

**STATE EMERGENCY SERVICES AND CIVIL DEFENCE
(AMENDMENT) BILL, 1980**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the State Emergency Services and Civil Defence Act, 1972 ("the Act"), so as—

- (a) to provide that the Commissioner of Police is to hold office as the Director of State Emergency Services and Civil Defence (Schedule 1 (2)—proposed section 5A);
 - (b) to vary the meaning of the expression "officer" in the Act, so that it covers the Director, members of the Public Service engaged in the administration of the Act, nominated members of the Police Force and volunteer officers appointed under the Act (Schedule 1 (1) (b) and (2)—proposed section 5B);
 - (c) to provide that the Act, as proposed to be amended, does not affect the functions of any person or body, except where directions given under the Act are to be complied with (Schedule 1 (3)—proposed section 22A);
 - (d) to require the Director to make an annual report to the Minister for presentation to Parliament (Schedule 1 (4)—proposed section 26); and
 - (e) to make other provisions of a minor, consequential or ancillary nature.
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STATE EMERGENCY SERVICES AND CIVIL DEFENSE
JANUARY 1980

EXPLANATORY NOTES

- (1) The explanatory notes refer to the bill as introduced into Parliament.
- (2) The subject matter of this bill is to provide for the emergency services and civil defense of the State.
- (3) The bill is to be read with the Government of India Act, 1950, as amended, and the Government of India (Amendment) Act, 1952, as amended.
- (4) In any emergency, the Government may, by order, direct that the provisions of this bill shall apply to any territory in which the Government is exercising its powers.
- (5) The bill is to be read with the Government of India Act, 1950, as amended, and the Government of India (Amendment) Act, 1952, as amended.
- (6) The bill is to be read with the Government of India Act, 1950, as amended, and the Government of India (Amendment) Act, 1952, as amended.
- (7) The bill is to be read with the Government of India Act, 1950, as amended, and the Government of India (Amendment) Act, 1952, as amended.
- (8) The bill is to be read with the Government of India Act, 1950, as amended, and the Government of India (Amendment) Act, 1952, as amended.
- (9) The bill is to be read with the Government of India Act, 1950, as amended, and the Government of India (Amendment) Act, 1952, as amended.
- (10) The bill is to be read with the Government of India Act, 1950, as amended, and the Government of India (Amendment) Act, 1952, as amended.

**STATE EMERGENCY SERVICES AND CIVIL
DEFENCE (AMENDMENT) BILL, 1980**

No. , 1980.

A BILL FOR

An Act to amend the State Emergency Services and Civil Defence Act, 1972, in relation to the office of Director of State Emergency Services and Civil Defence and the persons who are to be officers for the purposes of the Act, and for certain other purposes.

[MR CRABTREE—27 March, 1980.]

State Emergency Services and Civil Defence (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the “State Emergency Services Short title. and Civil Defence (Amendment) Act, 1980”.

2. (1) This section and section 1 shall commence on the date Commence-
of assent to this Act. ment.

 (2) Except as provided in subsection (1), this Act shall
10 commence on such day as may be appointed by the Governor in
respect thereof and as may be notified by proclamation published
in the Gazette.

3. The State Emergency Services and Civil Defence Act, 1972, Amendment
is amended in the manner set forth in Schedule 1. of Act No.
11, 1972.

15

SCHEDULE 1.

Sec. 3.

**AMENDMENTS TO THE STATE EMERGENCY SERVICES AND CIVIL
DEFENCE ACT, 1972.**

(1) (a) Section 3, definition of “Director”—

Omit the definition, insert instead :—

20

“Director” means the Director of State Emergency
Services and Civil Defence under section 5A;

State Emergency Services and Civil Defence (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STATE EMERGENCY SERVICES AND CIVIL DEFENCE ACT, 1972—*continued.*

(b) Section 3, definition of "officer"—

5 Omit the definition, insert instead :—
"officer" means—

- (a) the Director;
- 10 (b) an officer or temporary employee of the Public Service engaged in the administration of this Act;
- (c) a member of the Police Force for the time being nominated under section 5B; or
- 15 (d) a person appointed under section 8 (1);

(2) Sections 5A, 5B—

After section 5, insert :—

20 5A. (1) There shall be a Director of State Emergency Services and Civil Defence, who shall be the person for the time being holding office as Commissioner of Police.

