



Bush Fires Act (1954): Lit fire likely to injure/damage Section 32

- (1) In this section – *property* means personal or real property, including Crown land, and includes the bush and fauna.
- (2) A person who:
 - (a) Wilfully lights or causes to be lit or attempts to light a fire; or
 - (b) Places a match or other flammable or combustible substance, matter or thing in a position so that it may directly or indirectly be ignited by the rays of the sun or by friction or other means, or be exploded or set on fire, or whereby a fire may be lit or caused,

And with the intent to cause a fire,

Under such circumstances as to be likely to injure or damage a person or property, whether the fire be caused or not, is guilty of a crime.

- Penalty: Imprisonment for 20 years.
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Criminal Code: Criminal Damage by Fire Section 444

- 444(1) Any person who wilfully and unlawfully destroys or damages any property is guilty of a crime and is liable
 - (a) If the property is destroyed or damaged by fire, to life imprisonment; or

Section 444A Criminal Code

Duty of person in control of ignition source of fire

- (1) It is the duty of a person who has charge of or is in control of a source of ignition to use reasonable care and take reasonable precautions to avoid lighting a fire that destroys or may destroy or cause damage to property that the person is not entitled to damage or destroy; and the person is held to have caused any destruction or damage to that property by reason of any omission to perform that duty.
- (2) It is the duty of a person who has charge of or is in control of a fire to use reasonable care and take reasonable precautions to contain that fire so that it does not destroy or damage property that the person is not entitled to damage or destroy; and the person is held to have caused any destruction or damage to that property by reason of any omission to perform that duty.
- (3) A person does not breach a duty imposed by this section if the fire does not spread beyond the capacity of the person to extinguish it.
- (4) Property that is capable of being destroyed or damaged by fire includes vegetation.