

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to establish the SES Volunteer Joint Consultative Council (the Consultative Council). The Consultative Council will advise and report to the Commissioner of the State Emergency Service (the Commissioner) on matters relevant to volunteer members of SES units. The Bill also makes provision in relation to the membership and procedure of the Consultative Council.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of State Emergency Service

Act 1989 No 164

Schedule 1 [3] inserts Part 5B (proposed sections 24Z–24ZC) into the State Emergency Service Act 1989 (the principal Act). Proposed section 24Z provides for

Explanatory note page 2

State Emergency Service Amendment (Volunteer Consultative Council) Bill 2010

Explanatory note

the establishment of the Consultative Council. Proposed section 24ZA provides for the Consultative Council to consist of 7 members, being the Commissioner, 3 staff members of the State Emergency Service appointed on the recommendation of the Commissioner, the President of the New South Wales State Emergency Service Volunteers Association Incorporated and 2 persons appointed on the recommendation of that Association (with one of those persons being a volunteer officer who is a deputy to a region controller or is a local controller or unit controller).

Proposed section 24ZB provides that the Consultative Council has the function of advising and reporting to the Commissioner on any matter relevant to volunteer members of SES units. Proposed section 24ZC requires certain membership information to be included in the annual report of the State Emergency Service.

Schedule 1 [7] inserts Schedule 3 into the principal Act. Schedule 3 makes provision in relation to the terms of office of the members of the Consultative Council appointed by the Minister, remuneration of members, the appointment of deputies of members, vacancies in office, the Chair of the Consultative Council and other matters relating to the constitution of the Consultative Council. Schedule 3 also makes provision in relation to the procedure of the Consultative Council including matters such as requirements for a quorum, voting, subcommittees and the minutes of meetings.

Schedule 1 [1] inserts a definition of Consultative Council into the principal Act.

Schedule 1 [2] provides that SES expenditure includes recurrent expenditure incurred during the year in respect of the administrative costs of the Consultative Council. Part 5A of the principal Act requires the Minister to prepare an estimate of SES expenditure for each financial year, provides for the payment of SES contributions to meet SES expenditure and allows for payments to be made in respect of SES expenditure.

Schedule 1 [4] and [5] provide for protection from personal liability for members of the Consultative Council in relation to the exercise of the functions of the Consultative Council (provided that the matter or thing in question was done in good faith).

Schedule 1 [6] enables regulations of a savings or transitional nature to be made as a consequence of the enactment of the proposed Act.

Schedule 2 Amendment of Freedom of Information

Regulation 2005

Schedule 2 makes an amendment to ensure that the Consultative Council is taken to

be included in the State Emergency Service (rather than being treated as a separate entity) for the purposes of complying with the requirements contained in the Freedom of Information Act 1989.