

FE302\*

Emergency Management Act 2005

## **Emergency Management Amendment Regulations 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Emergency Management Amendment Regulations 2010*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Emergency Management Regulations 2006*.

**4. Regulation 14 amended**

- (1) In regulation 14 insert in alphabetical order:

*ship* has the meaning given in the *Navigation Act 1912* (Commonwealth) section 6(1).

- (2) In regulation 14 in the definition of response delete “of the Act.” and insert:

of the Act;

**5. Regulation 15 amended**

In regulation 15:

- (a) in paragraph (h)(ii) delete “disease.” and insert:

disease;

- (b) after paragraph (h) insert:

- (i) actual or impending event involving a ship that is capable of causing loss of life, injury to a person or damage to the health of a person, property or the environment;
- (j) actual or impending spillage, release or escape of oil or an oily mixture that is capable of causing loss of life, injury to a person or damage to the health of a person, property or the environment.

**6. Regulation 23A inserted**

At the end of Part 3 insert:

**23A. Hazard management agency — Marine Safety, General Manager**

- (1) In this regulation —

*waters of the State* means —

- (a) all waters within the limits of the State; and

- (b) all coastal waters of the State within the meaning given in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1).
- (2) The Marine Safety, General Manager, Department of Transport is the hazard management agency of the hazard set out in regulation 15(i) —
  - (a) for emergency management; and
  - (b) for the following area or areas —
    - (i) the waters of the State;
    - (ii) the area of a port as defined in the *Shipping and Pilotage Act 1967* section 3;
    - (iii) the area described in relation to a port by order made by the Governor under the *Port Authorities Act 1999* section 24.
- (3) Despite regulation 17(3), the Marine Safety, General Manager, Department of Transport is the hazard management agency of the hazard set out in regulation 15(j) —
  - (a) for emergency management; and
  - (b) for the following area or areas —
    - (i) the waters of the State;
    - (ii) the area of a port as defined in the *Shipping and Pilotage Act 1967* section 3;
    - (iii) the area described in relation to a port by order made by the Governor under the *Port Authorities Act 1999* section 24.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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