



Changes to the Civil Defence Emergency Management Act 2002

Amendments to the Civil Defence Emergency Management Act 2002 have come into force that help recovery from emergencies to be more efficient and effective.

The amendments have been brought forward to allow those provisions to be used to support recovery from the Hurunui Kaikōura earthquake sequence. The same provisions will also be able to be used to respond to another emergency (for example, a flood) should there be a need for a Recovery Manager with statutory powers.

Although the focus on the amendments is on recovery from small to medium events, they are not limited to these types of emergencies. The provisions can be used in a large scale emergency until any bespoke legislation is created.

This fact sheet provides a general overview.

The amendments:

- establish a legislative framework for recovery management, by providing a statutory for recovery managers and by requiring recovery planning*
- support a seamless transition from response into the initial recovery phase, by establishing a transition notice mechanism that will make some emergency powers available for a specified period of time (local or national transition period), and
- makes some minor and technical amendments to improve the Act, and consequential amendments to other legislation and the National Civil Defence Emergency Management Plan Order 2015.

**The requirement for Civil Defence Emergency Management Group (CDEM Group plans) to amend their Civil Defence Emergency Management Plans is updated so this must be done by 1 June 2018.*

What are the main benefits of the amendments?

- Removes the incentive to keep a state of emergency in place just because it has been the only way to access the powers.
- Strengthens the law to help communities recover from small to moderate scale emergencies.
- Recognises that there are times when communities are not in an 'emergency' but 'business as usual' powers are not quite enough.

- Gives Recovery Managers powers they need after the state of emergency phase.
- Provides a mandate for roles and responsibilities for recovery planning.
- Helps ensure that Civil Defence Emergency Management Groups plan for recovery, to help communities get back on their feet more quickly after an emergency.

How does all this work?

Provides for Local or National Transition Periods:

- Civil Defence Emergency Management (CDEM) Groups can give notice of a local transition periods. Transition periods will generally follow the end of a state of emergency (however notice of a local transition period can be given without there being an initial state of emergency, provided the Ministers approval is obtained first).
- CDEM Groups **must** appoint a Group Recovery Manager who, during a transition period, has access to powers designed to assist the recovery phase.
- Powers during transition periods include the ability to enter, examine and mark buildings, close roads, require assessments of buildings or types of buildings, carry out works and keep areas clear of the public. The transition powers are available if required, providing there is a good case for using them.
- The Minister of Civil Defence can become involved if local communities lack capacity and can initialise national or local transition periods.
- **For more information** see fact sheets *notice of local transition periods, powers of recovery managers and ministerial powers.*

Establishes roles and responsibilities of Group Recovery Managers, and Local Recovery Managers who direct, and co-ordinate, the purposes of this Act, the use of the personnel, material, information, services, and other resources made available. Recovery managers also exercise powers during transition periods.

More information on strategic planning for recovery will be provided in the next few months.