



New South Wales

State Emergency Service Regulation 1996

under the

State Emergency Service Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *State Emergency Service Act 1989*.

ROBERT DEBUS, M.P.,

Minister for Emergency Services

Explanatory note

The object of this Regulation is to repeal and remake the *State Emergency Service Regulation 1991*. The new Regulation deals with the following matters:

- the term of appointment, revocation of appointment and annual review of division controllers, local controllers and unit controllers (clause 4),
- the appointment and revocation of appointment of deputy controllers (clause 5),
- the establishment of division headquarters units (clause 6),
- the control of SES units (clause 7),
- the granting of membership to, the suspension of membership of, and the withdrawal of membership from, SES units (clause 8),
- the keeping of records of donations to SES units (clause 9),
- other minor, consequential and ancillary matters (clauses 1, 2, 3 and 10).

This Regulation relates to matters of a machinery nature.

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Explanatory note

This Regulation is made under the *State Emergency Services Act 1989*, including section 29 (the general regulation making power).

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

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State Emergency Service Regulation 1996

1 Name of Regulation

This Regulation is the *State Emergency Service Regulation 1996*.

2 Commencement

This Regulation commences on 1 July 1996.

3 Definitions

In this Regulation:

controller means a division controller, a local controller or a unit controller.

Service means the State Emergency Service.

the Act means the *State Emergency Service Act 1989*.

4 Controllers

- (1) A controller is to be appointed for such term (not exceeding 2 years) as is specified in his or her instrument of appointment, but is, at the end of that term, eligible for re-appointment.
- (2) The Director-General may revoke the appointment of a controller at any time and for any reason.
- (3) The Director-General is to ensure that each controller is subject to an annual review and report.

5 Deputy controllers

- (1) A controller may appoint a person as his or her deputy.
- (2) A controller may revoke the appointment of his or her deputy at any time and for any reason.

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- (3) The functions of a controller may be exercised by his or her deputy during any absence from duty of the controller.

6 Division headquarters

- (1) The Service may make available such of its staff and facilities as the Director-General considers appropriate to establish a headquarters for a division.
- (2) A division controller, together with:
 - (a) the staff of the Service attached to the headquarters for the division, and
 - (b) any volunteers assisting in the running of the headquarters, may be registered as an SES unit (as a *division headquarters unit*).
- (3) The functions of a division headquarters unit are to assist the division controller in the exercise of his or her responsibilities.

7 Control of units

- (1) The unit controller of an SES unit is responsible for the control and co-ordination of the activities of the unit.
- (2) In exercising those responsibilities, the unit controller is subject to the directions of the Director-General, the relevant division controller and the relevant local controller.
- (3) In the case of a local government area for which there is only one SES unit, the unit controller for that unit is the local controller for that area.

8 Granting, suspension and withdrawal of membership

- (1) Membership of an SES unit may be granted, suspended or withdrawn:
 - (a) by the Director-General, or
 - (b) by a controller.
- (2) Membership of an SES unit may be suspended or withdrawn at any time and for any reason.

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- (3) A person whose membership of an SES unit is suspended or withdrawn may appeal to the Director-General against that action.
 - (4) The procedures for:
 - (a) suspending or withdrawing membership of an SES unit, and
 - (b) appealing against the suspension or withdrawal of membership of an SES unit,are to be as set out in the procedure manuals maintained by the Service.

9 Donations of financial or material support

- (1) The unit controller of an SES unit must keep written records of any donations of financial or material support provided to the unit.
- (2) A copy of those records is to be furnished to the Director-General immediately on request.

10 Repeal

- (1) The *State Emergency Service Regulation 1991* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *State Emergency Service Regulation 1991*, had effect under that Regulation continues to have effect under this Regulation.