



Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 10th day of April 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 115 of the Civil Defence Emergency Management Act 2002 on the advice and with the consent of the Executive Council.

Contents

	Page
1 Title	1
2 Commencement	2
3 Principal regulations	2
4 New regulation 7 inserted (Form of transition period notices)	2
7 Form of transition period notices	2
5 Schedule 2 amended	2
Schedule	3
New forms 11 to 19 of Schedule 2 inserted	

Regulations

- Title**
These regulations are the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017.

2 Commencement

These regulations come into force on 1 June 2017.

3 Principal regulations

These regulations amend the Civil Defence Emergency Management Regulations 2003 (the **principal regulations**).

4 New regulation 7 inserted (Form of transition period notices)

After regulation 6, insert:

7 Form of transition period notices

- (1) If the Minister gives notice—
 - (a) of a national transition period under section 94A of the Act, the notice must be in form 11 of Schedule 2:
 - (b) extending a national transition period under section 94D of the Act, the notice must be in form 12 of Schedule 2:
 - (c) terminating a national transition period under section 94E of the Act, the notice must be in form 13 of Schedule 2.
- (2) If the Minister gives notice—
 - (a) of a local transition period under section 94B of the Act, the notice must be in form 14 of Schedule 2:
 - (b) extending a local transition period under section 94D of the Act, the notice must be in form 15 of Schedule 2:
 - (c) terminating a local transition period under section 94E of the Act, the notice must be in form 16 of Schedule 2.
- (3) If a person other than the Minister gives notice—
 - (a) of a local transition period under section 94B of the Act, the notice must be in form 17 of Schedule 2:
 - (b) extending a local transition period under section 94D of the Act, the notice must be in form 18 of Schedule 2:
 - (c) terminating a local transition period under section 94E of the Act, the notice must be in form 19 of Schedule 2.
- (4) Despite subclauses (1) to (3), the person giving notice may—
 - (a) use a form of similar effect to a form specified in any of those subclauses; and
 - (b) include additional information in any form.

5 Schedule 2 amended

In Schedule 2, after form 10, insert the forms 11 to 19 set out in the Schedule of these regulations.

Schedule
New forms 11 to 19 of Schedule 2 inserted

r 5

Ministerial forms for national transition periods

Form 11

Notice of national transition period

Section 94A, Civil Defence Emergency Management Act 2002

I, [full name], give notice of a national transition period over the whole of New Zealand/[areas or districts]* owing to the [describe emergency].

This transition period—

- (a) comes into force at [time] on [date], which is the time and date when—
 - (i) *this notice is given:
 - (ii) *the state of emergency declared at [time] on [date] for [area] expires:
 - (iii) *the state of emergency declared at [time] on [date] for [area] is terminated:
- (b) is in force for 90 days:
- (c) ends at [time] on [date], unless extended or terminated earlier.

†The previous transition period over [Civil Defence Emergency Management Group area, or districts or wards within that area], notice of which was given at [time] on [date], ceases to have effect.

Signed by:

Designation: Minister of Civil Defence/[other Minister of the Crown]*

*Select one.

†Include if appropriate.

Time and date of notice:

Notes

The Minister must, as soon as practicable after giving this notice,—

- (a) advise the House of Representatives; and
- (b) notify the public of this notice by publishing the notice—
 - (i) in 1 or more newspapers circulating in the areas, districts, or wards to which the notice relates; and
 - (ii) on an Internet site to which the public has free access; and
- (c) ensure that the notice is published in the *Gazette*.

See section 94C(1) and (2) of the Civil Defence Emergency Management Act 2002 regarding when a transition period comes into force and section 94C(3) of that Act regarding when a national transition period expires.

Calculating the end of a 90-day transition period: if the transition period came into force at 9.35 am on 1 March, the period would end at 9.35 am on 30 May.

Form 12

Notice of extension of national transition period

Section 94D, Civil Defence Emergency Management Act 2002

I, [full name], extend the national transition period over the whole of New Zealand/
[areas or districts]* owing to the [describe emergency].

This extension of the transition period—

- (a) comes into force immediately before [time] on [date], which is when the current transition period ends:
- (b) is in force for 90 days:
- (c) ends at [time] on [date], unless terminated or further extended earlier.

Signed by:

Designation: Minister of Civil Defence/[other Minister of the Crown]*

*Select one.

Time and date of notice:

Notes

The Minister must, as soon as practicable after giving this notice,—

- (a) advise the House of Representatives; and
- (b) notify the public of this notice by publishing the notice—
 - (i) in 1 or more newspapers circulating in the areas, districts, or wards to which the notice relates; and
 - (ii) on an Internet site to which the public has free access; and
- (c) ensure that this notice is published in the *Gazette*.

Form 13

Notice of termination of national transition period

Section 94E, Civil Defence Emergency Management Act 2002

I, [full name], terminate the national transition period over the whole of New Zealand/[areas or districts]* owing to the [describe emergency], notice of which was given at [time] on [date].

