

# 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**.