



Australian Capital Territory

# Emergencies Amendment Act 2018

A2018-49

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Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

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Australian Capital Territory

# Emergencies Amendment Act 2018

**A2018-49**

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An Act to amend the *Emergencies Act 2004*

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

**1 Name of Act**

This Act is the *Emergencies Amendment Act 2018*.

**2 Commencement**

This Act commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

**3 Legislation amended**

This Act amends the *Emergencies Act 2004*.

**4 Constitution of SEMSOG  
Section 142 (1) (a)**

*substitute*

- (a) the director-general of each administrative unit; and
- (aa) the under treasurer; and

**5 New section 142 (4)**

*insert*

- (4) In this section:

*under treasurer*—see the *Financial Management Act 1996*, dictionary.

**6 Functions of SEMSOG  
Section 143**

*before*

emergency management

*insert*

security and

**7 New section 143 (3) (ba)**

*insert*

- (ba) to support the Minister in the preparation of an emergency sub-plan;

**8 Section 148**

*substitute*

**148 Emergency sub-plans**

- (1) The Minister may make a plan for a hazard specific emergency for the ACT (an *emergency sub-plan*).

**Examples—hazard specific emergency**

- terrorist attack
- flood emergency
- storm emergency
- bushfire emergency
- urban fire emergency
- chemical or hazardous material incident
- disease or epidemic emergency

- (2) An emergency sub-plan may provide a basis for coordination of—
- (a) emergency service agencies; and
  - (b) Territory, Commonwealth and State agencies; and
  - (c) other entities.
- (3) An emergency sub-plan must not be inconsistent with the emergency plan.

**9 Community communication and information plan  
Section 149 (1)**

*substitute*

- (1) The Minister must make a community communication and information plan for communicating information to the community during an emergency.

**10 Appointment of emergency controller—no declared state of emergency  
Section 150A (2), new note**

*insert*

*Note 3* If the Chief Minister is absent from duty or otherwise unable to exercise the powers of Chief Minister, the Deputy Chief Minister acts as Chief Minister (see *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 44).

**11 New section 150A (2A)**

*insert*

- (2A) The [Legislation Act](#), division 19.3.3 (Appointments—Assembly consultation) does not apply to an appointment under this section.

**12 Section 150A (4)**

*substitute*

- (4) The appointment of a person for an emergency under this section ends on the earliest of the following occurring:
- (a) the appointment is revoked;
  - (b) the person is taken to be the emergency controller for a declared state of emergency under section 159 (2);

- (c) another person is appointed to be the emergency controller for a declared state of emergency under section 159 (3);
- (d) 7 days have elapsed since the day the appointment was made.

**13 Functions of emergency controller—no declared state of emergency  
Section 150B (3)**

*after*

emergency plan

*insert*

and any relevant emergency sub-plan

**14 Declaration of state of emergency  
Section 156 (2), new note**

*insert*

*Note* If the Chief Minister is absent from duty or otherwise unable to exercise the powers of Chief Minister, the Deputy Chief Minister acts as Chief Minister (see [Australian Capital Territory \(Self-Government\) Act 1988](#) (Cwlth), s 44).

**15 Appointment of emergency controller for declared state of emergency  
Section 159, new note**

*insert*

*Note 3* If the Chief Minister is absent from duty or otherwise unable to exercise the powers of Chief Minister, the Deputy Chief Minister acts as Chief Minister (see [Australian Capital Territory \(Self-Government\) Act 1988](#) (Cwlth), s 44).

**16 New section 159 (2) to (4)**

*after the notes, insert*

- (2) If a person is appointed as the emergency controller for an emergency under section 150A, the person is taken to be the emergency controller for the emergency under this section.
- (3) However, the Chief Minister may appoint someone else to be the emergency controller for the emergency.
- (4) The [Legislation Act](#), division 19.3.3 (Appointments—Assembly consultation) does not apply to an appointment under this section.

**17 Functions of emergency controller  
Section 160 (3)**

*after*

emergency plan

*insert*

and any relevant emergency sub-plan

**18 Dictionary, new definition of *emergency sub-plan***

*insert*

***emergency sub-plan***—see section 148.



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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 25 October 2018.

**2 Notification**

Notified under the [Legislation Act](#) on 6 December 2018.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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I certify that the above is a true copy of the Emergencies Amendment Bill 2018, which was passed by the Legislative Assembly on 27 November 2018.

Clerk of the Legislative Assembly

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