
CHAPTER 209**FIRE SERVICES****ARRANGEMENT OF SECTIONS**

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CHAPTER 209

FIRE SERVICES

An Act to make more effective provision for the Fire Services, the organisation of fire brigades and the extinction of fires.*32 of 1970
E.L.A.O., 1974**[Assent 31st December, 1970]
[Commencement 6th April, 1972]*

1. This Act may be cited as the Fire Services Act. Short title.
2. In this Act unless the context otherwise requires — Interpretation.
 - “Chief Fire Officer” means a Chief Fire Officer appointed to command a brigade under the provisions of this Act;
 - “Director of Fire Services” means the officer appointed to be the Director of Fire Services under section 3;
 - “equipment” includes vehicles;
 - “Fire Authority” means the Fire Authority established by section 3;
 - “fire brigade” and “brigade” include a volunteer fire brigade established under section 5 and a fire brigade other than a volunteer fire brigade established under section 6 but do not include any organisation of fire-fighting services within an airport;
 - “fire-fighting purpose” means the purpose of the extinction of fires and the protection of life and property in case of fire;
 - “Minister” means the Minister responsible for the Police Department; *E.L.A.O., 1974.*
 - “section” means a section of this Act;
 - “street” includes any highway, including any highway over a bridge, and any road, lane, footway, square, court, alley or passage whether a thoroughfare or not;
 - “traffic” includes vehicular and pedestrian traffic and animals.

Fire Authority.

3. (1) The Commissioner of Police shall be the Fire Authority for The Bahamas.

(2) The Fire Authority shall be responsible for the general supervision, maintenance and control of all fire brigades.

(3) There shall be a Director of Fire Services who shall be a senior officer in the Royal Bahamas Police Force and who shall be the executive officer of the Fire Authority and responsible to him for the general supervision, maintenance and control of all fire brigades and adviser to him on matters connected with fire fighting or fire prevention.

(4) The Director of Fire Services shall be *ex officio* a member of every fire brigade.

Chief Fire Officer.

4. (1) Each fire brigade shall be under the command of a Chief Fire Officer who shall be appointed by the Fire Authority and shall be subject to the directions of the Director of Fire Services.

(2) A Chief Fire Officer shall, subject to the orders and directions of the Director of Fire Services, be responsible for —

- (a) the operation and control of the fire brigade which he commands and the care and maintenance of any engine or equipment of the fire brigade;
- (b) the training of members of the fire brigade;
- (c) securing that efficient arrangements are made for the calling of assistance of the fire brigade and for the summoning of its members.

Volunteer fire brigades.

5. (1) A volunteer fire brigade shall not be formed save with the prior approval of the Fire Authority, and shall consist of a Chief Fire Officer and such other members as the Fire Authority may approve.

(2) The Fire Authority may make available to a volunteer fire brigade any engines or equipment acquired by the expenditure of any public funds approved by Parliament for the purpose.

(3) Every member of a volunteer fire brigade shall in the course of his duties under this Act obey the lawful orders of the Chief Fire Officer and of any other member senior in rank to himself and shall be subject to any regulations for the government, operation, control and discipline of volunteer fire brigades made under this Act.

(4) A member of a volunteer fire brigade shall not be deemed to be an officer in the public service by virtue only of the fact that he is such a member, but in the event of any such member being injured or killed while engaged in his duties as such a member under this Act he, or his personal representative, as the case may be, shall be entitled to be paid out of public funds such compensation as would have been payable under the Workmen's Compensation Act if he had been at the time of such injury or death a workman within the meaning of that Act, employed in the public service at a wage equivalent to the minimum salary entitlement of a constable in the Royal Bahamas Police Force.

25 of 1943.

(5) A member of a volunteer fire brigade shall be paid such remuneration or allowances as shall be prescribed by regulations made under this Act.

(6) The Director of Fire Services may detail a police officer to be attached for duty with any volunteer fire brigade, and during the period of any such attachment such police officer shall be under the command of the Chief Fire Officer of that Brigade.

