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FIRE BRIGADES ACT 1942

**FIRE BRIGADES
AMENDMENT
REGULATIONS 2003**

Fire Brigades Act 1942

Fire Brigades Amendment Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fire Brigades Amendment Regulations 2003*.

2. The regulations amended

The amendments in these regulations are to the *Fire Brigades Regulations 1943**.

[* *Reprinted as at 15 January 1991.*

For amendments to 29 April 2003 see 2001 Index to Legislation of Western Australia, Table 4, p. 106.]

3. Part II repealed

Part II is repealed.

4. Regulation 97 amended

Regulation 97 is amended as follows:

- (a) by deleting “strict”;
- (b) by deleting “physical fitness” and inserting instead —
“ suitability ”.

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5. Regulation 122 amended

- (1) Regulation 122(1) is amended as follows:
- (a) before “Every” by deleting the subregulation designation “(1)”;
 - (b) by deleting “fireman” and inserting instead —
“ member of a brigade ”;
 - (c) by deleting “Chief Officer” and inserting instead —
“ Authority ”.
- (2) Regulation 122(2) is repealed.

6. Regulation 127 amended

Regulation 127 is amended by deleting “fireman” and inserting instead —

“ member of a brigade ”.

7. Regulation 130 amended

Regulation 130 is amended by deleting “fireman’s” and inserting instead —

“ member’s ”.

8. Regulation 132 amended

Regulation 132(1) is amended by deleting “fireman,” and inserting instead —

“ member, ”.

9. Regulation 132A amended

Regulation 132A(3) is amended by deleting “Board” and inserting instead —

“ Chief Executive Officer ”.

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r. 10**10. Regulation 133 amended**

Regulation 133 is amended by deleting “fireman” in both places where it occurs and inserting instead —

“ member of a brigade ”.

11. Regulation 134 amended

Regulation 134 is amended by deleting “fireman,” and inserting instead —

“ member, ”.

12. Regulation 135 amended

- (1) Regulation 135(2) is amended by deleting “firemen” and inserting instead —

“ members of brigades ”.

- (2) Regulation 135(4) is amended in the proviso by deleting “fireman” and inserting instead —

“ member of a brigade ”.

13. Regulation 136 amended

Regulation 136 is amended by deleting “fireman,” and inserting instead —

“ member of a brigade, ”.

14. Regulation 143 amended

Regulation 143 is amended as follows:

- (a) by deleting “fireman” in the first place where it occurs and inserting instead —

“ member of a brigade ”;

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- (b) by deleting “fireman” in the second place where it occurs and inserting instead —
“ member ”.

15. Regulations 158 and 159 replaced by regulations 158 to 159I

Regulations 158 and 159 are repealed and the following regulations are inserted instead —

“

158. Definitions

In this Part, unless the contrary intention appears —

“**brigade**” means a volunteer fire brigade;

“**district**” includes a subdistrict;

“**member**”, in relation to a brigade, includes an officer of the brigade;

“**registered**” means registered by the Authority under regulation 159B;

“**the Association**” means the Western Australian Volunteer Fire and Rescue Services Association (Inc), an association incorporated under the *Associations Incorporation Act 1987*.

159. Membership of brigades

- (1) A brigade may consist of active members, probationary members, active reserve members, support members and junior members.
- (2) Subject to subregulation (6), the total number of members of a brigade (excluding junior members) is not to be greater than 40.
- (3) Subject to subregulation (6), the total number of active members and probationary members of a brigade is not to be greater than 25.

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- (4) Subject to subregulation (6), the total number of active reserve members and support members of a brigade is not to be greater than 15.
- (5) The number of active members of a brigade is to be greater than the number of members of any other category of membership of the brigade (excluding junior members), and the active members are to include the brigade's captain, lieutenant and apparatus officer.
- (6) The number of members of a brigade, or of categories of membership of a brigade, may be greater than the number specified in subregulation (2), (3) or (4) if the Authority approves that number because of special circumstances that apply to the brigade.
- (7) For the purposes of this regulation, a member of a brigade who has been granted leave of absence for a period greater than 6 months under regulation 168(3) is not counted as a member of the brigade while the member is on leave.

