

Emergency Management (Amendment) Bill

EXPLANATORY MEMORANDUM

PART 1—PRELIMINARY

Clause 1 sets out the purposes of the Act.

Clause 2 provides for the Act to come into operation on Royal Assent.

PART 2—AMENDMENTS TO EMERGENCY MANAGEMENT ACT 1986

Clause 3 amends the purpose clause in the Act.

Clause 4 repeals the definition of “casual emergency worker” and the existing descriptions of prevention, response and recovery in relation to emergencies;

amends the definition of “Emergency”;

corrects the misspelling of the word “siege”;

inserts definitions for “emergency activity”, “emergency area”, “emergency management”, and “volunteer emergency worker”.

Clause 5 inserts revised objectives into the Act.

Clause 6 incorporates the umbrella term “emergency management” into the role statement of the Co-ordinator in Chief.

Clause 7 amends certain names to substitute terms using the word “emergency” in place of the word “disaster”;

amends the title of the Co-ordinator in Chief in the **Country Fire Authority Act 1958**.

Clause 8 provides for the appointment of DISPLAN Co-ordinators according to the revised DISPLAN regional structure.

Clause 9 reduces the degree of detail of information to be included in DISPLAN.

Clause 10 provides that the response roles of various agencies, in incidents other than fires, may be prioritised, either by or at the request of a DISPLAN Co-ordinator.

Clause 11 inserts a new Part into the Act to provide for the management of recovery from emergencies, and provides for a State emergency recovery plan, a co-ordinating agency, a State Co-ordinator and Regional Co-ordinators of Recovery.

Clause 12 requires councils to have emergency management plans, provides for three-yearly audit of such plans, and remakes existing provisions for municipal involvement in emergency management.

Clause 13 repeals the definition of “registered emergency worker”.

Clause 14 repeals the requirement for registration of volunteer emergency workers by the Co-ordinator in Chief, and broadens slightly the circumstances under which compensation can be provided.

Clause 15 provides for return to work programs for injured volunteer emergency workers, to be administered by the Victorian WorkCover Authority, and recoupment of its costs from the Consolidated Fund.

Clause 16 inserts the new term “volunteer emergency worker” ensuring the Minister can sue a third party for injuries caused to a volunteer who has been compensated.

Clause 17 repeals the obsolete definition of “emergency activity”.

Clause 18 provides for the declaration and enforcement of an “emergency area”, sets out the powers of Police, and the offences under the section.

Clause 19 remakes the existing volunteer immunity provision using revised terminology.

PART 3—AMENDMENTS TO VICTORIA STATE EMERGENCY SERVICE ACT 1987

Clause 20 amends terminology for consistency with the **Emergency Management Act 1986**, adds roles under the State emergency response plan to the definition of “emergency operations”, and repeals the definition of “casual emergency worker”.

Clause 21 provides that the functions of the Service can include roles under the State emergency recovery plan.

Clause 22 provides the Director with power to delegate powers conferred by other Acts.

Clause 23 ensures consistency with the **Emergency Management Act 1986** in respect of joint arrangements between municipal councils.

Clause 24 removes references to “casual emergency worker” in respect of volunteers’ immunity, freedom from obstruction and injury/property compensation.

Clause 25 substitutes the term “volunteer emergency worker” for “casual emergency worker” in respect to insurance coverage of incidental property damage caused by VICSES personnel.

Clause 26 provides for injured members and probationary members of VICSES the same return to work programs for volunteers as under the **Emergency Management Act 1986**.