

NORTHLAND CDEM GROUP AGENDA

SUPPLEMENTARY ITEM: 12.0A

TUESDAY 7 MARCH 2017 – 11.00AM

Northland Civil Defence Emergency Management Group "Resilient Communities Together"

NORTHLAND DISTRICT HEALTH BOARD
Te Pouari Hauora A Rohe O Te Tai Tokerau



**NORTHLAND
REGIONAL
COUNCIL**



**Far North
District Council**

**Ministry of Civil Defence
& Emergency Management**
Te Rākau Whakamāramaru

**New Zealand
POLICE**
Hēi Pirihimana O Aotearoa

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DISTRICT**
KAIPARA TE WHAKAHIKI • THE DEANS THE HARBOR

**WHANGAREI
DISTRICT COUNCIL**

**NEW ZEALAND
FIRE
SERVICE**
Whakaratinga Iwi

**St John**
first to care

**Department of
Conservation**
Te Papa Atawhai

TITLE: Civil Defence Emergency Management Amendment Act – Transition Notice**From:** Graeme MacDonad, CDEM Manager**Date:** 28 February 2017

Executive summary:

The purpose of this supplementary report is to ensure that the group comply with the requirements of Section 25 Civil Defence Emergency Management Amendment Bill, which deals with appointments to authorise “Transition Notices”.

Below is Section 25 which sets out the appointment requirements and the situation in the event that the appointee is not available.

Recommendation:

1. That the supplementary report ‘Civil Defence Emergency Management Amendment Act’ by Graeme MacDonald, CDEM Manager, dated 28 February 2017 be received.
2. That the Northland CDEM Group appoints the Chairperson of the Northland CDEM Group pursuant to Section 21(1)(b) Civil Defence Emergency Management Amendment Act 2016.

Report:

As outlined in the earlier agenda item 12 the Civil Defence Emergency Management Amendment Bill passed on 10 November 2016.

New legislative arrangements in the bill include the ability to have a “Transition Notice” which means that powers not previously available can be accessed once a declaration during response ceases and a move to Recovery is made, a Transition Notice can be authorised.

The amendment legislation provides –

- Transition periods extend some powers to help after an emergency, as recovery becomes the primary focus.
- Can have a transition period without state of emergency provided Ministerial approval obtained.
- Two types of transition notices:
 - National transition (94A) – lasts 90 days unless terminated earlier
 - Local transition (94B) – lasts 28 days unless terminated earlier

Section 25 of the amended legislation provides –

section 25 Persons appointed and otherwise authorised to declare state of local emergency or give notice of local transition period

(1) A Civil Defence Emergency Management Group must appoint—

(a) at least 1 person as a person authorised to declare a state of local emergency for its area; and

(b) at least 1 person as a person authorised to give notice of a local transition period for its area.

(2) A person appointed under subsection (1) must be chosen from representatives of the members of the Group.

(3) If a Group appoints more than 1 person under subsection (1)(a) or (b), it must state in the instrument of appointment—

(a) whether the appointees have equal status to make a declaration, or give a notice, or whether any of the appointees is authorised to act only in the absence of another named person; and

(b) any other conditions or limitations.

(4) If no person appointed under subsection (1) is or is likely to be able to perform or exercise his or her functions, duties, and powers under this Act, a representative of any member of the Group may exercise the power to declare a state of local emergency, or give notice of a local transition period.

(5) Despite subsections (1) to (4), the mayor of a territorial authority, or an elected member of that territorial authority designated to act on behalf of the mayor if the mayor is absent, may declare a state of local emergency, or give notice of a local transition period, that covers the district of that territorial authority.

Authorised by:

Name: Graeme MacDonald
Title: CDEM Manager
Date: 28 February 2017