

SOUTH AUSTRALIA

STATE DISASTER REGULATIONS, 1982

REGULATIONS UNDER THE STATE DISASTER ACT, 1980

State Disaster Regulations, 1982

being

No. 87 of 1982: *Gaz.* 3 June 1982, p. 1870¹

as varied by

No. 242 of 1984: *Gaz.* 20 December 1984, p. 1907

No. 6 of 1985: *Gaz.* 10 January 1985, p. 62

¹ Came into operation 3 June 1982: reg. 2.

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.

PART I—PRELIMINARY

1. These regulations may be cited as the *State Disaster Regulations, 1982*.
2. These regulations shall come into operation on 3 June 1982.
3. These regulations are arranged as follows:

Part I—Preliminary
Part II—The State Disaster Committee
Part III—Officers
Part IV—Counter Disaster Operations
Part V—Miscellaneous

Interpretation

4. In these regulations unless the context otherwise requires:

"Alert" means that period when either the State Co-ordinator or a Divisional Co-ordinator believes a disaster is imminent and he requires Functional Services specified in either the State Disaster Plan or the Divisional Disaster Plan to increase their level of preparedness in anticipation of their having to perform counter-disaster operations;

"Division" means an area of the State the boundaries of which coincide with Police Divisions which areas are delineated in the map forming the First Schedule to these regulations for which a Divisional Co-ordinator is appointed pursuant to regulation 9;

"Divisional Co-ordinator" means the commissioned officer appointed pursuant to regulation 9 of these regulations;

"Field Co-ordinator" is a person who represents the State Co-ordinator or Divisional Co-ordinator in the field and who is responsible for co-ordinating the operations of services in the field;

"Functional Service" means that grouping made by the State Disaster Committee of government departments, statutory authorities and other participating organisations that can together provide a particular counter-disaster response;

"Incident Co-ordinator" is a person who represents the State Co-ordinator, Divisional Co-ordinator or Field Co-ordinator at a specific incident and who is responsible for co-ordinating the operations of services at the incident;

"Participating Organization" means any organization, government department or statutory authority which has indicated in writing a willingness to become involved in disaster planning and counter disaster operations and has been approved as such by the State Disaster Committee;

"Prescribed Operations" means those activities undertaken at the direction of an authorised officer and intended to mitigate the effects of the disaster whether or not a declared State of Disaster is still in force;

3.

"Standby" means that period, normally following an Alert, when the State Co-ordinator or a Divisional Co-ordinator requires Functional Services to prepare themselves so they can immediately respond and carry out counter-disaster operations allocated to them within the State Disaster Plan or the Divisional Disaster Plan;

"State Controller" shall mean a person appointed by the State Disaster Committee;

"The Act" means the *State Disaster Act, 1980*.

4.

PART II—THE STATE DISASTER COMMITTEE

5. (1) The quorum for a meeting of the State Disaster Committee shall be three members present in person.

(2) The Chairman of the Committee shall have a casting vote.

Powers of Committee

6. The State Disaster Committee may, for the purpose of preparing, reviewing and amending the State Disaster Plan and for maintaining contact with Participating Organisations:

- (a) group Participating Organisations into such services as it considers necessary;
- (b) define the role of each Functional Service;
- (c) arrange for the training and exercising of Functional Services; and
- (d) establish such offices including that of State Controller as it considers necessary and appoint persons to those offices.

5.

PART III—OFFICERS

The State Co-ordinator

7. The State Co-ordinator shall—

- (a) establish, maintain and operate a State Emergency Operations Centre, and
- (b) keep or cause to be kept a list of all State Controllers and Deputy State Controllers including the date of their appointment and the service to which they belong.

State Controllers

8. (1) A State Co-ordinator shall head each Functional Services.

(2) Each State Controller shall—

- (a) establish, maintain and operate a State Control Centre for his service;
- (b) advise and assist the State Co-ordinator in all matters relating to his service;
- (c) organise staff within his service and prepare operational procedures to enable his service to fulfil the role required of it by the State Disaster Plan;
- (d) ensure that staff within his service are trained sufficiently to enable his service to fulfil the role allocated to it in the State Disaster Plan;
- (e) co-ordinate for the purpose of implementing the State Disaster Plan Participating Organisations within his service and any other personnel which may be at his disposal;
- (f) co-ordinate planning and the preparation of plans and operating procedures within his service;
- (g) if required by the State Co-ordinator, provide a liaison officer at the State Emergency Operations Centre; and
- (h) keep or cause to be kept a list of all authorised officers appointed by him for his service including the date of their appointment.

