

**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 :—

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 **Commencement.** 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.**

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

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 :—

"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 :—

Director of
State
Emergency
Services and
Civil
Defence.

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.

(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.

Nomination
of members
of Police
Force as
officers.

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.

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 :—

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.

(4) Section 26—

Omit the section, insert instead :—

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.