Director of State Emergency Services and Civil Defence.

25 (2) Without limiting the generality of any provisions of the Police Regulation Act, 1899, a reference in that Act to the powers, authorities, duties and functions of the Commissioner of Police includes a reference to the powers, authorities, duties and functions of the Director.

30 5B. The Director may, with the approval of the Minister, nominate members of the Police Force specified or described in the instrument of nomination to be officers for the purposes of this Act, and may, with the approval of the Minister, revoke any such nomination.

Nomination of members of Police Force as officers.

State Emergency Services and Civil Defence (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STATE EMERGENCY SERVICES AND CIVIL DEFENCE ACT, 1972—*continued.*

(3) Section 22A—

5 After section 22, insert :—

22A. Except as provided by section 22, nothing in this Act limits any powers, authorities, duties or functions that would be or would have to be exercised or performed by any person or body if this Act had not been enacted. Exercise of other functions not affected.

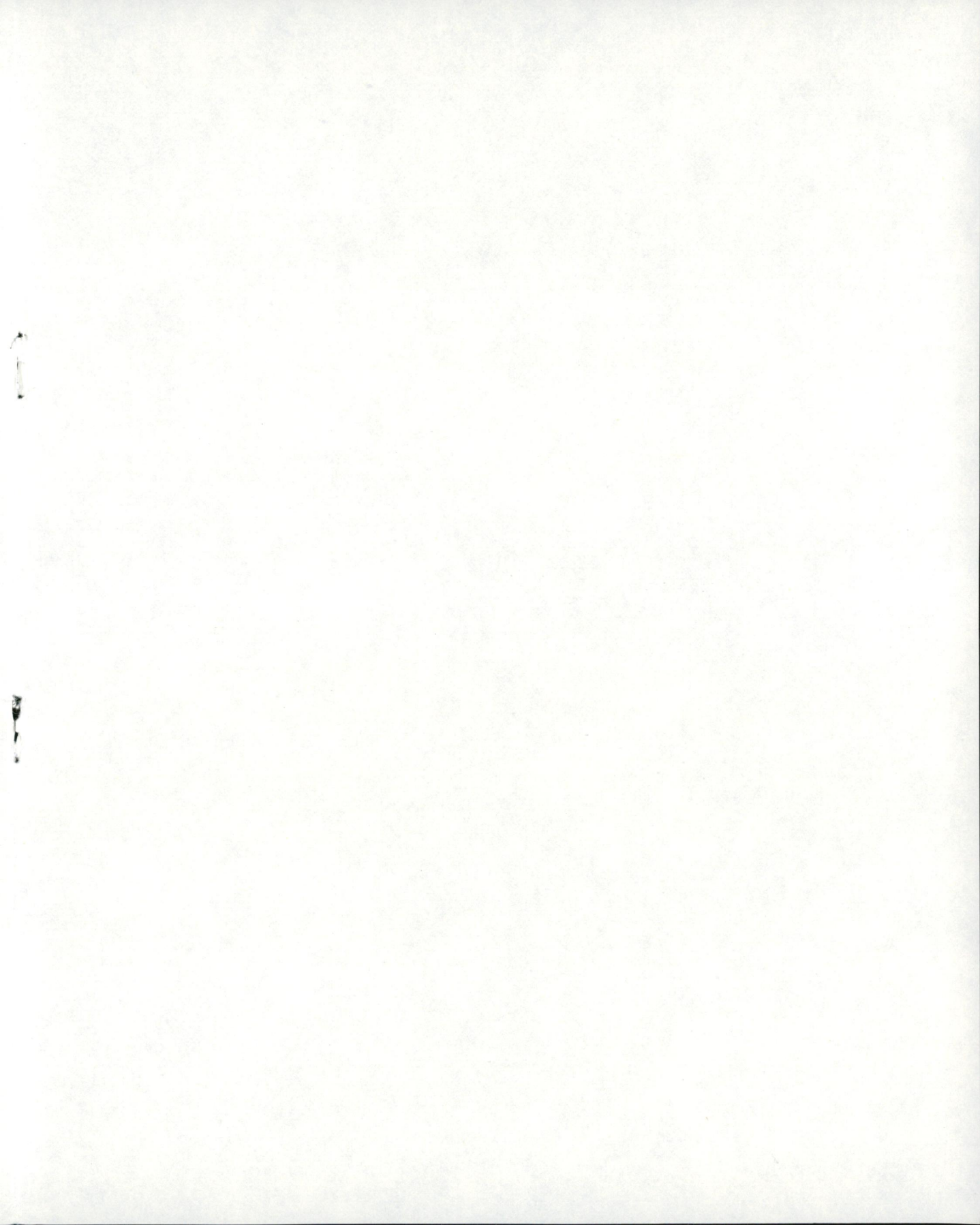
10 (4) Section 26—

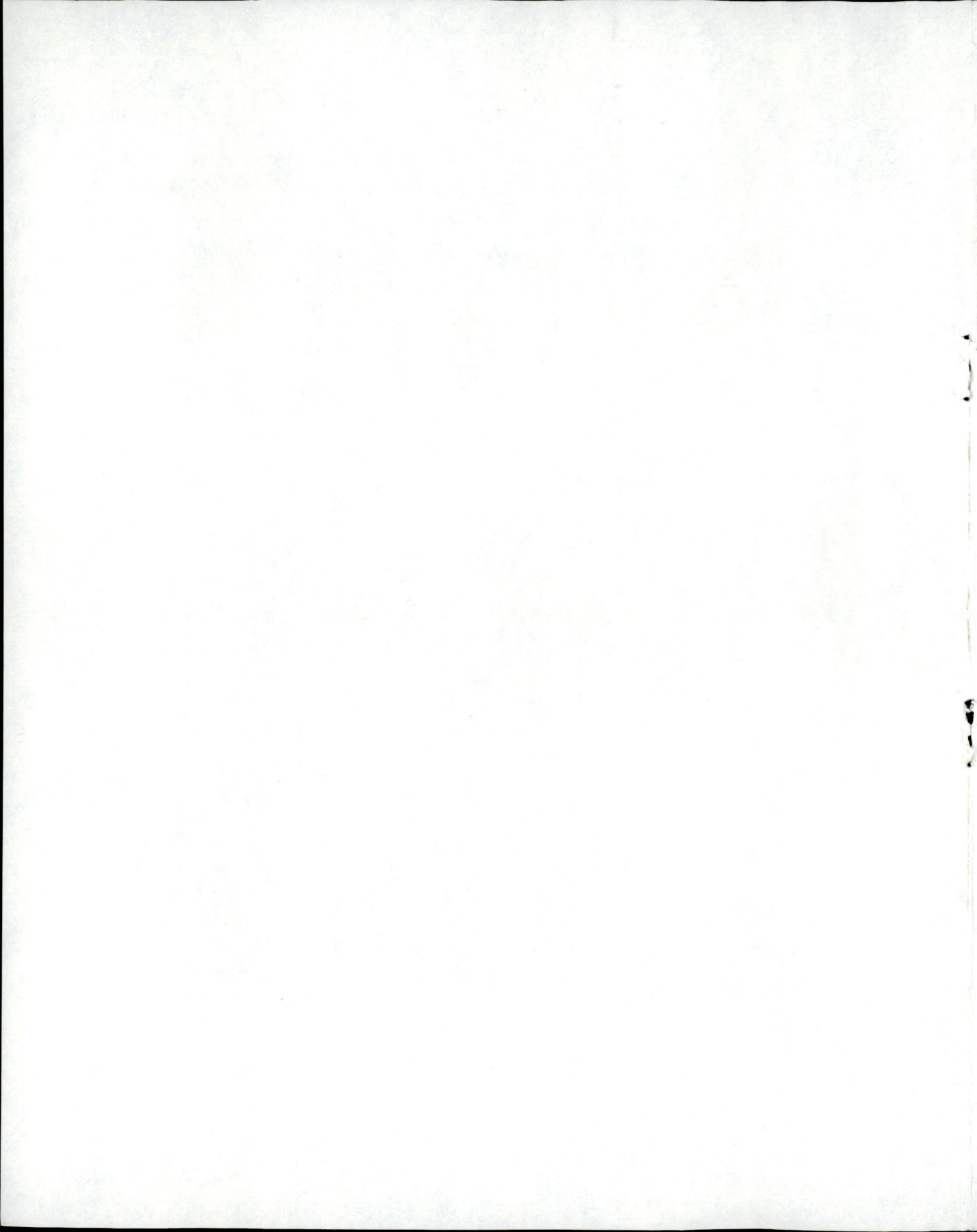
Omit the section, insert instead :—

