

ORDINANCE No. 7 OF 1957.  
FIRE BRIGADE ORDINANCE, 1957.

I assent.

**P. M. RENISON,**

Governor.

29th March, 1957.

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SCHEDULE.

AN ORDINANCE to provide for the establishment of the British Guiana Fire Brigade and for purposes connected therewith.

[30th March, 1957]

A.D. 1957 Enacted by the Legislature of British Guiana:—

Short title. 1. This Ordinance may be cited as the Fire Brigade Ordinance, 1957.

Interpretation. 2. In this Ordinance —  
 “auxiliary member” means a member of the Brigade other than a regular member;

“Brigade” means the British Guiana Fire Brigade established under this Ordinance;

“fire-fighting purposes” means the purposes of the extinction of fires and the protection of life and property in case of fire;

“fireman” means a member of the Brigade below the rank of leading fireman;

“local authority” means in relation to the city of Georgetown and the town of New Amsterdam the Mayor and Town Council of Georgetown and the Mayor and Town Council of New Amsterdam respectively and in relation to any other area the local authority, if any, of that area within the meaning of the Local Government Ordinance;

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“officer” means a member of the Brigade holding a rank senior to that of sub-officer;

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“Police Force” means the Police Force established under the Police Ordinance or any Ordinance replacing the same;

“regular member” means a member of the Brigade liable for whole-time service therein;

“regulations” means regulations made under this Ordinance;

“subordinate fire officer” means a member of the Brigade, other than a fireman, below the rank of station officer and includes a member of the Brigade of the rank of sub-officer, section leader or leading fireman;

“the appointed day” means such day as the Governor in Council may by Order appoint for the purposes of this Ordinance not being a day within three months of the commencement of this Ordinance;

“unit” means a unit of the Brigade constituted in accordance with the provisions of this Ordinance.

Establishment of the Brigade.

3. (1) On and after the appointed day there shall be established in and for the Colony a fire brigade to be called the British Guiana Fire Brigade.

(2) The Brigade may be composed of one or more units constituted in accordance with the provisions of this Ordinance.

4. (1) Units of the Brigade shall be constituted in respect of the areas of the Colony specified in the schedule to this Ordinance and shall be maintained primarily for fire-fighting purposes in such areas.

Constitution of units of Brigade. Schedule.

(2) The Governor in Council may by order from time to time amend the schedule to this Ordinance by adding thereto new areas of the Colony or by varying any areas specified therein.

5. It shall be lawful for the Governor, with the consent of the Legislative Council, to authorise the payment from the revenues of the Colony of such sums of money as may from time to time be necessary for defraying the cost of maintaining the Brigade.

Maintenance of Brigade out of revenues of Colony.

6. (1) Anything in section 5 of this Ordinance to the contrary notwithstanding a portion of the total cost of maintaining any unit shall be borne by the local authority or local authorities as the case may be of the area in respect of which the unit is primarily maintained.

Contributions by local authorities.

(2) The contribution to be made by a local authority towards the maintenance of any unit under the preceding subsection shall be determined by the Governor in Council after consultation with the local authority or local authorities concerned, and shall be deemed to be expenditure which the local authority is by law authorised to incur.

7. The Brigade may be composed of regular members or of auxiliary members or of both regular and auxiliary members.

Types of members of Brigade.

8. The Brigade shall consist of a Chief Fire Officer, a Deputy Chief Fire Officer and such number of officers, subordinate fire officers and firemen as the Governor may from time to time direct.

Composition of Brigade.

9. The Governor may from time to time appoint fit and proper persons to be officers of the Brigade and they shall hold such rank as the Governor may think proper.

Appointment of Officers.

10. Subject to the provisions of this Ordinance and of the regulations the Chief Fire Officer may appoint fit and proper persons to be subordinate fire officers and firemen of the Brigade.

Appointment of subordinate fire officers and firemen.

11. Any member of the Police Force serving with the Georgetown Fire Brigade or the New Amsterdam Fire Brigade and who was assigned for duty with either such Brigade without having been specifically recruited for any such assignment may at any time within three months of the date of the commencement of this Ordinance by writing under his hand addressed to the Commissioner of Police, a copy whereof is sent to the Superintendent of the Georgetown Fire Brigade, elect to terminate his service with the Georgetown Fire Brigade or the New Amsterdam Fire Brigade as the case may be, and any person electing as aforesaid shall as soon as possible thereafter and in every case before the appointed day be assigned by the Commissioner of Police to such other duties in the Police Force as the Commissioner may determine.

Right of election of members of Police Force.

Members of  
Police Force  
deemed to  
be appointed  
members of  
Brigade.

12. Any person who being a member of the Police Force is on the appointed day serving with the Georgetown Fire Brigade or the New Amsterdam Fire Brigade shall be deemed to be appointed a member of the Brigade under this Ordinance with such designation of rank as the Governor may determine:

Provided that no such person shall in respect of his salary or emoluments as a member of the Brigade suffer any direct pecuniary loss by virtue of his being deemed to be appointed a member of the Brigade as aforesaid.

Members of  
Georgetown  
Auxiliary  
Fire Brigade

13. Any person who is immediately before the appointed day a member of the Georgetown Auxiliary Fire Brigade shall on the appointed day, be deemed to be appointed an auxiliary member of the Brigade under this Ordinance with such designation of rank as the Governor may determine.

Pensions  
and gratuities  
of mem-  
bers of the  
Brigade.  
Cap. 73.

14. (1) Regular members of the Brigade recruited thereto on or after the appointed day and members of the Police Force deemed to be appointed members of the Brigade under section 12 of this Ordinance to whom the provisions of the Pensions Ordinance, 1933, would not otherwise apply or continue to apply shall be eligible or shall continue to be eligible as the case may be for pensions and gratuities at the same rates and on the same terms and conditions as are applicable to non-commissioned officers and constables of the Police Force enrolled after the first day of September, nineteen hundred and fifty, and such pensions and gratuities shall be computed as though service in the Brigade were service in the Police Force.

(2) Anything in subsection (1) of this section to the contrary notwithstanding, the power conferred on the Commissioner of Police by proviso (b) to subsection (1) of section 91 of the Police Ordinance, shall, in relation to members of the Brigade referred to in this section, be exercisable by the Chief Fire Officer.

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Authority  
and respon-  
sibilities of  
Chief Fire  
Officer.

15. (1) The Chief Fire Officer shall, subject to the general order and direction of the Governor have the command and superintendence of the Brigade and he shall be responsible to the Governor for the efficient conduct and administration of the Brigade and for the proper expenditure of all public moneys appropriated for the service thereof.

- (2) It shall be the duty of the Chief Fire Officer —
- (a) to maintain the discipline of the Brigade;
  - (b) to see that the fire-engines, fire-boats and other fire equipment are kept in good order and thorough repair and are used to the best advantage for fire-fighting purposes;
  - (c) to take cognizance of and to cause prosecutions to be instituted either in his own name or in the name of any officer of the Brigade in respect of offences under the Fire Prevention Ordinance, 1954, or any other law for the prevention of fire;
  - (d) at the close of every financial year, or oftener if required by the Governor, to report to him in writing the condition of the stations, hydrants, hose, vehicles, fire-boats, fire-engines, and all other fire

equipment and property under his charge; the income and expenditure of the Brigade in detail for the previous year; the number of fires and causes thereof, or as near as can be ascertained; the number and description of buildings destroyed or seriously damaged, together with the names of the owners or occupants, all accidents by fire which may be known to him; together with such other information or suggestions as may in his opinion be desirable.

(3) The Chief Fire Officer shall have his headquarters in the city of Georgetown.

16. The Deputy Chief Fire Officer shall act as principal assistant to the Chief Fire Officer in the performance of his duties in respect of the Brigade, and shall have power, during the absence or incapacity of the Chief Fire Officer, or when authorised by him, to do or suffer any act or thing which may by law be done or suffered by the Chief Fire Officer.

Duties of  
Deputy  
Chief Fire  
Officer.

