

**FOREST AND RURAL FIRES ACT 1977**

1977 No 52

AMENDMENTS 1987 No 119 1989 No 120 1990 No 137 1996 No 123 2000 No 68

An Act to consolidate and amend the law relating to the safeguarding of life and property by the prevention, detection, control, restriction, suppression and extinction of fire in forest and rural areas and other areas of vegetation

[21 November 1977]

ANALYSIS (List of Sections)

- 1 Short Title and commencement
- 2 Interpretation
- 3 Act to bind Crown

[3A. Delegation of powers by Minister of Forestry (Repealed)]

[3B. Delegation of powers by Secretary (Repealed)]

PART 1 — FIRE CONTROL ORGANISATION

Rural fire districts and specially protected property

[4. Rural fire districts]

[5. Preliminary steps before rural fire district constituted or boundaries changed]

[6. Specially protected property]

Fire Authorities

[7. Fire Authority in rural fire districts]

[7A. New Zealand Forestry Corporation Rural Fire District (Repealed)]

[8. Rural fire committees]

9. Fire Authority's powers in areas of urban vegetation

[10. Fire Authority in territorial areas]

- 11 Fire Authority in State areas
- 12 Duties of Fire Authorities
- 13 Fire Officers and other employees
- 14 Joint, etc, exercise of statutory fire control powers
- 15 Supply of apparatus and fire fighting services
- 16 Mutual arrangements for fire control measures
- 17 Forest areas

PART 2 — FIRE CONTROL OPERATIONS *Fire prediction and fire control measures*

[18. Obligations of Rural Fire Authorities and National Rural Fire Authority in respect of fire control measures]

19. Fire control measures

Control of lighting of fires in open air

- 20 Prohibition of fires during extreme fire hazard
- 21 Prohibition of certain operations during periods of extreme fire hazard
- 22 Restricted or prohibited fire seasons
- 23 Permits required to light fires in open air
- 24 Special permits when lighting of fires in open air prohibited
- 25 Spread of fires to State areas, forest areas, and specially protected property

Miscellaneous precautions against outbreaks of fire

- 26 *Offence to leave burning or smouldering substance*
- 27 *Fire Authority may require firebreaks to be made or cleared*
- 28 *Appeal from notice to make firebreak or escape route or remove combustible material*
- 29 *Power of Fire Authority on default of owner*
- 30 *Regulations may require maintenance of fire fighting equipment by rural fire committees*
- 31 *Restriction on operation of spark-hazardous engines*
- 32 *Restriction on entry into exotic forests, etc*
- 33 *Maintenance of apparatus by persons cutting timber*
- 34 *Duties of licensees, etc, of State areas*

Control of spread of fire to state areas, forest areas, and specially protected property Fire suppression

- 35 *Duty of persons in vicinity to endeavour to extinguish fires*
- 36 *Powers of Principal Fire Officers or Rural Fire Officers at fires*
- 37 *Police to assist Fire Officers*
- 38 *Requisition by Fire Officer of assistance to extinguish fires*

[39. *Regional fire emergency*

40. *Backburning*

PART 3 — FIRE CONTROL FINANCE

- 41 *Liability for costs*
- 42 *Charge for use of another fire brigade*
- 43 *Recovery from person responsible for fire*
- 44 *Estimate of proposed expenditure*
- 45 *Provisions for meeting ordinary requirements of the Fire Authority of a rural fire district*
- 46 *Levy for costs of fire fighting in districts other than State areas [46A. Levy for costs of fire fighting in fire safety margins of State areas*
- 47 *Levy for costs of fire fighting in State areas (Repealed)*
- 48 *Imposition of levies, and recovery of levies and other money*
- 49 *Appeals against levies and determinations*

[50. *Expenditure by territorial authorities (Repealed)*

[51. *Payment of fire control costs following regional fire emergency*

[52. *Appeal against apportionment of fire fighting costs in regional fire emergency*

53 *Right of recovery in certain cases*

54 *Fire Authority may borrow money*

PART 4 — GENERAL PROVISIONS

55. *Damage in fire fighting to be damage by fire within meaning of fire policy*

[56. *Saving of Fire Authorities and Fire Officers, etc, from liability in certain cases*

[57. *No action against Fire Authority for failure to provide against fire*

58 *Inspections for purposes of Act*

59 *Inquiries as to fires*

60 *Measures by local authorities and public bodies to remove certain fire hazards*

[60A. *Imposition of annual levy on Fire Authorities (Repealed)*

[60B. *Rate of levy (Repealed)*

[60C. *Recovery of amount of levy (Repealed)*

[60D. *Failure to supply return (Repealed)*

[60E. *Penalty for late payment (Repealed)*

[60F. *Amount of goods and services tax included (Repealed)*

61 *Offences*

62 *Time within which information may be laid*

63 *Notices*

[64. *Panel of persons who may be appointed as Rural Fire Mediators [64A. Rural Fire Mediators*

65. *Appeals from decision of Rural Fire Mediator*

[66. *Annual report*

67 *Regulations*

68 *Reserve powers of Minister [of Forestry (Repealed)]*

69 *Consequential amendments*

70 *Repeals*

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: