

AUSTRALIAN CAPITAL TERRITORY

Fire Brigade (Administration) (Amendment) Ordinance 1989

No. 3 of 1989

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 22 February 1989.

BILL HAYDEN
Governor-General

By His Excellency's Command,

CLYDE HOLDING
Minister of State for the Arts
and Territories

An Ordinance to amend the *Fire Brigade (Administration) Ordinance 1974*

(Ord. 9/89)—Cat. No.

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Short title

1. This Ordinance may be cited as the *Fire Brigade (Administration) (Amendment) Ordinance 1989*.¹

Principal Ordinance

2. In this Ordinance, “Principal Ordinance” means the *Fire Brigade (Administration) Ordinance 1974*.²

Substitution

3. Section 25 of the Principal Ordinance is repealed and the following section substituted:

Resignation

“25. A member may resign from the Brigade by writing signed by the member and delivered to the Commissioner.”.

Re-appointment of election candidates

4. (1) Section 26 of the Principal Ordinance is amended—

- (a) by adding at the end of subparagraph (1) (a) (i) “or of a Legislative Assembly of a Territory”;
- (b) by omitting from subsections (1), (2) and (3) “may” and substituting “shall”; and
- (c) by inserting after subsection (3) the following subsections:

“(3A) The reference in subsection (1) to the declaration of the result of the election shall, in relation to an election the result of which is challenged, be read as a reference to the determination of the challenge by a court of disputed returns or the lapsing of the challenge, whichever happens first.

“(3B) Where—

- (a) a person who resigned from the Brigade as mentioned in subparagraph (1) (a) (i) was appointed to the Brigade on probation and, at the time of the resignation, the person’s appointment had not been confirmed; and
- (b) the person is re-appointed to the Brigade under this section;

section 22 applies in relation to the person as if the person had not resigned but, for the purpose of calculating periods for the purposes of

that section, the period between the person's resignation and the re-appointment under this section shall be disregarded.”.

(2) Section 26 of the Principal Ordinance as amended by subsection (1) applies in relation to any resignation of a person before the commencement of this section, in order to become a candidate at an election, unless the result of the election was declared earlier than 2 months before that commencement.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1 March 1989.
2. No. 52, 1974 as amended by Nos. 4, 10 and 38, 1975; No. 46, 1978; No. 38, 1980; No. 21, 1982.