

2012

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Emergencies (Commissioner Directions) Amendment Bill 2012

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Emergencies (Commissioner Directions) Amendment Bill 2012

A Bill for

An Act to amend the *Emergencies Act 2004*

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

- 1 **1 Name of Act**
- 2 This Act is the *Emergencies (Commissioner Directions) Amendment*
3 *Act 2012*.
- 4 **2 Commencement**
- 5 This Act commences on the day after its notification day.
- 6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see Legislation Act, s 75 (1)).
- 8 **3 Legislation amended**
- 9 This Act amends the *Emergencies Act 2004*.
- 10 **4 Emergency services commissioner**
11 **New section 7 (2)**
- 12 *after the note, insert*
- 13 (2) However, the director-general may appoint a person under
14 subsection (1) only if the person has the management, professional
15 and technical expertise to exercise the commissioner's functions.
- 16 **5 Commissioner's functions**
17 **Section 8 (1), new note**
- 18 *insert*
- 19 *Note 2* The commissioner may direct a chief officer to undertake response or
20 recovery operations in relation to an emergency (see s 8A).

1 **6 New section 8A**

2 *insert*

3 **8A Directions by commissioner in relation to emergencies**

4 (1) This section applies to an emergency other than one for which an
5 emergency controller is appointed.

6 *Note* Pt 7.3 provides for the management of an emergency for which an
7 emergency controller is appointed or a state of emergency declared.

8 (2) The commissioner may direct a chief officer to undertake response
9 or recovery operations in relation to the emergency.

10 (3) The commissioner may not direct the chief officer to undertake an
11 operation in a particular way.

12 **7 Delegation by commissioner**
13 **New section 12 (2)**

14 *after the note, insert*

15 (2) However, the commissioner may delegate the commissioner's
16 power under section 8A only to a chief officer.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 23 February 2012.

2 Notification

Notified under the Legislation Act on 2012.

3 Republications of amended laws

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

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