159A. Joining a brigade

- (1) A person may join a brigade as a probationary member or junior member of the brigade if —
 - (a) the person is eligible to be registered in that category of membership under regulation 159C; and
 - (b) in the case of a probationary member, the person's application for membership is approved at a meeting of the brigade held at least one month after the application is made.
- (2) A person becomes a probationary member or junior member of a brigade on the Authority giving approval under section 30 of the Act.

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159B. Authority to keep register

- (1) The Authority registers a member of a brigade by recording in a register, kept in a form that the Authority considers appropriate, details of the member's name, address, date of birth, occupation, brigade, and category of membership.
- (2) The Authority is to make appropriate amendments to the details recorded in the register for a member when the Authority is informed of any change to those details.
- (3) The Authority is to cancel the registration of a person who has ceased to be a member of a brigade.

159C. Eligibility for registration for probationary and junior members

- (1) Subject to regulation 159E, a member is eligible to be registered as a probationary member of a brigade if—
 - (a) the member has reached 17 years of age; and
 - (b) the brigade's captain has informed the Authority that he or she is satisfied that the member is able to perform appropriately the duties of a probationary member under these regulations.
- (2) When there is a vacancy in a brigade for a probationary member, preference is to be given to applicants who have been junior members of the brigade.
- (3) Subject to regulation 159E, a member is eligible to be registered as a junior member of a brigade if—
 - (a) the member has reached 11 years of age and is under 17 years of age;

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- (b) the member has the written consent of his or her parent or guardian to be registered as a junior member; and
 - (c) the brigade's captain has informed the Authority that he or she is satisfied that the member is able to perform appropriately the duties of a junior member under these regulations.
- (4) Subject to regulation 159E, a member who is eligible to be registered as a junior member of a brigade may instead be registered as a probationary member of the brigade if —
- (a) the member has reached 16 years of age;
 - (b) the member has the written consent of his or her parent or guardian to be registered as a probationary member; and
 - (c) the brigade's captain has informed the Authority that he or she is satisfied that the member is able to perform the duties of a probationary member under these regulations.

159D. Eligibility for registration for active, active reserve and support members

- (1) Subject to subregulation (2) and regulation 159E, a probationary member of a brigade is eligible to be registered as an active, active reserve or support member of the brigade, as determined by the Authority on the recommendation of the brigade's captain, if —
- (a) the probationary member has completed —
 - (i) 3 months (or any lesser period approved by the Authority) satisfactory service with the brigade; or
 - (ii) an introductory training program approved by the Authority;

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or

- (b) for a brigade that has been registered for less than 3 months — the Authority is satisfied that the member has had sufficient training to enable him or her to perform the duties appropriate to the category of membership concerned.
- (2) Subject to regulation 159E, a junior member of a brigade who has reached 16 years of age and is under 17 years of age is eligible to be registered as an active, active reserve or support member of the brigade, as determined by the Authority on the recommendation of the brigade's captain, if —
- (a) the junior member has completed —
 - (i) 3 months (or any lesser period approved by the Authority) satisfactory service with the brigade; or
 - (ii) an introductory training program approved by the Authority;
 - (b) the junior member has the written consent of his or her parent or guardian to be registered as an active, active reserve or support member, as the case requires; and
 - (c) the brigade's captain has informed the Authority that he or she is satisfied that the junior member is able to perform appropriately the duties of an active, active reserve or support member, as the case requires, under these regulations.
- (3) Subject to regulation 159E, a person who is —
- (a) an active member of a brigade may be registered instead as an active reserve member or a support member of the brigade;

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- (b) an active reserve member of a brigade may be registered instead as an active member or a support member of the brigade; or
 - (c) a support member of a brigade may be registered instead as an active member or an active reserve member of the brigade,
- if —
- (d) the brigade has a vacancy in the category of membership concerned; and
 - (e) the change in registration is approved at a meeting of the brigade and by the Authority.

