution by indictment, he shall commit the offender for trial before the High Court.

Improper possession of clothing of the Service

43. Any person not belonging to the Service who has in his possession any article of clothing, accoutrement or appointments supplied to any member of the Service and is not able satisfactorily to account for the possession thereof or any person who knowingly purchases or obtains or solicits or entices any member of the Service to sell or dispose of any of his clothes or any articles of public property or any article provided for the vehicles of the Service shall be guilty of an offence.

Personation of member of the Service

44. Any person, not being a member of the Service who puts on or assumes, either in whole or in part, the dress, name, designation or description of any member of the Service or any dress, name or designation, resembling and intended to resemble the dress, name or designation of any member of the Service or in any way pretends to be a member of the Service, for the purpose of obtaining admission into any house or other place or of doing any act which such person would not by law be entitled to do of his own authority, shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars or to imprisonment for three months.

Refusing to aid member of the Service assaulted

45. Any person who, when called upon to aid and assist a member of the Service who is, while in the execution of his duty, assaulted or resisted or in danger of being assaulted or resisted, refuses or neglects to aid and assist accordingly shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred and twenty dollars or to imprisonment for three months.

Obtaining admission into the Service by fraud

46. Any person who knowingly uses or attempts to pass off any forged or false certificate, character, letter or other document for the purpose of obtaining admission into the Service, or who, on applying for enlistment, makes any false answer to any question which is put to him by or on behalf of a superior officer, shall be liable on conviction by a court of summary jurisdiction to imprisonment for three months.

Offences

- 47.** Every person who—
- (a) wilfully removes, or assists or is concerned in removing, any chain, rope or other barrier placed in or upon or across any street under the authority of this Act; or
 - (b) obstructs any hydrant by placing or causing to be placed thereon or thereby any matter or thing whatsoever; or
 - (c) wilfully damages or injures any vehicle, engine, hose, hydrant or other apparatus of the Service; or
 - (d) unless authorised by an officer of the Service or of Police, removes or is concerned in removing any furniture or goods from any building on fire or in danger of fire; or
 - (e) removes, damages or injures any mark placed for the purpose of indicating the location of any hydrant,

shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars.

General penalty

48. Unless otherwise provided, a person guilty of an offence under this Act shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars or to imprisonment for six months.

PART IX

MISCELLANEOUS

Exercise of Governor-General's functions

49. The Governor-General shall in the exercise of his functions under this Act, except those contained in sections 29 and 30, act in accordance with the advice of the Public Service Commission.

[1967/168]

Regulations

50.(1) Subject to section 51, the Minister may make regulations for the purposes of this Act.

(2) Regulations may provide for—

- (a) the conditions of service of members of the Service;
- (b) the training of members of the Service;
[1967/168; 1978-15]
- (c) the rates of payment for auxiliary fire officers;
- (d) the grant to auxiliary fire officers of medicines, medical comforts and medical attendance at the public expense,

- (e) the grant to auxiliary fire officers of pensions and gratuities in accordance with subsection (2) of section 40 and the terms and conditions upon which such grant may be made;
- (f) the award to the dependants of auxiliary fire officers of pensions or gratuities in accordance with subsection (3) of section 40 and the terms and conditions upon which such award may be made;
- (g) the proficiency test to be taken by members of the Service before re-enlistment.
- (h) the collection and disposal of fees charged for the performance of certain services by members of the Service.

[1981-23]

(3) Any regulations made under this section shall be subject to negative resolution.

[1967/168]

Order respecting fees

50A. The Minister may, by order, fix the fees to be paid for certain services rendered by members of the Service.

[1981-23]

Regulations in relation to discipline

51. The Governor-General may make regulations

- (a) for the discipline of members of the Service;
- (b) regulating appeals against dismissal or other disciplinary action against members of the Service.

[1967/168]

Report

52.(1) The Chief Fire Officer shall during the month of January in every year submit to the Minister a report containing an account of the transactions of the Service throughout the preceding year in such detail as the Minister may direct.

(2) A copy of the report shall be printed and laid on the table of both Houses.

Validation provision

53. Any fees purported to have been paid, collected or disposed of pursuant to any regulation made under section 50(2)(h) or order made under section 50A shall be deemed to have been lawfully paid, collected and disposed of as if that regulation and order had been made under those sections.