The transition period is terminated at the time and on the date when this termination notice is given.

Signed by:

Designation: Minister of Civil Defence/[other Minister of the Crown]*

*Select one.

Time and date of notice:

Notes

The Minister must, after giving this notice of termination,—

- (a) immediately notify the public by any means of communication that are reasonably practicable in the circumstance; and
- (b) as soon as practicable, ensure that this notice is published in the *Gazette*.

Ministerial forms for local transition periods

Form 14

Notice of local transition period

Section 94B, Civil Defence Emergency Management Act 2002

I, [full name], give notice of a local transition period over [Civil Defence Emergency Management Group area, or districts or wards in that area] owing to the [describe emergency].

This transition period—

- (a) comes into force at [time] on [date], which is the time and date when—
 - (i) *this notice is given:
 - (ii) *the state of emergency declared at [time] on [date] for [area] expires:
 - (iii) *the state of emergency declared at [time] on [date] for [area] is terminated:
- (b) is in force for 28 days:
- (c) ends at [time] on [date], unless extended or terminated earlier.

†The previous transition period over [Civil Defence Emergency Management Group area, or districts or wards within that area], notice of which was given at [time] on [date], ceases to have effect.

Signed by:

Designation: Minister of Civil Defence/[other Minister of the Crown]*

*Select one.

†Include if appropriate.

Time and date of notice:

Notes

The Minister must, as soon as practicable after giving this notice,—

- (a) notify the public of this notice by publishing the notice—
 - (i) in 1 or more newspapers circulating in the areas, districts, or wards to which the notice relates; and
 - (ii) on an Internet site to which the public has free access; and
- (b) ensure that the notice is published in the *Gazette*.

See section 94C(1) and (2) of the Civil Defence Emergency Management Act 2002 regarding when a transition period comes into force and section 94C(4) of that Act regarding when a local transition period expires.

Calculating the end of a 28-day transition period: if the transition period came into force at 9.35 am on 1 January, the period would end at 9.35 am on 29 January; if the

transition period came into force at 9.35 am on a Friday, the period would end at 9.35 am on the fourth Friday following.

Form 15

Notice of extension of local transition period

Section 94D, Civil Defence Emergency Management Act 2002

I, [full name], extend the local transition period over [Civil Defence Emergency Management Group area, or districts or wards in that area] owing to the [describe emergency].

This extension of the transition period—

- (a) comes into force immediately before [time] on [date], which is when the current transition period ends:
- (b) is in force for 28 days:
- (c) ends at [time] on [date], unless terminated or further extended earlier.

Signed by:

Designation: Minister of Civil Defence/[other Minister of the Crown]*

*Select one.

Time and date of notice:

Notes

The Minister must, as soon as practicable after giving this notice,—

- (a) notify the public of this notice by publishing the notice—
 - (i) in 1 or more newspapers circulating in the areas, districts, or wards to which the notice relates; and
 - (ii) on an Internet site to which the public has free access; and
- (b) ensure that this notice is published in the *Gazette*.

If this notice is the third or a further extension of the transition period, the Minister must advise the House of Representatives as soon as practicable.

Form 16

Notice of termination of local transition period

Section 94E, Civil Defence Emergency Management Act 2002

I, [full name], terminate the local transition period over [Civil Defence Emergency Management Group area, or districts or wards within that area] owing to the [describe emergency], notice of which was given at [time] on [date].

The transition period is terminated at the time and on the date when this termination notice is given.

Signed by:

Designation: Minister of Civil Defence/[other Minister of the Crown]*

*Select one.

Time and date of notice:

Notes

The Minister must, after giving this notice of termination,—

- (a) immediately notify the public by any means of communication that are reasonably practicable in the circumstance; and
- (b) as soon as practicable, ensure that this notice is published in the *Gazette*.

Non-Ministerial forms for local transition periods

Form 17

Notice of local transition period

Section 94B, Civil Defence Emergency Management Act 2002

I, [full name], give notice of a local transition period over [Civil Defence Emergency Management Group area, or districts or wards within that area] owing to the [describe emergency].

This transition period—

- (a) comes into force at [time] on [date], which is the time and date when—
- (i) *this notice is given:
 - (ii) *the state of emergency declared at [time] on [date] for [area] expires:
 - (iii) *the state of emergency declared at [time] on [date] for [area] is terminated:
- (b) is in force for 28 days:
- (c) ends at [time] on [date], unless extended or terminated earlier.

†The previous transition period over [Civil Defence Emergency Management Group area, or districts or wards within that area], notice of which was given at [time] on [date], ceases to have effect.

Signed by:

Designation:

- *Person appointed by the Civil Defence Emergency Management Group as a person authorised to give notice of a local transition period
- *Representative of a member of the Civil Defence Emergency Management Group [Select this designation if no person appointed by the Group is or is likely to be able to give this notice.]
- *Mayor of territorial authority responsible for the area
- *Elected member of territorial authority responsible for area (designated to act on behalf of the Mayor if the Mayor is absent).