159E. Physical and medical requirements for members of brigades

- (1) In this regulation —
“**member**” means —
 - (a) a probationary member; or
 - (b) an active member, or active reserve member, who has not been a probationary member of a brigade.
- (2) A member of a brigade is not eligible to be registered under regulation 159C or 159D unless the member has satisfied any physical or medical requirements for registration determined by the Authority, after consultation with the Association.
- (3) Different physical or medical requirements may be determined under subregulation (2) for different categories of membership of a brigade.
- (4) The Authority is liable for any costs incurred by a member of a brigade in taking a physical or medical examination for the purposes of subregulation (2).

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159F. Training requirements for members of brigades

- (1) The Authority is to determine the training that is required to be undertaken by the members of a brigade in relation to the performance of the brigade's functions.
- (2) The Authority is to give written notice to a brigade's captain and to the Association of the training that the brigade's members are required to undertake or any change made by the Authority to that training.
- (3) A brigade's captain is to ensure that the brigade's members undertake training in accordance with a notice under subregulation (2).

159G. Suspension of registration of brigades

- (1) Subject to regulation 159H, subregulation (2) applies if the Authority is satisfied that, for any reason, a brigade is no longer able to perform its functions safely and efficiently.
- (2) If this subregulation applies the Authority may, after consultation with the Association, by written notice given to the brigade's captain suspend the registration of the brigade for the period that the Authority specifies in the notice.
- (3) The brigade cannot perform any of the functions of a brigade during the period of the suspension of its registration except for the purposes of the training that its members are required to undertake under regulation 159F.

159H. Procedure before brigade's registration is suspended

- (1) If the Authority proposes to suspend the registration of a brigade under regulation 159G, the Authority is to

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give written notice to the brigade's captain setting out the reasons for the proposed suspension.

- (2) The brigade's captain may, within one month after given a notice under subregulation (1), make written submissions to the Authority in relation to the proposed suspension.
- (3) The Authority is to have regard to any submissions under subregulation (2) before suspending the registration of the brigade.

159I. Authority's responsibilities on cancellation of brigade's registration

If the Authority cancels the registration of a brigade under section 26(b) of the Act —

- (a) the Authority is to ensure that —
 - (i) all the plant, apparatus and other property of the Authority that was under the control of the brigade is transferred to another brigade or otherwise appropriately dealt with; and
 - (ii) other arrangements are made for extinguishing fires and dealing with hazardous material incidents and rescue operations in the district concerned;
- and
- (b) each person who was a member of the brigade immediately before its registration was cancelled ceases to be a member of the brigade.

”

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16. Regulations 161 and 162 replaced

Regulations 161 and 162 are repealed and the following regulations are inserted instead —

“

161. Members to comply with directions of Authority and brigade rules

- (1) Subject to subregulation (2), a member of a brigade is to comply with —
 - (a) a written direction given to the brigade by the Authority; or
 - (b) a rule made by the brigade under regulation 162.
- (2) A direction or rule has no effect to the extent that it is inconsistent with these regulations.

162. Brigade rules

- (1) A brigade may make rules relating to the administration and internal management of the brigade.
- (2) A brigade may amend or repeal a rule.
- (3) A brigade is to give written notice to the Authority of any rules that it makes, or any amendment to or repeal of those rules, under this regulation.
- (4) A rule, or an amendment to or repeal of a rule, has no effect unless it has been approved by the Authority by written notice given to the brigade.
- (5) A rule has no effect to the extent that it is inconsistent with a written direction given to the brigade by the Authority.

”

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r. 17**17. Regulation 168 amended**

- (1) Regulation 168(1) is amended by deleting “Probationary, Active and Reserve Volunteer Firemen shall” and inserting instead —

“

An active, probationary, active reserve or support member of a brigade may

”.

- (2) Regulation 168(2) is amended by deleting “one month.” and inserting instead —

“ 6 months. ”.

- (3) Regulation 168(3) is amended by deleting “one month” and inserting instead —

“ 6 months ”.