17. (1) The officers of the Brigade shall perform such duties of the Chief Fire Officer as may be legally delegated to them and all such duties as devolve upon them under the regulations.

Duties of  
members of  
Brigade.

(2) The subordinate fire officers and firemen of the Brigade shall perform such duties as devolve upon them under the regulations and such other duties as the Chief Fire Officer may determine.

18. It shall be lawful for the Chief Fire Officer in any case where in his opinion additional assistance is required for fire-fighting purposes to call out for service any auxiliary members of the Brigade and unless the context otherwise requires the provisions of this Ordinance and of the regulations with respect to the powers, immunities, duties and obligations of members of the Brigade shall in relation to auxiliary members apply only to such members as are called out as aforesaid.

Call out of  
auxiliary  
members.

19. (1) Where any auxiliary member of the Brigade through no fault of his own, contracts any illness, or sustains bodily injury while in the actual discharge of his duties as such, he shall be provided with medicines, medical comforts and medical attendance at the public expense on the written authority of the Chief Fire Officer.

Illness,  
bodily in-  
jury and  
death of  
auxiliary  
members.

(2) Where any auxiliary member of the Brigade sustains bodily injury in the circumstances specified in the preceding subsection, and is permanently disabled (either totally or partially) as a result thereof, the Governor in Council may grant him a pension or gratuity, the amount of which shall be subject to the approval of the Legislative Council.

(3) Where any auxiliary member of the Brigade as a result of the actual discharge of his duties as such and through no fault of his own contracts any illness or sustains any bodily injury and due to such illness or bodily injury suffers any loss of earnings in his normal occupation, the Governor in Council may grant him



compensation therefor, the amount of which shall be subject to the approval of the Legislative Council.

(4) Where the aforesaid bodily injury results in death, the Governor in Council may award to the dependants (including any illegitimate children to whose support the deceased was contributing) a pension or gratuity, the amount of which shall be subject to the approval of the Legislative Council.

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(5) Auxiliary members of the Brigade shall not be regarded as workmen for the purposes of the Workmen's Compensation Ordinance, but the principles of the said Ordinance may be followed in computing compensation granted under the provisions of this Ordinance in respect of permanent disability or death.

Rights of entry for fire-fighting purposes.

20. (1) Any member of the Brigade who is on duty, or any member of the Police Force may enter and if necessary break into any premises or place in which 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.

Control of operations at a fire.

21. At any fire, the senior member of the Brigade present shall have the sole charge and control of all operations for the extinction of the fire, including the fixing of positions of fire engines 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.

Powers of person in control of operations at a fire.

22. On the occasion of a fire the Chief Fire Officer or other member of the Brigade in charge may in his discretion --

- (a) take the command of other persons who may voluntarily place their services at his disposal;
- (b) remove or order any member of the Brigade to remove any person who by his presence interferes with or obstructs the operations of the Brigade;
- (c) employ persons to aid in extinguishing any fire or in removing furniture or goods from any building on fire or in danger of fire, or to guard and secure the same;
- (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 in which a fire may break out;
- (e) generally, take any measures that may appear expedient for the protection of life and property.

Power to destroy property in order to arrest spread of fire.

23. On the occasion of a fire the Chief Fire Officer or other member of the Brigade in charge is hereby empowered if it appears to him necessary for the purpose of arresting the progress of any fire, to order any house or other building, paling or erection to be

pulled down or otherwise destroyed, and he is also empowered to use any water in any tank, cistern or other vessel or receptacle in the neighbourhood of the fire; and no action for damages in respect of anything so done shall be maintainable against the Chief Fire Officer or other member of the Brigade in charge or against any one acting by his authority.

24. The senior officer of the Police Force present at any fire, or in the absence of any such officer the senior member of the Brigade present, may close to traffic any street or may stop or regulate the traffic in any street whenever in the opinion of that officer or member as the case may be it is necessary or desirable to do so for fire-fighting purposes.

Closing of streets at a fire.

25. Any water undertakers shall, on being required by any such member of the Brigade as is mentioned in section 22 of this Ordinance to provide a greater supply and pressure of water for extinguishing a fire, take all necessary steps to enable them to comply with such 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 of the water undertakers with such a requirement.

