

EM Form 17: Authorisation of persons to act as Hazard Management Officer during an Emergency Situation under section 55 of the *Emergency Management Act 2005*.



WESTERN AUSTRALIA

Emergency Management Act 2005 section 55

AUTHORISATION OF PERSONS TO ACT AS HAZARD MANAGEMENT OFFICER DURING EMERGENCY SITUATION

I, Darren Klemm, FES Commissioner, a hazard management agency for the purposes of the *Emergency Management Act 2005*, hereby authorise the following person or class of person to act as hazard management officer(s) for the emergency situation declared on 11 April 2021 in relation to Tropical Cyclone Seroja.

This authorisation applies to:

Department of Fire and Emergency Services operational staff who hold the rank of Area Officer or above.
Persons employed in the Department of Fire and Emergency Services in the position of District Manager Marine.

This authorisation is given on the following terms and conditions:

Nil

This authorisation is made under section 55 of the *Emergency Management Act 2005*.

Signed:


Darren Klemm, FES Commissioner

Date:

11/04/2021

EMERGENCY POWERS

Powers of a Hazard Management Officer

Section EM Act	Power <i>[where reasonably required for the purposes of emergency management]</i>
66	<p>Identifying particulars</p> <p>(3) Request a person to give the officer any or all of the person's personal details</p> <p>(4) If an officer reasonably suspects personal details supplied under a request [66(3)] are false, request the person to produce evidence of the correctness of the details</p>
67	<p>Movement and evacuation</p> <p>(a) Direct or, by direction, prohibit, the movement of persons, animals and vehicles within, into out of or around an emergency area or any part of an emergency area;</p> <p>(b) Direct the evacuation and removal of persons or animals from the emergency area or any part of any emergency area;</p> <p>(c) Close any road, access route or area of water in or leading to an emergency area</p> <p>(d) Direct that any road, access route or area of water in or leading to the emergency area be closed.</p>
68	<p>Use of vehicles</p> <p>Use a vehicle in any place and in any circumstances despite any provision of the <i>Road Traffic Act 1974</i> that requires a permit for the use of that vehicle or for the use of that vehicle in that place in that circumstance</p>
69	<p>Control or use of property</p> <p>(1) Take control of or make use of any place, vehicle or other thing;</p> <p>(2) The place, vehicle or other thing may be in, or outside, the emergency area</p>
70	<p>Direction of persons, or class of persons, exposed to hazardous substances <i>(maximum of 24 hrs)</i></p> <p>(1) (a) to remain in an area specified by the officer for such period as is specified by the officer;</p> <p>(b) to remain quarantined from other persons for such period, and in such reasonable manner, as is specified by the officer;</p> <p>(c) to submit to decontamination procedures within such reasonable period, and in such reasonable manner, as is specified by the officer.</p>
72	<p>Exchange of information</p> <p>(2) (a) disclose relevant information to:</p> <p>(i) an emergency management agency</p> <p>(ii) if the regulations so provide, to a person or entity engaged by an emergency management agency to provide welfare services in accordance with those regulations;</p> <p>(3) May request an emergency management agency that holds relevant information to disclose the information to the hazard management officer.</p>
76	<p>Use of force</p> <p>(1) If a person does not comply with a direction under this part, an officer may do all such things as are reasonably necessary to ensure compliance with the direction, using such force as is reasonable in the circumstances;</p> <p>(2) An officer may exercise a power under this part with the help, and using the force, that is reasonably necessary in the circumstances.</p>
77	<p>General Provisions</p> <p>(1) A direction may be given under this part orally or in writing,</p> <p>(2) A direction given orally is to be confirmed in writing within 2 working days after it is given, unless within that period it is complied with or cancelled.</p>

EMERGENCY POWERS

Powers of a Hazard Management Officer

Note: The following powers under s 72A of the *Emergency Management Act 2005* is only available before 4 July 2021

Section EM Act	Power <i>[where reasonably required for the purposes of emergency management]</i>
72A	General powers during an emergency situation (2) Take, or direct a person or class of person to take, any action that the officer considers is reasonably necessary to prevent, control or abate risks associated with the emergency. (3) Direct a person to (a) give to the officer relevant information about the person or any other person closely associated with the person; or (b) answer questions intended to elicit relevant information about the person or any other person closely associated with the person.