



Emergency Management Regulations 2006 Amendments March 2020

The following list identifies and provides a summary of the amendments made to the *Emergency Management Regulations 2006* on 27 March 2020.

The updated regulations can be accessed at legislation.wa.gov.au.

Please email semc.policylegislation@dfes.wa.gov.au to provide feedback or comment.

Hostile act	
Hostile act has been introduced as a prescribed hazard. This enables the provisions of the <i>Emergency Management Act 2005</i> and <i>Emergency Management Regulations 2006</i> to be used in certain security related situations which are capable of causing or resulting in loss of life, prejudice to safety, or harm to the health, of persons or animals as destruction of, or damage to, property or any part of the environment but are not terrorist acts.	
REG.	AMENDMENT
15(n)	prescribes hostile act as a hazard
14A	describes the hostile act hazard
16(h)	prescribes the Commissioner of Police as the Hazard Management Agency for the hostile act hazard

Heatwave	
Arrangements for management of the heatwave outlined in the <i>State Hazard Plan – Heatwave</i> previously relied on the ‘or other natural event’ provision under section 3 of the <i>Emergency Management Act 2005</i> . Due to its significance in Western Australia, heatwave has been prescribed as a hazard in its own right.	
REG.	AMENDMENT
15(m)	prescribes heatwave as a hazard
22	prescribes the Chief Executive Officer of the Department of Health as the Hazard Management Agency for heatwave replacing the previously prescribed Hazard Management Agency - the State Health Coordinator (see also below administrative amendments for more information)



Scope and territorial jurisdiction for marine search and rescue

The scope of the marine search and rescue hazard has been expanded to apply to all vessels.

The territorial jurisdiction of marine search and rescue hazard has been expanded to apply to all waters within the limits of the State, all coastal waters of the State within the meaning given in the *Coastal Waters (State Powers) Act 1980* (Cth) and areas within the limits of a port as provided in the *Shipping and Pilotage Act 1967*, and the *Port Authorities Act 1999*.

REG.	AMENDMENT
15(b)	amended to clarify and expand scope and territory jurisdiction for marine search and rescue hazard
14	amended to insert a definition of 'State waters' and 'vessel'
16(2)	prescribes the Commissioner of Police as the Hazard Management Agency for the marine search and rescue and describes the territorial jurisdiction of the hazard

Hazard Management Agency for marine transport emergency and spillage/release/escape of oil

Amendments have been made to the description of the marine transport emergency hazard. The Chief Executive Officer of the Department of Transport is prescribed as the Hazard Management Agency for marine transport emergency hazard and spillage/release/escape of oil hazard replacing the previously prescribed Hazard Management Agency – the Marine Safety, General Manager, Department of Transport.

REG.	AMENDMENT
23A	Amended to prescribe the Chief Executive Officer of the Department of Transport as the Hazard Management Agency for the marine transport emergency hazard and spillage/release/escape of oil hazard. The Hazard Management Agency was previously the Marine Safety, General Manager, Department of Transport. Consequential amendments to r.23A to ensure there is no overlap between marine search and rescue (r.15(b)) and marine transport emergency (r.15(i)) hazards and to introduce terminology which is used in the industry and more appropriate to describe this hazard.

Hazard Management Agency for human epidemic and spillage/release/escape of biological substance

Amendments have been made to prescribe the Chief Executive Officer of the Department of Health as the Hazard Management Agency for human epidemic hazard and spillage/release/escape of biological substance.

REG.	AMENDMENT
22	amended to prescribe the Chief Executive Officer of the Department of Health as the Hazard Management Agency for the human epidemic hazard, spillage/release/escape of biological substance and heatwave
18	deleted as human epidemic has been inserted in r.22



Department of Fire and Emergency Services prescribed as a combat agency for fire suppression

Amendments have been made to prescribe the Department of Fire and Emergency Services as a combat agency for the emergency management activity of fire suppression.

REG.	AMENDMENT
30A	inserted to prescribe the Department of Fire and Emergency Services as a combat agency for the emergency management activity of fire suppression.

Administrative changes

The following administrative changes have been made to update descriptions, update hazard management names and Departmental references.

REG.	AMENDMENT
32	deletes the term 'emergency management activity' and replaced with 'support function' to reflect the Department of Communities role as a support agency
1A	<p>The following regulations, in conjunction with insertion of r.1A, have been amended to update Department names by reference to the legislation administered by that relevant Department rather than the current Department name. This ensures the regulations are not out of date should a Department change its name.</p> <ul style="list-style-type: none">• r.17 and 30A – amended. FES Department defined in r.1A• r. 22 and 26 – amended to delete Department of Health and replace with Health Department. Health Department defined in r.1A• r. 23A – amended to delete Department of Transport and replace with Transport Department. Transport Department defined in reg 1A• r. 30 – amended to delete Department of Environment and Conservation and replace with Environment Department. Environment Department defined in r.1A• r. 32 – amended to delete Department of Communities and replace with Communities Department. Communities Department defined in r.1A
21	amended to reflect the new name of Brookfield Rail Pty Limited to Arc Infrastructure Pty Limited