



New South Wales

State Emergency Service Amendment Act 2009 No 90

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New South Wales

State Emergency Service Amendment Act 2009 No 90

Act No 90, 2009

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. [Assented to 19 November 2009]

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.

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*.

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”.

[Agreement in principle speech made in Legislative Assembly on 17 June 2009
Second reading speech made in Legislative Council on 11 November 2009]

BY AUTHORITY