

State Emergency Service Amendment Act 2009

No 90

[2009-90]



New South Wales

Status Information

Currency of version

Repealed version for 19 November 2009 to 19 November 2009 (accessed 12 July 2024 at 2:25)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 20.11.2009.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 20 November 2009

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New South Wales

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.

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):

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[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”.