Divisional Co-ordinators

9. (1) The Officers in Charge of the Police Divisions known as

- B3 Stirling
- C3 Christies Beach
- G1 Murray Bridge
- G2 Nuriootpa
- G3 Mt. Gambier
- G4 Berri
- G5 Kadina
- H2 Pt. Pirie
- H3 Pt. Augusta
- H4 Pt. Lincoln
- H5 Whyalla

shall be Divisional Co-ordinators.

(2) A Divisional Co-ordinator shall prepare a Disaster Plan for his Division.

(3) A Divisional Co-ordinator shall incorporate within the Divisional Plan such special provisions as may be necessary to protect potentially at risk groups within the community, including schools, nursing homes and hospitals.

(4) A copy of the Divisional Disaster Plan prepared under this regulation shall be forwarded to the State Disaster Committee and the State Co-ordinator.

(5) A Divisional Co-ordinator shall:

- (a) plan within his Division for counter-disaster operations;
- (b) supply such advice and assistance as he reasonably can to other persons involved in planning for counter-disaster operations within his Division;
- (c) promote and co-ordinate counter-disaster training and the exercising of the Plan within his Division;
- (d) disseminate information and advice on matters relating to counter-disaster operations;
- (e) establish, maintain and operate a Divisional Emergency Operations Centre.

* * * * *

11. As soon as circumstances occur within a Division which the Divisional Co-ordinator believes constitute a disaster, he shall inform the State Co-ordinator.

Divisional Disaster Committees

12. (1) There shall be a Divisional Disaster Committee in each Division comprising:

- (a) the Divisional Co-ordinator, who shall be Chairman;
- (b) the State Emergency Services Divisional Officer who shall also be the Executive Officer to the Committee;
- (c) a representative from each Council that is responsible for local government in any part of the Division; and
- (d) such other persons as may be nominated by the Divisional Co-ordinator and approved by the State Disaster Committee.

(2) The Divisional Disaster Committee shall advise and assist the Divisional Co-ordinator in carrying out his duties under these regulations.

(3) The Divisional Disaster Committee shall meet at intervals of no more than three months.

Other Prescribed Officers

13. The State Co-ordinator may appoint Field Co-ordinators and Incident Co-ordinators.

14. Divisional Co-ordinators and Field Co-ordinators may appoint Incident Co-ordinators.

Authorised Officers

15. Pursuant to Section 11 of the Act the following offices are prescribed offices for the purposes of subsection (2):

- (a) an office bearing the rank of inspector in the South Australian Police Force and any office bearing the rank higher than inspector in that force;
- (b) the offices of State Controller and Field Co-ordinator.

16. (1) Each authorised officer shall be supplied with such means of identification and Certificate of Authority as is necessary for that particular authorised officer to perform his duties under the Act, these regulations and the State Disaster Plan.

(2) A Certificate of Authority supplied under this regulation shall be in the form of the Second Schedule to these regulations.

(3) Each article supplied under this regulation shall bear thereon the words "State Disaster Act—Authorised Officer".

(4) An authorised officer acting in the course of his duties shall carry or wear (as the case may be) any such means of identification and Certificate of Authority as is supplied to him pursuant to these regulations.

8.

(5) A person who for any reason ceases to be an authorised officer shall forthwith upon so ceasing, deliver up to his State Controller or his nominee, every article supplied to him pursuant to these regulations.

17. The instrument of appointment of an authorised officer shall be in the form of a Certificate of Authority signed by the State Co-ordinator or a State Controller.

18. Any person who without lawful excuse, by word or conduct represents himself as or holds himself out to be, an authorised officer, shall be guilty of an offence.

19. Any person who without lawful excuse possesses, exhibits or otherwise uses any article supplied to an authorised officer pursuant to regulation 16 of these regulations shall be guilty of an offence.

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PART IV—COUNTER DISASTER OPERATIONS

Activation

21. (1) Where the State Co-ordinator or a Divisional Co-ordinator believes that a disaster is imminent or has occurred and believes that life or property is threatened but cannot determine the full extent of that threat, he may declare an Alert.

(2) Where the State Co-ordinator or a Divisional Co-ordinator believes that a higher level of preparedness is required they may require Functional Services to Standby.

(3) Once a Standby has been advised, the State Co-ordinator or a Divisional Co-ordinator shall commence implementing the State Disaster Plan or Divisional Disaster Plan.

Declaration of State of Disaster

22. Upon a declaration of a State of Disaster, or a request from the State Co-ordinator, a State Controller shall:

- (a) provide to the State Co-ordinator:
 - (i) that service for which he is responsible; and
 - (ii) such other personnel and equipment at his disposal as the State Co-ordinator may require;
 - (b) deploy his service at the direction of the State Co-ordinator;
 - (c) direct and control or cause to be directed and controlled his service;
 - (d) set up or cause to be set up such Field Control Centres as may be necessary for the co-ordination and direction of his service;
- and
- (e) liaise with the Field Co-ordinator and other services.