*Select one.

†Include if appropriate.

Time and date of notice:

Notes

The person giving this notice must, as soon as practicable after giving the notice,—

- (a) notify the public of this notice by publishing the notice—

- (i) in 1 or more newspapers circulating in the areas, districts, or wards to which the notice relates; and
 - (ii) on an Internet site to which the public has free access; and
- (b) ensure that the notice is published in the *Gazette*.

See section 94C(1) and (2) of the Civil Defence Emergency Management Act 2002 regarding when a transition period comes into force and section 94C(4) of that Act regarding when a local transition period expires.

Calculating the end of a 28-day transition period: if the transition period came into force at 9.35 am on 1 January, the period would end at 9.35 am on 29 January; if the transition period came into force at 9.35 am on a Friday, the period would end at 9.35 am on the fourth Friday following.

Form 18

Notice of extension of local transition period

Section 94D, Civil Defence Emergency Management Act 2002

I, [full name], extend the local transition period over [Civil Defence Emergency Management Group area, or districts or wards within that area] owing to the [describe emergency].

This extension of the transition period—

- (a) comes into force immediately before [time] on [date], which is when the current transition period ends:
- (b) is in force for 28 days:
- (c) ends at [time] on [date], unless terminated or further extended earlier.

Signed by:

Designation:

- *Person appointed by the Civil Defence Emergency Management Group as a person authorised to give notice of a local transition period
- *Representative of a member of the Civil Defence Emergency Management Group [Select this designation if no person appointed by the Group is or is likely to be able to give this notice.]
- *Mayor of territorial authority responsible for the area
- *Elected member of territorial authority responsible for area (designated to act on behalf of the Mayor if the Mayor is absent)

*Select one.

Time and date of notice:

Notes

The person giving this notice must, as soon as practicable after giving the notice,—

- (a) notify the public of this notice by publishing the notice—
 - (i) in 1 or more newspapers circulating in the areas, districts, or wards to which the notice relates; and
 - (ii) on an Internet site to which the public has free access; and
- (b) ensure that this notice is published in the *Gazette*.

If this notice is the third or a further extension of the transition period, the person giving the notice must give the Minister a copy of the notice at the same time as notifying the public of the extension.

Form 19

Notice of termination of local transition period

Section 94E, Civil Defence Emergency Management Act 2002

I, [full name], terminate the local transition period over [Civil Defence Emergency Management Group area, or districts or wards within that area] owing to the [describe emergency], notice of which was given at [time] on [date].

The transition period is terminated at the time and on the date when this termination notice is given.

Signed by:

Designation:

- *Person appointed by the Civil Defence Emergency Management Group as a person authorised to give notice of a local transition period
- *Representative of a member of the Civil Defence Emergency Management Group [Select this designation if no person appointed by the Group is or is likely to be able to give this notice.]
- *Mayor of territorial authority responsible for the area
- *Elected member of territorial authority responsible for area (designated to act on behalf of the Mayor if the Mayor is absent)

*Select one.

Time and date of notice:

Notes

The person giving this notice of termination must—

- (a) immediately notify the public by any means of communication that are reasonably practicable in the circumstance; and
- (b) as soon as practicable, ensure that this notice is published in the *Gazette*.

Rachel Hayward,
acting for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 June 2017, amend the Civil Defence Emergency Management Regulations 2003 (the **principal regulations**) by inserting into Schedule 2 of those regulations forms of notice necessary to implement national

and local transition periods under Parts 5A and 5B of the Civil Defence Emergency Management Act 2002.

Clause 1 sets out the title of these regulations.

Clause 2 provides that these regulations come into force on 1 June 2017.

Clause 3 identifies the principal regulations.

Clause 4 inserts *new regulation 7* into the principal regulations. *New regulation 7* provides, by reference to new forms that are to be inserted into Schedule 2 of the principal regulations, for 9 prescribed forms of notice relating to national and local transition periods.

Clause 5 amends Schedule 2 of the principal regulations by inserting *new forms 11 to 19*. In particular,—

- *new form 11* is the form by which the Minister gives notice of a national transition period:
- *new form 12* is the form by which the Minister gives notice of the extension of a national transition period:
- *new form 13* is the form by which the Minister gives notice of the termination of a national transition period:
- *new form 14* is the form by which the Minister gives notice of a local transition period:
- *new form 15* is the form by which the Minister gives notice of the extension of a local transition period:
- *new form 16* is the form by which the Minister gives notice of the termination of a local transition period:
- *new form 17* is the form by which a local Civil Defence Emergency Management authority gives notice of a local transition period:
- *new form 18* is the form by which a local Civil Defence Emergency Management authority gives notice of the extension of a local transition period:
- *new form 19* is the form by which a local Civil Defence Emergency Management authority gives notice of the termination of a local transition period.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 13 April 2017.

These regulations are administered by the Ministry of Civil Defence and Emergency Management.