15 26. The Director shall, as soon as practicable after 30th June, but on or before 30th September, in each year, cause a report giving information as to the administration and operation of this Act during the year ending on that 30th June to be prepared and forwarded to the Minister for presentation to Parliament. Annual report.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980





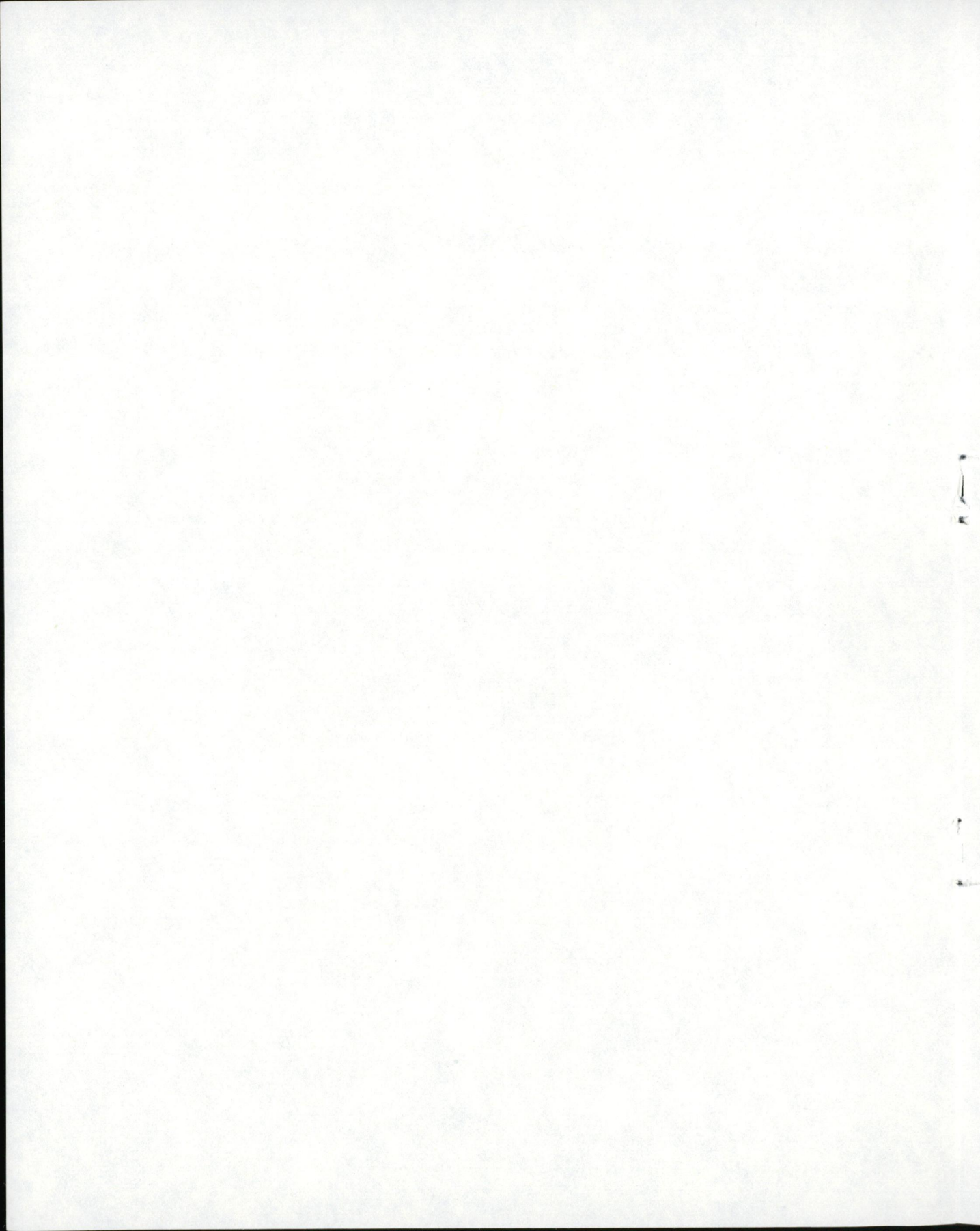
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(AMENDMENT) BILL, 1980**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the State Emergency Services and Civil Defence Act, 1972 ("the Act"), so as—