- (4) Regulation 168(4) is amended by deleting “shall” in both places where it occurs and inserting instead —

“ may ”.

18. Regulation 169 replaced

Regulation 169 is repealed and the following regulation is inserted instead —

“

169. Transfer of members

- (1) A member of a brigade (the “**former brigade**”) may transfer to another brigade (the “**new brigade**”) if —
- (a) the new brigade has a vacancy in an appropriate category of membership and agrees to the transfer;
 - (b) the member has a certificate of discharge from the former brigade; and

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- (c) the transfer is approved by the Authority.
- (2) If a member transfers to a new brigade, the Authority is to make appropriate amendments to the details recorded in the register for the member.

”.

19. Regulation 171 replaced

Regulation 171 is repealed and the following regulation is inserted instead —

“

171. Suspension and cancellation of registration of members

- (1) Subject to subregulation (2), the Authority may, by written notice given to a member of a brigade, suspend for the period specified in the notice, or cancel, the registration of the member —
 - (a) if the Authority is satisfied that the member —
 - (i) has been convicted of an offence, whether in this State or another State or a Territory;
 - (ii) has persistently failed to perform his or her duties as a member of a brigade; or
 - (iii) has failed to undertake the training required of the member under regulation 159F;
 - or
 - (b) in accordance with a decision under regulation 177(5)(c).

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- (2) Before deciding to suspend or cancel the registration of a member, the Authority is to —
- (a) obtain and have regard to a written report from the relevant brigade's captain on the circumstances that gave rise to the proposed suspension or cancellation;
 - (b) invite the member to make, within a reasonable period, written submissions to the Authority in relation to those matters; and
 - (c) have regard to any submissions made by the member within that period.

”.

20. Regulation 172 amended

- (1) Regulation 172(a) is amended as follows:
- (a) by deleting “during the first week”;
 - (b) by deleting “complement of officers specified in regulation 158(1).” and inserting instead —
“ brigade's officers. ”.
- (2) Regulation 172(b) is deleted and the following is inserted instead —
- “
- (b) Only active members of a brigade are eligible to be elected as the brigade's officers.
 - (ba) The active, active reserve and support members of a brigade are eligible to vote in the election of the brigade's officers.

”.

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21. Regulations 177 to 187 replaced by regulations 177 to 187C

Regulations 177, 178, 179, 180, 181, 182, 183, 184, 184A, 185, 185A, 186 and 187 are repealed and the following regulations are inserted instead —

“

177. Enquiries into conduct of members

- (1) If a brigade's captain, or another senior officer, considers that a member of the brigade has, while on duty with the brigade, disobeyed an order, been insubordinate or under the influence of drugs or alcohol, used obscene or abusive language or engaged in conduct that does not meet the standards required of a member while on duty with the brigade, the captain or other senior officer —
 - (a) may suspend the member from duty with the brigade until the Authority makes a decision under subregulation (5); and
 - (b) is to give a written report (an “**officer's report**”) of the matter to the Authority within 7 days.
- (2) On being given an officer's report, the Authority is to appoint a person (an “**investigator**”) to enquire into the circumstances that gave rise to the report.
- (3) The investigator is to enquire into the circumstances that gave rise to the officer's report and is to give to the Authority a written report that sets out the investigator's findings and recommendations in relation to those circumstances.
- (4) The Authority is to —
 - (a) have regard to the officer's report and the investigator's report;

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- (b) invite the member concerned to make, within a reasonable period, written submissions to the Authority in relation to the matters that are the subject of those reports;
 - (c) have regard to any submissions made by the member within that period; and
 - (d) make a decision under subregulation (5).
- (5) The Authority may decide to —
- (a) take no action;
 - (b) reprimand the member concerned; or
 - (c) without having to comply with subregulation (2) of regulation 171, suspend or cancel under that regulation the registration of the member concerned.
- (6) The Authority is to give to the member concerned and to the captain of the member's brigade written notice of a decision under subregulation (5).
- (7) If the Authority decides to suspend the registration of the member concerned, the notice under subregulation (6) is to specify the period of suspension.

