

2006

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Steve Pratt)

Emergencies Amendment Bill 2006

A Bill for

An Act to amend the *Emergencies Act 2004*

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

1 Name of Act

This Act is the *Emergencies Amendment Act 2006*.

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 Gifts and donations
Section 182 heading**

substitute

182 Gifts and donations—emergency services generally

5 New section 182 (4A)

insert

(4A) This section is subject to section 182A (Donations—rural fire brigades and SES operational units).

6 New section 182A

in part 7.5, insert

182A Donations—rural fire brigades and SES operational units

(1) This section applies to donations of money—

(a) to a rural fire brigade, or to a member of a rural fire brigade for the rural fire brigade; or

(b) to an SES operational unit, or to a member of an SES operational unit for the SES operational unit.

Note A member of an emergency service includes a volunteer or casual volunteer in relation to the service (see dict, def *member*).

(2) A responsible member of the relevant brigade or unit must ensure that the money is held and applied for any of the following purposes:

(a) for money donated to a rural fire brigade or a member of a rural fire brigade—

(i) the services of the brigade; or

(ii) equipment or training for the brigade; or

(iii) the day-to-day operations of the brigade;

(b) for money donated to an SES operational unit or a member of an SES operational unit—

(i) the services of the unit; or

(ii) equipment or training for the unit; or

(iii) the day-to-day operations of the unit.

(3) The responsible member must maintain a banking account in which donations not immediately applied in accordance with subsection (2) must be kept.

(4) The auditor-general may audit the accounts and records in relation to money held or applied, and any bank account maintained, under this section.

Note The auditor-general may prepare a report for the Legislative Assembly on any matter arising in connection with the audit (see *Auditor-General Act 1996*, s 17).

- 1 (5) To avoid any doubt—
- 2 (a) money held or applied under this section is not public money;
- 3 and
- 4 (b) the *Financial Management Act 1996* does not apply to money
- 5 held or applied, or a banking account maintained, under this
- 6 section.
- 7 (6) In this section:
- 8 ***relevant brigade or unit***, means—
- 9 (a) for a donation to a rural fire brigade or a member of the rural
- 10 fire brigade—that brigade; and
- 11 (b) for a donation to an SES operational unit or a member of the
- 12 SES operational unit—that operational unit.
- 13 ***responsible member***, of a rural fire brigade or SES operational unit,
- 14 means a member of the brigade or unit elected by the members of
- 15 the brigade or unit to ensure that donations of money are held and
- 16 applied in accordance with this section.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2006.

2 Notification

Notified under the Legislation Act on 2006.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.