- (a) to provide that the Commissioner of Police is to hold office as the Director of State Emergency Services and Civil Defence (Schedule 1 (2)—proposed section 5A);
 - (b) to vary the meaning of the expression "officer" in the Act, so that it covers the Director, members of the Public Service engaged in the administration of the Act, nominated members of the Police Force and volunteer officers appointed under the Act (Schedule 1 (1) (b) and (2)—proposed section 5B);
 - (c) to provide that the Act, as proposed to be amended, does not affect the functions of any person or body, except where directions given under the Act are to be complied with (Schedule 1 (3)—proposed section 22A);
 - (d) to require the Director to make an annual report to the Minister for presentation to Parliament (Schedule 1 (4)—proposed section 26); and
 - (e) to make other provisions of a minor, consequential or ancillary nature.
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**STATE EMERGENCY SERVICES AND CIVIL
DEFENCE (AMENDMENT) BILL, 1980**

No. , 1980.

A BILL FOR

An Act to amend the State Emergency Services and Civil Defence Act, 1972, in relation to the office of Director of State Emergency Services and Civil Defence and the persons who are to be officers for the purposes of the Act, and for certain other purposes.

[MR CRABTREE—27 *March*, 1980.]

State Emergency Services and Civil Defence (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STATE EMERGENCY SERVICES AND CIVIL DEFENCE ACT, 1972—*continued.*

(b) Section 3, definition of "officer"—

5 Omit the definition, insert instead :—

"officer" means—

(a) the Director;

10 (b) an officer or temporary employee of the Public Service engaged in the administration of this Act;

(c) a member of the Police Force for the time being nominated under section 5B; or

15 (d) a person appointed under section 8 (1);

(2) Sections 5A, 5B—

After section 5, insert :—

20 5A. (1) There shall be a Director of State Emergency Services and Civil Defence, who shall be the person for the time being holding office as Commissioner of Police. Director of State Emergency Services and Civil Defence.

25 (2) Without limiting the generality of any provisions of the Police Regulation Act, 1899, a reference in that Act to the powers, authorities, duties and functions of the Commissioner of Police includes a reference to the powers, authorities, duties and functions of the Director.

