

THE COUNTRY FIRES ACT  
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SCHEDULE

## THE COUNTRY FIRES ACT

[5th March, 1942.]

Cap. 81.  
Law  
47 of 1955.  
Acts  
6 of 1968,  
17 of 1982  
3rd Sch.,  
31 of 1995  
S. 4.

1. This Act may be cited as the Country Fires Act.

Short title.

2. In this Act—

Interpretation.

“clear days” shall be reckoned exclusive of the day on which any notice is served and of the day on which any act mentioned in such notice is to be done;

“crop” means any crop, tree, wood or underwood, or other produce of the soil, whether cultivated or not, which is growing in or upon any land;

“occupier” means the person having the immediate charge or management of any land or plantation;

“forest officer” means any forest officer appointed under the Forest Act;

47/1955  
S. 2.

“agricultural officer” means any agricultural officer appointed for the purposes of section 7 by the Minister by notice published in the *Gazette*, and includes any agricultural extension officer employed by the Rural Agricultural Development Authority established under the Rural Agricultural Development Authority Act;

6/1968  
S. 3 (2) &  
Sch.

“agricultural warden” means any agricultural warden appointed under the Praedial Larceny (Prevention) Act;

17/1982  
3rd Sch.

“trash” includes any dried cane leaves, megass, straw, brushwood, cut-plant or other inflammable material;

“adjoining land” means any land abutting on or adjoining any other land, not occupied by the same person, on which it is intended to set fire to any trash, and includes any such land notwithstanding the interposition of a road, path, interval, or trace, whether public or private, or a river or watercourse.

Setting fire  
to crop.

3. Every person who sets fire to any crop shall be guilty of an offence against this Act:

Provided that fire may be set, subject to the provisions of sections 4 and 5, to growing sugar cane for the purpose of ridding it of any vine or other pest.

Setting fire  
to trash.  
47/1955  
S. 3(a) & (b).

4.—(1) Every person who sets fire to any trash on any land, unless the occupier of such land first—

(a) serves on the officer or sub-officer in charge of the nearest police station and the occupiers of all adjoining lands the nearest boundaries of which lie within half a mile of the place where it is intended to set fire to such trash, notice of his intention to set fire to such trash on the dates, not exceeding seven, specified in such notice; and

(b) clears an open space of at least fifteen feet in width round such trash and removes from such open space all inflammable material or other matter likely to burn,

shall be guilty of an offence against this Act.

(2) Every notice under paragraph (a) of subsection (1) shall be served three clear days at least before the first of the dates specified in the notice. Every such notice may be served—

(a) in the case of an adjoining occupier, either personally or by leaving it at the residence of the adjoining occupier with some person actually residing therein or, if no such person can be found, by affixing the notice on some open and conspicuous place on the adjoining land; and

(b) in the case of an officer or sub-officer of police, either personally or by leaving it at the police station with any constable stationed there.

47/1955  
S. 3(c).

## 5. Every person who—

- (a) sets fire to any trash between the hours of six in the evening and six in the morning; or
- (b) leaves unattended any fire he may have lit or used in the open air before it is thoroughly extinguished,
- shall be guilty of an offence against this Act.

Fires during night or unattended, prohibited.

6. The Minister may by order from time to time prohibit, within such parts of the Island and for such period as may be specified in such order, the setting of fire to any trash without a permit.

Power of Minister to prohibit setting fire to trash. 47/1955 S. 4.

7.—(1) Application for such permit as is mentioned in section 6 shall be in the form set out as Form I in the Schedule and may be made to either—

Application for permit. Schedule. 47/1955 S. 5(a).

- (a) an agricultural officer; or
- (b) a forest officer; or
- (c) such other person as the Minister may by order appoint.

(2) For the purposes of this section the Minister may from time to time by notice in the *Gazette* appoint such officers of his department, as he may think fit, to be agricultural officers.

47/1955 S. 5(b). 6/1968 S. 3(2) and Sch.

(3) Any such person as is set out in subsection (1) may grant such application and issue the permit, which shall be in the form set out as Form II in the Schedule, if satisfied—

- (a) that for special reason it is necessary that the permit should be issued; and
- (b) that the applicant has prior to the issue of the permit complied with the requirements of section 4.