

**2009**

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**EMERGENCIES (ESA) AMENDMENT BILL 2009**

**EXPLANATORY STATEMENT**

Authorised by:

Mr Brendan Smyth MLA

# EMERGENCIES (ESA) AMENDMENT BILL 2009

## Overview of Bill

The purpose of this Bill is to establish a statutory authority to manage emergency services in the ACT. This authority will be established in the *Emergencies Act 2004*.

## Notes on key clauses

### Clause 5

This clause implements a new Chapter 2 into the Act. Within this Chapter:

### Section 7

Section 7 establishes the ACT Emergency Services Authority.

### Section 8

Section 8 establishes a governing board to manage the affairs of the authority.

### Section 9

Section 9 provides for a board of seven members. These members will be the chief officer of each of the four emergency services and the chief police officer; in addition, the Minister will appoint two other members, one of whom shall be the chair of the board.

### Section 10

Section 10 provides that the chief executive officer of the authority shall be a non-voting member of the board.

### Section 11

Section sets out the functions to be performed by the authority. These are essentially high level functions, in that the management of each emergency service is the responsibility of the chief officer of each emergency service.

Important functions to be performed by the authority will be to ensure that each emergency service has appropriate management and administration processes in place. As well, the authority will be responsible for implementing programs to make sure that the community is educated about the activities of the emergency services. These education programs also will ensure that people within the community recognise their own responsibilities when preparing for and responding to emergencies.

### Section 12

Section 12 requires the authority to ensure that activities undertaken by the different emergency services use common systems, process and services to the greatest extent possible.

**Section 15**

Section 15 provides the authority with the power to make guidelines for the organisation and operation of the authority and for each of the emergency services.

In situations where the authority considers that guidelines should be notified, these guidelines will be subject to the scrutiny of the appropriate committee of the Legislative Assembly.

**Section 18**

Section 18 provides that the Minister may give directions to the authority.

**Section 20**

Section 20 requires the authority to prepare an annual report.

**Clauses 6 – 17**

These clauses establish that the Executive, after conducting appropriate consultations, will appoint the chief officers of each emergency service. The extent of the consultations shall be as decided by the Executive, taking into account the nature of the position being filled.

The consultations to be undertaken by the Executive may be with relevant people within the ACT public service, from expert groups in the ACT such as the bushfire council, within emergency services in other jurisdictions in Australia, with experts in particular fields and with people from other countries. The purpose of these consultations shall be to ensure that the appointment of the chief officer of each emergency service to be the best available person for that position.

**Clause 18**

Clause 18 provides for the authority to appoint people as deputy chief officers after appropriate consultations have been undertaken.