6. (1) The Fire Authority may establish a fire brigade other than a volunteer fire brigade as a branch of the Royal Bahamas Police Force.

Fire brigades other than volunteer fire brigades.

(2) A fire brigade established under this section shall be furnished by the Fire Authority with engines, equipment and accommodation from any public funds approved by Parliament for the purpose.

(3) A fire brigade established under this section shall consist of a Chief Fire Officer and such other members as the Fire Authority may appoint from among members of the Royal Bahamas Police Force.

(4) A member of a fire brigade established under this section shall be subject to the provisions of the Police Act, and to any regulations made thereunder.

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7. (1) Any member of a fire brigade who is on duty, or any police officer, 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 purpose of extinguishing a fire or protecting the premises or place from acts

Powers of firemen and police in extinguishing fires.

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 a person or property therein.

(2) Any person who obstructs or wilfully interferes with any member of a fire brigade who is engaged in operations for fire-fighting purposes shall be liable upon summary conviction to a fine not exceeding one hundred dollars, and any such person may be removed, upon the orders of the senior fire brigade officer present, from the vicinity of any such operations by the use of such reasonable force as may be necessary to secure his removal.

(3) At any fire the senior fire brigade officer present shall have the sole charge and control of all operations for the extinction of the fire including the fixing of the positions of fire engines and apparatus, the attaching of hose to any water supply and the selection of the parts of the premises, objects, or places where the fire is or of adjoining premises, objects or places, against which the water is to be directed.

(4) Any person or body corporate undertaking to provide a public supply of water shall, on being required by any such senior fire brigade officer as is mentioned in subsection (3) to provide an increased supply and pressure of water for extinguishing a fire, take all the necessary steps to comply with that requirement and may for that purpose shut off the water from the mains and pipes in any area; and no authority or person shall be liable to any penalty or claim by reason of the interruption of the supply of water occasioned only by compliance by such person or body corporate with such a requirement.

(5) The senior officer of police present at any fire or, in the absence of any officer of police, the senior fire brigade officer 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.

False claims of fire.

8. Any person who knowingly gives or causes to be given a false alarm of fire to any fire brigade or to any member of a fire brigade shall be liable upon summary

conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

9. Where by the order of the senior fire brigade officer present at any fire any house, fence or other erection is pulled down or blown up, or any other damage is caused to any property, for the purpose of preventing the spread of fire from one building to another, the owner thereof shall be entitled to be compensated in respect of such damage out of public funds in an amount to be ascertained by two appraisers, one to be chosen by the Fire Authority and one by the owner respectively.

Compensation
for damage.

Provided that if any such owner is aggrieved as to the amount of any compensation so ascertained or if the appraisers so chosen fail to agree upon the amount of compensation, such owner may appeal to the Supreme Court within such time and in such manner as may be provided by rules made under section 76 of the Supreme Court Act.

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10. The damage to any building resulting from the carrying out of the provisions of this Act shall be deemed to be damage by fire within the meaning of any policy of insurance against fire (notwithstanding anything to the contrary therein contained) now or hereafter in force, and shall be recoverable in any court of law as if the said building so insured had been destroyed by fire.

Damage to
buildings under
this Act within
the meaning of
insurance
policies.

11. The Minister may make regulations for the better carrying out of the purposes of this Act and, without prejudice to the generality of the foregoing, for —

Regulations.
E.L.A.O., 1974.

- (a) prescribing anything required or authorised to be prescribed under this Act;
- (b) regulating the government, operation and control of volunteer fire brigades;
- (c) regulating the conduct and discipline of members of volunteer fire brigades;
- (d) providing for the training of members of volunteer fire brigades;
- (e) prescribing the ranks and insignia of the fire service for use within all brigades;

- (f) specifying the duties and responsibilities of the Director of Fire Services and of Chief Fire Officers in connection with fire prevention precautions, empowering such officers to carry out inspections and providing for the enforcement of prescribed standards of fire prevention measures.