178. Appeals

- (1) A member of a brigade whose registration is suspended or cancelled under regulation 171, or who is reprimanded under regulation 177(5), may appeal to the Appeal Panel appointed under regulation 179.
- (2) An appeal is to be made in writing setting out the grounds of the appeal and is to be lodged with the Chief Executive Officer within 21 days after the appellant is given notice under regulation 177(6).

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- (3) The Chief Executive Officer may accept an appeal lodged after the period referred to in subregulation (2) if the Chief Executive Officer considers that, in all the circumstances, it is reasonable to do so.
- (4) The registration of a member remains suspended or cancelled pending the determination of an appeal lodged by the member against the suspension or cancellation of his or her registration.

179. Appeal Panel

- (1) The Authority is to appoint an Appeal Panel to determine appeals under regulation 178.
- (2) The Appeal Panel is to consist of —
 - (a) a chairman who is a member of the board of management of the Authority;
 - (b) a person who is nominated by the Chief Executive Officer; and
 - (c) a person who is nominated by the Association.

180. Appeal procedures

- (1) The rules of evidence do not apply to an appeal under regulation 178, and the Appeal Panel may as it sees fit —
 - (a) have regard only to the appeal document lodged by the appellant and any other document the Appeal Panel considers relevant to the appeal; or
 - (b) consider those documents and may also invite the appellant to appear before the Appeal Panel to answer questions from, and make submissions to, the Appeal Panel.

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- (2) An appellant who appears before the Appeal Panel may only appear personally and cannot be represented by a legal practitioner or another person.
- (3) In determining an appeal, the Appeal Panel —
 - (a) may confirm, vary or set aside the decision of the Authority; or
 - (b) substitute the Appeal Panel's own decision for the decision of the Authority.
- (4) The chairman of the Appeal Panel is to cause written notice of the Appeal Panel's determination of an appeal to be given to the Authority and to the appellant within 14 days after the determination is made, and the Authority is to give effect to the determination.
- (5) Subject to this regulation, the Appeal Panel is to determine its own procedure.

181. Duties of captain

The duties of a brigade's captain are —

- (a) to manage the affairs and activities of the brigade;
- (b) to enforce discipline and ensure compliance with these regulations and any directions given by the Authority;
- (c) to take command, in the absence of an officer or member of a permanent fire brigade, at an incident attended by the brigade;
- (d) to ensure that all members of the brigade are adequately trained to perform their duties;
- (e) to suspend a member of the brigade under regulation 177(1)(a), if the captain considers it appropriate to do so;

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- (f) to ensure that the brigade's apparatus, plant and buildings are kept clean, in good condition and, where applicable, ready for immediate use;
- (g) to ensure that the hydrants in the brigade's district are maintained;
- (h) to ensure that the brigade takes part in community based risk management and public education activities;
- (i) to ensure that proper financial records for the brigade are presented at each monthly meeting of the brigade; and
- (j) to maintain a close liaison with other brigades, with other bodies that provide emergency services to the community, and with members of other interest groups in the community.

182. Duties of lieutenant

The duties of a brigade's lieutenant are —

- (a) to comply with the directions of the captain;
- (b) to perform the captain's duties in the absence of the captain;
- (c) to maintain an inventory of the brigade's property and to record, and provide information about, brigade training and other brigade activities;
- (d) to ensure that records and information about incidents attended by the brigade are provided to the appropriate people and organisations;
- (e) to be responsible for the maintenance of the hydrants in the brigade's district, for keeping records of that maintenance and for immediately reporting any defects to the hydrants; and

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- (f) to identify relevant risks in the local community and to be responsible for the development and documentation of plans that enable the brigade to be prepared for, and to respond to, those risks.