Requisition of Private Property

23. (1) A requisition requiring the owner or the person for the time being in charge of any real or personal property to place it under the control of a person nominated by an authorised officer shall be in the form of the Third Schedule to these regulations and shall be signed by the authorised officer.

(2) Such requisition shall be delivered to the owner or person in charge of the said property as soon as is practicable after making the requisition.

PART V—MISCELLANEOUS

24. (1) A person holding a prescribed office shall upon receiving information that an employee or volunteer has sustained injury cause particulars of that injured person sufficient to identify him and the nature and cause of his injury to be recorded and shall take such action as may be practicable to ensure that such injury is properly treated.

(2) The State Controller in whose service the employee or volunteer was engaged shall comply with any requirements of the *Workers Compensation Act, 1971-1979* in respect of any injured employee or volunteer.

25. (1) Where a member of the police force or an authorised officer reasonably suspects that a person has committed or is committing an offence against any provision of the Act or these regulations he may require that person to state his full name and address.

(2) If any such person refuses to comply with such requirement forthwith, or provides a name or address which is false in any material particular he shall be guilty of an offence.

26. Any person who is guilty of an offence against these regulations shall be liable upon conviction to a penalty not exceeding five hundred dollars.

11.

FIRST SCHEDULE

[Map appears in *Gaz.* 3 June 1982, p. 1870]

SECOND SCHEDULE

SOUTH AUSTRALIA
(reg. 18)

STATE DISASTER ACT—AUTHORISED OFFICER

Certificate of Authority

I certify that

of

is an Authorised Officer for the purposes of the *State Disaster Act, 1980*.

State Co-ordinator

Date:

Warning: It is an offence for a person to falsely represent himself to be an Authorised Officer or to unlawfully possess this Certificate of Authority.

Should this Certificate be lost, the finder is requested to hand it without delay, to the nearest Police Station.

THIRD SCHEDULE

NOTICE OF REQUISITION
(Section 15)
(reg. 22)

I,

being an authorised officer and being of the opinion that it is necessary to do so in pursuance of the provisions of the *State Disaster Act, 1980*, HEREBY require
owner/person for the time being in charge of property, namely
to place such property as herein directed under the control of a person nominated by me.

Dated

Signed

APPENDIX**LEGISLATIVE HISTORY**

Regulation 4:	definition of "Alert" inserted by 242, 1984, reg. 2(a) definition of "Divisional Co-ordinator" inserted by 242, 1984, reg. 2(b) definition of "Functional Service" inserted by 242, 1984, reg. 2(c) definition of "Participating Organisation" varied by 242, 1984, reg. 2(d) definition of "Prescribed Operations" inserted by 242, 1984, reg. 2(e) definition of "Standby" inserted by 242, 1984, reg. 2(f) definition of "State Controller" varied by 242, 1984, reg. 2(g)
Regulation 6:	varied by 242, 1984, reg. 3
Regulation 7:	varied by 242, 1984, reg. 4
Regulation 8(1):	varied by 242, 1984, reg. 5(a)
Regulation 8(2):	varied by 242, 1984, reg. 5(b)-(f)
Regulation 9(1):	varied by 242, 1984, reg. 6(a)
Regulation 9(2):	substituted by 242, 1984, reg. 6(b)
Regulation 9(3) - (5):	inserted by 242, 1984, reg. 6(b)
Regulation 10:	revoked by 242, 1984, reg. 7
Regulation 12(1):	varied by 242, 1984, reg. 8(a)
Regulation 12(3):	inserted by 242, 1984, reg. 8(b)
Subheading above regulation 13:	varied by 242, 1984, reg. 9
Regulation 14:	varied by 242, 1984, reg. 10
Regulation 15:	revoked by 242, 1984, reg. 11; inserted by 6, 1985, reg. 2
Regulations 16 - 19:	substituted by 242, 1984, reg. 12
Regulation 20:	revoked by 242, 1984, reg. 12
Subheading above regulation 21:	substituted by 242, 1984, reg. 13
Regulation 21(1):	varied by 242, 1984, reg. 14(a)
Regulation 21(2):	substituted by 242, 1984, reg. 14(b)
Regulation 21(3):	inserted by 242, 1984, reg. 14(b)
Regulation 22 and heading:	substituted by 242, 1984, reg. 15
Regulation 23 and heading:	substituted by 242, 1984, reg. 16
Regulation 24(2):	varied by 242, 1984, reg. 17
Regulation 25(2):	varied by 242, 1984, reg. 18
Second schedule:	varied by 242, 1984, reg. 19
Third schedule:	varied by 242, 1984, reg. 20