

Passed by both Houses



New South Wales

# State Emergency Service Amendment Bill 2009

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*I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2009*



New South Wales

## **State Emergency Service Amendment Bill 2009**

Act No , 2009

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An Act to amend the *State Emergency Service Act 1989* to change the title of the head of the State Emergency Service, to make provision for the handling of tsunamis and to make further provision in relation to the appointment of local and unit controllers; and for other purposes.

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*I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.*

*Assistant Speaker of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *State Emergency Service Amendment Act 2009*.

**2 Commencement**

This Act commences on the date of assent to this Act.

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## **Schedule 1      Amendment of State Emergency Service Act 1989 No 164**

### **[1]    Section 3 Definitions**

Omit the definitions of *Deputy Director-General* and *Director-General* from section 3 (1):

Insert instead:

*Commissioner* means the Commissioner of the State Emergency Service holding office as such under the *Public Sector Employment and Management Act 2002*.

*Deputy Commissioner* means the Deputy Commissioner of the State Emergency Service holding office as such under the *Public Sector Employment and Management Act 2002*.

### **[2]    Section 3 (3)**

Insert after section 3 (2):

(3) Notes included in this Act do not form part of this Act.

### **[3]    The whole Act (except Schedule 1 and except where otherwise amended by this Schedule)**

Omit “Director-General” wherever occurring. Insert instead “Commissioner”.

### **[4]    Section 8 Functions of Service**

Omit “floods and storms” from section 8 (1) (aa).

Insert instead “floods, storms and tsunamis”.

### **[5]    Section 8 (1) (c)**

Insert after section 8 (1) (b):

(c) to act as the combat agency for dealing with tsunamis and to co-ordinate the evacuation and welfare of affected communities,

### **[6]    Sections 12 (1), 13 and 21 (1)**

Omit “Director-General’s”, wherever occurring.

Insert instead “Commissioner’s”.

### **[7]    Section 12 Planning and preparation by Commissioner**

Omit “floods and storms” from section 12 (3).

Insert instead “floods, storms and tsunamis”.

**[8] Section 19 Emergencies to which Part applies**

Omit section 19 (a). Insert instead:

- (a) an emergency referred to in section 8 (1) (a), (b) or (c) relating to a flood, storm or tsunami, or

**[9] Part 5A State Emergency Service Fund**

Omit “Director-General” wherever occurring. Insert instead “Commissioner”.

**[10] Section 25A Certain damage to be covered by insurance**

Insert “, tsunami” after “storm” in section 25A (1) (b).

**[11] Schedule 1 Savings, transitional and other provisions**

Insert at the end of clause 1 (1):

*State Emergency Service Amendment Act 2009*

**[12] Schedule 1**

Insert at the end of the Schedule with appropriate Part and clause numbering:

**Part Provisions consequent on enactment of  
State Emergency Service Amendment Act  
2009**

**Definition**

In this Part:

*amending Act* means the *State Emergency Service Amendment Act 2009*.

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## **Schedule 2    Amendment of other Acts**

### **2.1    Public Finance and Audit Act 1983 No 152**

#### **Schedule 3 Departments**

Omit “Director-General” from Column 2 of the matter relating to the State Emergency Service.

Insert instead “Commissioner”.

### **2.2    State Emergency and Rescue Management Act 1989 No 165**

#### **Section 43 Composition of Board**

Omit “Director-General” from section 43 (1) (b).

Insert instead “Commissioner”.