30 5B. The Director may, with the approval of the Minister, nominate members of the Police Force specified or described in the instrument of nomination to be officers for the purposes of this Act, and may, with the approval of the Minister, revoke any such nomination. Nomination of members of Police Force as officers.

State Emergency Services and Civil Defence (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STATE EMERGENCY SERVICES AND CIVIL
DEFENCE ACT, 1972—*continued.*

(3) Section 22A—

5 After section 22, insert :—

22A. Except as provided by section 22, nothing in this Act limits any powers, authorities, duties or functions that would be or would have to be exercised or performed by any person or body if this Act had not been enacted. Exercise of other functions not affected.

10 (4) Section 26—

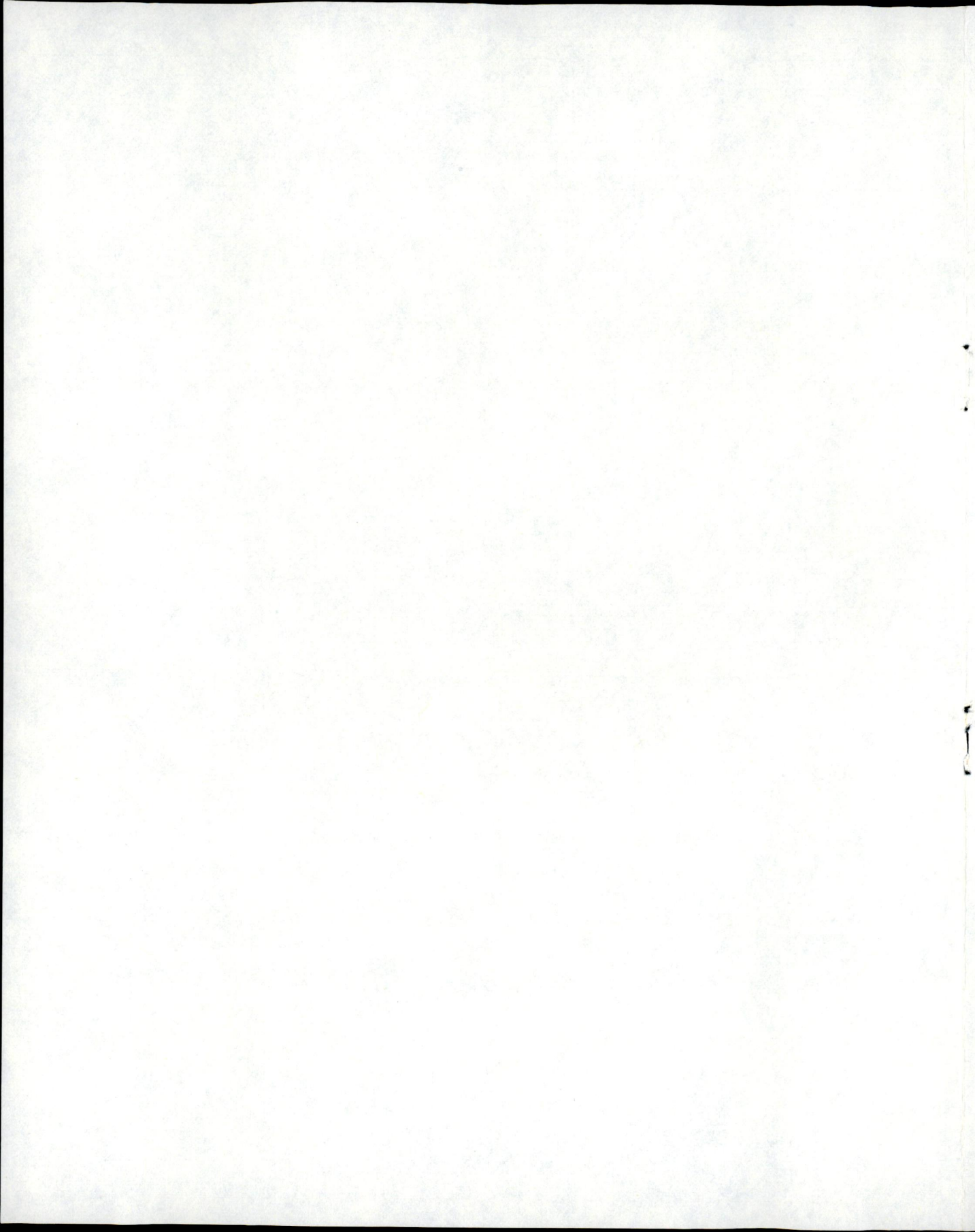
Omit the section, insert instead :—

15 26. The Director shall, as soon as practicable after 30th June, but on or before 30th September, in each year, cause a report giving information as to the administration and operation of this Act during the year ending on that 30th June to be prepared and forwarded to the Minister for presentation to Parliament. Annual report.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

(10c)



**STATE EMERGENCY SERVICES AND CIVIL
DEFENCE (AMENDMENT) ACT, 1980, No. 22**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 22, 1980.

An Act to amend the State Emergency Services and Civil Defence Act, 1972, in relation to the office of Director of State Emergency Services and Civil Defence and the persons who are to be officers for the purposes of the Act, and for certain other purposes. [Assented to, 15th April, 1980.]

State Emergency Services and Civil Defence (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. 1. This Act may be cited as the "State Emergency Services and Civil Defence (Amendment) Act, 1980".

**Commence-
ment.** 2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the *Gazette*.

**Amendment
of Act No.
11, 1972.** 3. The State Emergency Services and Civil Defence Act, 1972, is amended in the manner set forth in Schedule 1.

Sec. 3.

SCHEDULE 1.

AMENDMENTS TO THE STATE EMERGENCY SERVICES AND CIVIL
DEFENCE ACT, 1972.

(1) (a) Section 3, definition of "Director"—

Omit the definition, insert instead :—

"Director" means the Director of State Emergency
