

# Emergencies (Security and Emergency Management Senior Officials Group) Appointment 2018 (No 1)

## Disallowable Instrument DI2018–121

made under the

*Emergencies Act 2004*, s 142 (2) (Constitution of SEMSOG)

## EXPLANATORY STATEMENT

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Section 141 of the *Emergencies Act 2004* (the Act) establishes the Security and Emergency Management Senior Officials Group (SEMSOG) to provide for liaison between entities in relation to emergency management. The SEMSOG is the primary mechanism for ensuring cooperation and coordination of activities between agencies in planning for, and responding to, emergencies.

Section 142(1) of the Act establishes the membership of SEMSOG as follows:

- a) The Director-General, Justice and Community Safety Directorate
- b) The Commissioner of the Emergency Services Agency
- c) The Chief Officer, Ambulance
- d) The Chief Officer, Fire and Rescue
- e) The Chief Officer, Rural Fire Service
- f) The Chief Officer, SES
- g) The Chief Police Officer
- h) The Chief Health Officer
- i) Other members appointed under section 142(2).

Section 142(2) of the Act empowers the Minister to appoint other members to the SEMSOG.

This instrument sets out the appointments to the SEMSOG under section 142(2).

Clauses 1 and 2 of the instrument are formal provisions dealing with the name and commencement of the instrument.

Clause 3 appoints other members to the SEMSOG.

Section 207(1)(b) of the *Legislation Act 2001* allows an appointer to make an appointment by nominating the occupant of a position, however that position may be described.

This clause lists the positions to be appointed to the SEMSOG. They are appointed because either:

- they are a recognised lead agency under the ACT Emergency Plan; and/or
- they have strategic decision making responsibility for their agency; and/or
- they are subject matter experts, and their attendance at SEMSOG meetings is to provide advice on issues within their area of expertise in order to assist SEMSOG in its strategic decision making.

Division 19.3.3 of the *Legislation Act 2001* sets out certain requirements for appointments by a Minister. Importantly for this instrument, Division 19.3.3 requires consultation with the Standing Committee for the appointment of non-ACT public servants, and requires the appointment to be made by way of Disallowable Instrument.

The Chief Executive Officer, ActewAGL, and the Managing Director, Icon Water, are non-ACT public servants and their appointments to the SEMSOG triggers the requirements under Division 19.3.3.

The Standing Committee on Justice and Community Safety was consulted on the appointment of the Chief Executive Officer, ActewAGL, and the Managing Director, Icon Water. The Committee advised that it had no recommendation/comment to make in relation to these appointments.

Clause 4 is a formal provision revoking the previous instrument of appointment for other members of SEMSOG.