183. Duties of apparatus officer

The duties of a brigade's apparatus officer are —

- (a) to comply with the directions of the senior officers of the brigade;
- (b) to assist the lieutenant in the performance of the lieutenant's duties and to perform those duties in the absence of the lieutenant;
- (c) to be responsible for the brigade's apparatus, plant and buildings and for keeping that apparatus and plant, and those buildings, clean and in good condition;
- (d) to report immediately to the captain any defects to the brigade's apparatus, plant or buildings; and
- (e) to ensure that all the brigade's uniforms and protective clothing are maintained in good condition.

184. Duties of secretary or treasurer etc.

- (1) The duties of a brigade's secretary (who is to be a member of the brigade) are —
 - (a) to comply with the directions of the captain;
 - (b) to be responsible for, and to keep current, the brigade's books, papers and other documents;
 - (c) to deal promptly with, and to keep a record of, the brigade's correspondence;

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- (d) to attend the meetings of the brigade and record the minutes of those meetings;
 - (e) to be responsible for the brigade's funds, including any amounts received by the brigade from the Authority;
 - (f) at the request of the Authority, to prepare and provide to the Authority a financial statement for the brigade;
 - (g) to make the brigade's financial records available for inspection when required for the purposes of an audit;
 - (h) at the request of the captain or of an officer of the Authority, to make the brigade's financial records and correspondence available for inspection by the captain or officer;
 - (i) to provide to the Authority, within the period specified by the Authority, any required return, form or report; and
 - (j) at each monthly meeting of the brigade —
 - (i) to present a financial statement for the relevant month, supported by relevant financial records;
 - (ii) to answer any question raised at the meeting about the financial affairs of the brigade; and
 - (iii) to make available to the meeting all of the brigade's books, papers and other documents.
- (2) The officer presiding at a meeting of a brigade is to give to the Authority a written report of any document presented or information given by the secretary at the meeting that, in the officer's opinion, indicates that the

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secretary is not performing his or her duties satisfactorily.

- (3) Before leaving office, the secretary is to give to the captain any funds and any books, papers or other documents held by the secretary.
- (4) If a brigade has a treasurer instead of a secretary —
 - (a) the treasurer may be, but is not required to be, a member of the brigade; and
 - (b) references in this regulation to the secretary are to be read as references to the treasurer.
- (5) If a brigade has both a secretary and a treasurer, a duty described in this regulation is to be performed by the secretary or treasurer, as directed by the captain.

185. Duties of active members and probationary members

- (1) The duties of a brigade's active members are —
 - (a) when alerted of an incident, to proceed promptly to, as directed, the brigade's fire station or to the incident with the appropriate apparatus;
 - (b) to perform the duties required of them at an incident, and to remain on duty until relieved;
 - (c) to keep the brigade's apparatus, plant and buildings clean and in good condition, as directed;
 - (d) to take part in training programs to ensure that they are proficient in the use of the brigade's appliances and equipment;
 - (e) to understand and comply with the brigade's policies and procedures; and
 - (f) to attend the meetings of the brigade.

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- (2) The duties of a brigade's probationary members are —
- (a) until their training program is completed — the duties referred to in subregulation (1), to the extent that probationary members are directed by the captain to perform them; and
 - (b) to attend the meetings of the brigade, at which they may take part in discussions but not vote on motions moved at the meetings.

186. Duties of active reserve members

The duties of a brigade's active reserve members are —

- (a) when available to do so, to attend incidents as directed by the captain; and
- (b) otherwise the duties of active members referred to in regulation 185(1).

187. Support members

The duties of a brigade's support members are —

- (a) to be available to attend incidents attended by other members of the brigade and to provide those members with support services such as assistance with equipment, radio monitoring and catering;
- (b) to take part, from time to time, in training programs;
- (c) to understand and comply with the brigade's policies and procedures;
- (d) to attend the meetings of the brigade; and
- (e) any other duties agreed between the support members and the captain.

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r. 21**187A. Duties of junior members**

- (1) The duties of a brigade's junior members are —
 - (a) to comply with the directions of the captain or another officer designated by the captain;
 - (b) to take part in training programs conducted for junior members in relation to the brigade's appliances, equipment, policies and procedures;
 - (c) to help keep the brigade's apparatus, plant and buildings clean and in good condition; and
 - (d) to attend the meetings of the brigade held specifically for its junior members.
- (2) A junior member of a brigade cannot attend an incident.

