



New South Wales

# State Emergency and Rescue Management Amendment (Co-ordination and Notification of Rescues) Bill 2013

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *State Emergency and Rescue Management Act 1989* (the *principal Act*) to ensure that the NSW Police Force is responsible for co-ordinating rescue operations and is notified by emergency services organisations of any incident requiring the rescue of a person.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

## Schedule 1      Amendment of State Emergency and Rescue Management Act 1989 No 165

At present under section 50 of the principal Act, the senior police officer present at the scene of a rescue operation is responsible for co-ordinating and determining the priorities of action of the agencies engaged in the rescue operation. Instead of

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limiting the responsibility for co-ordinating a particular rescue operation to the senior police officer at the scene, **Schedule 1 [2]** will ensure that the NSW Police Force generally has responsibility for the co-ordination of all rescue operations in the State, including responsibility for determining the priorities of action to be taken. **Co-ordination** is currently defined in the principal Act as the bringing together of agencies and individuals to ensure effective emergency or rescue management. The amendment does not affect the current exception where the control of a particular rescue operation is vested by law in another agency. **Schedule 1 [1] and [3]** are consequential amendments.

**Schedule 1 [4]** provides that all emergency services organisations (eg Fire and Rescue NSW, Rural Fire Brigades and the Ambulance Service of NSW) must notify a member of the NSW Police Force immediately after becoming aware of an incident requiring the rescue of a person.



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# State Emergency and Rescue Management Amendment (Co-ordination and Notification of Rescues) Bill 2013

No. , 2013

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## A Bill for

An Act to amend the *State Emergency and Rescue Management Act 1989* to ensure that the NSW Police Force is responsible for the co-ordination of rescue operations and is notified of rescue incidents.

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|  |        |
|--|--------|
| <b>The Legislature of New South Wales enacts:</b>  | 1      |
| <b>1    Name of Act</b>  | 2      |
| This Act is the <i>State Emergency and Rescue Management Amendment<br/>        (Co-ordination and Notification of Rescues) Act 2013.</i> | 3<br>4 |
| <b>2    Commencement</b>   | 5      |
| This Act commences on the date of assent to this Act.  | 6      |

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|   |   |                            |
|---|---|----------------------------|
| <b>Schedule 1</b>   | <b>Amendment of State Emergency and<br/>Rescue Management Act 1989 No 165</b>   | 1<br>2                     |
| <b>[1] Part 3, Division 3, heading</b>  |   | 3                          |
|   | Omit “Police control”. Insert instead “Co-ordination”.  | 4                          |
| <b>[2] Section 50 Police to co-ordinate rescue operations</b>                       |   | 5                          |
|   | Omit section 50 (1) and (2). Insert instead:  | 6                          |
|   | (1) The NSW Police Force is responsible for co-ordinating rescue<br>operations and for determining the priorities of action to be taken<br>in rescue operations.  | 7<br>8<br>9                |
| <b>[3] Section 50 (3)</b>   |   | 10                         |
|   | Omit “some other person or” wherever occurring. Insert instead “another”.   | 11                         |
| <b>[4] Section 51</b>   |   | 12                         |
|   | Omit the section. Insert instead:   | 13                         |
| <b>51 Emergency services organisations to notify police of rescue<br/>incidents</b> |   | 14<br>15                   |
|   | (1) An emergency services organisation other than the NSW Police<br>Force must, immediately after the organisation becomes aware of<br>an incident that requires or is likely to require the rescue of any<br>person, notify a member of the NSW Police Force of all relevant<br>information concerning the incident. | 16<br>17<br>18<br>19<br>20 |
|   | (2) This section does not apply if the organisation is aware that the<br>incident has already been notified to a member of the NSW<br>Police Force.   | 21<br>22<br>23             |