Duties and immunities of water undertakers.

26. No member of the Brigade acting bona fide in the exercise of the powers conferred upon him under this Ordinance shall be liable for any damage or for any act done under this Ordinance.

Immunities of members of Brigade.

27. Any person who wilfully obstructs or interferes with any member of the Brigade who is engaged in operations for fire-fighting purposes shall be liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Interference with Brigade.

28. Any person who knowingly gives or causes to be given a false alarm of fire to the Brigade or to any unit or member thereof shall be liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

False alarms of fire.

29. Any person who on the occasion of a fire, or with intent to exercise any power conferred by this Ordinance on a member of the Brigade, impersonates or in any way pretends to be a member of the Brigade, shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

Impersonating member of Brigade.

30. Any member of the Brigade who neglects or refuses to serve or refuses to obey any lawful command, shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars.

Insubordination.

31. The Governor in Council may from time to time make regulations relating to all or any of the following matters, that is to say,—

Regulations.

- (a) the admission of members into the Brigade, and the period of service, training, discipline, good conduct, and discharge of the men belonging to the same;
- (b) the scale of issue, and the type of uniform to be worn by, the hours of training and exercise of, and the distribution of duties among, the members of the Brigade;
- (c) the speedy attendance of members of the Brigade with engines, fire escapes, fire-boats and all necessary equipment on the occasion of any alarm of fire;
- (d) for the attendance of members of the Brigade with or without engines, fire escapes, fire-boats and all necessary equipment on the occasion of any call for the special services of the Brigade;
- (e) the maintenance of the Brigade in a due state of efficiency;
- (f) the hours of duty and leave of absence of members of the Brigade;
- (g) the ranks, pay, and allowances of members of the Brigade;
- (h) appeals with respect to dismissal of or disciplinary action against members of the Brigade;
- (i) promotion to any rank in the Brigade;
- (j) generally for the better carrying out of the provisions of this Ordinance.

Repeal, sav-  
ings and  
substitu-  
tions.  
Cap. 80.

32. (1) The Auxiliary Fire Brigade Ordinance is hereby repealed:

Provided that the repeal of the said Ordinance shall in no way affect the validity of anything lawfully done thereunder, and all rights and liabilities lawfully arising thereunder shall continue as if this Ordinance had never been enacted.

(2) Where in any Ordinance, rule, regulation or order of the Governor or the Governor in Council enacted or made as the case may be prior to the appointed day there is contained any reference to the Superintendent of the Georgetown Fire Brigade there shall be substituted therefor a reference to the Chief Fire Officer and where in any such Ordinance, rule, regulation or order aforesaid there is contained any reference to the Deputy Superintendent of the Georgetown Fire Brigade, there shall be substituted therefor a reference to the Deputy Chief Fire Officer.

(3) Where in any Ordinance, rule, regulation or order of the Governor or the Governor in Council enacted or made as the case may be prior to the appointed day there is contained any reference to the New Amsterdam Fire Brigade there shall be substituted therefor a reference to the unit of the Brigade constituted under this Ordinance in respect of the town of New Amsterdam, and where in any such Ordinance, rule, regulation or order aforesaid there is contained any reference to the officer in charge of the New Amsterdam Fire Brigade there shall be substituted therefor a reference to the officer in charge of such unit.

(4) This section shall come into operation on the appointed day.

33. (1) Subsections (7) and (8) of section 206, sections 207, 208, paragraph (f) of section 226 of, and Part VII of the sixth

Repeal and  
saving.



schedule to, the Georgetown Town Council Ordinance, and Part XXV of the New Amsterdam Town Council Ordinance, are hereby repealed without prejudice, however, to anything lawfully done or any expenditure lawfully incurred thereunder.

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(2) This section shall come into operation on the appointed day.

### SCHEDULE

#### Section 4.

1. The city of Georgetown as defined in section 4 of the Georgetown Town Council Ordinance, Cap. 152.
2. The town of New Amsterdam as defined in the First Schedule to the New Amsterdam Town Council Ordinance, Cap. 161.