187B. Command of brigades at incidents

- (1) When a brigade attends an incident, the most senior officer of the brigade in attendance or, if there is no officer, the most senior member of the brigade in attendance is, subject to this regulation, to take command of the brigade.
- (2) A more senior officer or member of the brigade who later attends the incident may take command of the brigade.
- (3) An officer or member of a permanent fire brigade who attends an incident attended by a brigade may take command of the brigade.

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187C. Brigades' duties at incidents

A brigade's duties at an incident attended by the brigade are not completed until —

- (a) the person in command of the brigade considers it is safe for the brigade to leave the incident because —
 - (i) if the incident is a fire — the fire is properly and effectively extinguished or made safe;
 - (ii) if the incident is a hazardous material incident — there is no further threat from the incident to public safety; or
 - (iii) if the incident is a rescue operation — the operation has been completed;

or

- (b) the Authority directs the brigade to leave the incident.

”.

22. Regulation 188 amended

Regulation 188 is amended by deleting “as provided for in regulation 183(m)(ii)”.

23. Regulation 189 replaced

Regulation 189 is repealed and the following regulation is inserted instead —

“

189. Captain to provide report of incident

Within 7 days after a brigade attends an incident, the captain is to ensure that a report of the incident, in a form approved by the Authority, is provided to the Authority.

”.

Fire Brigades Amendment Regulations 2003**r. 24****24. Regulation 190 amended**

Regulation 190 is amended as follows:

- (a) before “Any” by inserting the subregulation designation “(1)”;
- (b) by deleting “, or any auxiliary fireman who” and inserting instead —
“ who ”;
- (c) by deleting “the sum of \$100 per week:” and inserting instead —

“

an amount per week equal to 1% of the prescribed amount.

”;

- (d) in paragraph (b) of the proviso by deleting —
“ or any auxiliary fireman ”;
- (e) by inserting at the end of the regulation the following subregulation —

“

- (2) In subregulation (1) —

“**prescribed amount**” means the amount that, during the period of incapacity referred to in that subregulation, is the prescribed amount as defined in section 5(1) of the *Workers’ Compensation and Rehabilitation Act 1981*.

”.

25. Regulation 191 amended

- (1) Regulation 191(1) is amended by deleting “, Chief Officer”.
- (2) Regulation 191(2) is amended as follows:
 - (a) by deleting “Reserve” and inserting instead —
“ Active reserve ”;
 - (b) by deleting “or Chief Officer”.

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26. Regulations 191A and 191B inserted

After regulation 191 the following regulations are inserted —

“

191A. Brigades to remain able to respond to incidents within districts

If a brigade undertakes any activity outside its district, the captain is to ensure that sufficient members, apparatus and plant remain in the district to attend any incident that may arise.

191B. Apparatus and plant not to be taken without Authority's consent

If a brigade takes part in a demonstration or competition, the captain is to ensure that no apparatus or plant (other than a competition reel and related apparatus) is taken to the demonstration or competition without the consent of the Authority.

”.

27. Regulation 192 amended

- (1) Regulation 192(1) is repealed.
- (2) Regulation 192(2) is amended as follows:
 - (a) in paragraph (a) by deleting “volunteer firemen” and inserting instead —
“ members of brigades ”;
 - (b) in paragraph (b) by deleting “volunteer fire brigades and firemen,” and inserting instead —
“ brigades and their members, ”;
 - (c) in paragraph (c) by deleting “volunteer firemen,” and inserting instead —
“ members of brigades, ”.