Services and Civil Defence under section 5A;

State Emergency Services and Civil Defence (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STATE EMERGENCY SERVICES AND CIVIL
DEFENCE ACT, 1972—*continued.*

(b) Section 3, definition of “officer”—

Omit the definition, insert instead :—

“officer” means—

- (a) the Director;
- (b) an officer or temporary employee of the Public Service engaged in the administration of this Act;
- (c) a member of the Police Force for the time being nominated under section 5B; or
- (d) a person appointed under section 8 (1);

(2) Sections 5A, 5B—

After section 5, insert :—

5A. (1) There shall be a Director of State Emergency Services and Civil Defence, who shall be the person for the time being holding office as Commissioner of Police.

Director of
State
Emergency
Services and
Civil
Defence.

(2) Without limiting the generality of any provisions of the Police Regulation Act, 1899, a reference in that Act to the powers, authorities, duties and functions of the Commissioner of Police includes a reference to the powers, authorities, duties and functions of the Director.

5B. The Director may, with the approval of the Minister, nominate members of the Police Force specified or described in the instrument of nomination to be officers for the purposes of this Act, and may, with the approval of the Minister, revoke any such nomination.

Nomination
of members
of Police
Force as
officers.

State Emergency Services and Civil Defence (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE STATE EMERGENCY SERVICES AND CIVIL
DEFENCE ACT, 1972—*continued.*

(3) Section 22A—

After section 22, insert :—

Exercise of
other
functions
not
affected.

22A. Except as provided by section 22, nothing in this Act limits any powers, authorities, duties or functions that would be or would have to be exercised or performed by any person or body if this Act had not been enacted.

(4) Section 26—

Omit the section, insert instead :—

Annual
report.

26. The Director shall, as soon as practicable after 30th June, but on or before 30th September, in each year, cause a report giving information as to the administration and operation of this Act during the year ending on that 30th June to be prepared and forwarded to the Minister for presentation to Parliament.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 15th April, 1980.*