

LEGISLATIVE ASSEMBLY

Read 1° 10 September 1986

(Brought in by Mr Mathews and Mr Jolly)

A BILL

to amend the *Emergency Management Act 1986* and for other purposes.

Emergency Management (Amendment) Act 1986

The Parliament of Victoria enacts as follows:

Purpose.

1. The purpose of this Act is to amend the *Emergency Management Act 1986*.

5 Commencement.

2. This Act comes into operation on the day on which it receives the Royal Assent.

Principal Act.

10 3. In this Act the *Emergency Management Act 1986* is called the Principal Act. No. 30 of 1986.

Casual emergency workers.

4. In section 4 (1) of the Principal Act after the definition of "Agency" insert—

15 ' "Casual emergency worker" means a person, other than a registered emergency worker, who at the request or with the

express or implied consent of the chief executive of an agency to which DISPLAN applies, or of a person acting with the authority of the chief executive, assists that agency to perform a role or discharge a responsibility in accordance with DISPLAN in any emergency.’.

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Scope of Act.

5. Section 4 (3) of the Principal Act is repealed.

Procedures of State Disasters Council.

6. Section 8 (3) of the Principal Act is repealed.

Co-ordinator in Chief to consult with State Disasters Council about DISPLAN.

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7. Section 10 of the Principal Act is amended as follows:

(a) For “10.” substitute “10. (1)”;

(b) At the end of section 10 insert—

“(2) The Co-ordinator in Chief must consult with the State Disasters Council before arranging for the preparation and review of DISPLAN.”.

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Control of response to fires.

8. In section 16 of the Principal Act after “section 13,” insert “or of their own volition,”.

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Act not to be used in substitution for *Essential Services Act 1958*.

9. After section 23 (1) of the Principal Act insert—

“(1A) The Premier must not make a declaration under this section for the purpose of taking action against any person or body of persons in the circumstances to which section 4 (1) of the *Essential Services Act 1958* applies.”.

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New section 25A.

10. After section 25 of the Principal Act insert—

Application.

“25A. This Part does not apply to a person entitled to compensation under the *Accident Compensation Act 1985*, Part III. of the *Victoria State Emergency Service Act 1981*, Part V. of the *Country Fire Authority Act 1958* or regulations under that Act.”.

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Application by chief executive to register workers.

11. In section 26 (1) of the Principal Act for “chief officer” substitute “chief executive”.

Compensation for casual emergency workers.

5 12. (1) In sections 27, 28 (1) (a) and (2) and 34 of the Principal Act after “registered emergency worker” insert “or casual emergency worker”.

(2) In section 37—

- 10 (a) after “section 26” insert “or a casual emergency worker”;
(b) after “registered person” (where twice occurring) insert “or casual emergency worker”.

New section 36 substituted.

13. For section 36 of the Principal Act substitute—

Offence of obstructing etc. emergency worker.

15 “36. (1) A person, other than a person engaging in an emergency activity, must not obstruct, hinder or in any way interfere with a person engaging in an emergency activity.

Penalty: 10 penalty units.

20 (2) In sub-section (1) **emergency activity** means an activity as a member, officer or volunteer worker of an agency performing a role or discharging a responsibility in accordance with DISPLAN.”.