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- (3) Regulation 192(3) is amended by deleting “Volunteer Fire Brigades” and inserting instead —
“ brigades ”.
- (4) Regulation 192(3a) is amended as follows:
- (a) by deleting “\$1 000” and inserting instead —
“ \$2 000 ”;
 - (b) by deleting “Volunteer Fire Brigade” and inserting instead —
“ brigade ”;
 - (c) by deleting “\$4 000” and inserting instead —
“ \$8 000 ”.
- (5) Regulation 192(4) is amended as follows:
- (a) by deleting “Expenditure” in each place where it occurs and inserting instead —
“ expenditure ”;
 - (b) in paragraph (b) by deleting “fire” in the first place where it occurs;
 - (c) in paragraph (c) by deleting “fire” in the first and second places where it occurs.

28. Regulations 208 and 209 replaced

Regulations 208 and 209 are repealed and the following regulations are inserted instead —

“

208. Service awards

- (1) The Authority may determine that a member of a brigade is to receive an award for efficient service in one or more brigades in the State.

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- (2) In determining whether a member of a brigade is to receive an award, the Authority is not to take into account the service of the member as a junior member of a brigade but may take into account the service of the member —
- (a) as an executive officer of the Association;
 - (b) as an active member of a brigade;
 - (c) as a probationary member of a brigade, but only if the probationary member was later promoted to an active member of the brigade;
 - (d) as an active reserve member of a brigade; or
 - (e) as a support member of a brigade.

209. Brigade funds

- (1) A brigade is to give a receipt for any amount of funds that it receives, and the amount is to be credited to an account held in the name of the brigade with a bank or other financial institution.
- (2) The payment of any amount by a brigade is to be charged to and paid out of that account and recorded by the brigade in its financial records.
- (3) A brigade is to appoint 2 members (who are not to include its secretary or treasurer) to act as the brigade's auditors and is to ensure that, if an auditor's position becomes vacant, the position is filled as soon as is practicable.
- (4) The auditors are to examine a brigade's financial records from time to time but at least twice in each financial year, and, if satisfied that the records correctly record and explain the brigade's transactions and financial position and performance, the auditors are to give a certificate to that effect to the brigade's captain.

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- (5) If, at the end of each financial year, the secretary or treasurer, as the case may be, is satisfied that a brigade's financial records correctly record and explain the brigade's transactions and financial position and performance for that year, the secretary or treasurer is to give a certificate to that effect to the brigade's captain.
- (6) On being given certificates under subregulations (4) and (5) in relation to a financial year, the brigade's captain is to inform the Authority, in writing, that the brigade's financial records correctly record and explain the brigade's transactions and financial position and performance for that year.

”

29. Various regulations repealed

The regulations listed in the Table to this regulation are repealed.

Table

r. 94	r. 154
r. 95	r. 155
r. 96	r. 156
r. 98	r. 157
r. 100	r. 163
r. 101	r. 164
r. 102	r. 166
r. 103	r. 167
r. 104	r. 173
r. 114	r. 174
r. 115	r. 175
r. 116	r. 176
r. 117	r. 193
r. 118	r. 194
r. 119	r. 195
r. 120	r. 196
r. 121	r. 197
r. 123	r. 198

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r. 123A	r. 199
r. 124	r. 200
r. 125	r. 201
r. 128	r. 202
r. 129	r. 203
r. 141	r. 204
r. 142	r. 205
r. 144	r. 206
r. 146	r. 207
r. 147	r. 210
r. 148	r. 211
r. 149	r. 212
r. 150	r. 213
r. 151	r. 226
r. 152	r. 227A
r. 153	

30. Savings

- (1) If immediately before the commencement of these regulations —
 - (a) an enquiry under regulation 177 of the former regulations; or
 - (b) an appeal under regulation 179 of the former regulations,has been started but not completed, the former regulations continue in operation to the extent necessary for the enquiry or appeal to continue and be completed.
- (2) The former regulations continue in operation to the extent necessary for an appeal under regulation 179 of those regulations against a penalty imposed as a result of an enquiry under regulation 177 that is continued and completed by the operation of subregulation (1).

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- (3) In this regulation —
 “former regulations” means the *Fire Brigades Regulations 1943*, as in force immediately before the commencement of these regulations.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

