

Reprint
as at 1 June 2017



Civil Defence Emergency Management Regulations 2003

(SR 2003/89)

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 28th day of April 2003

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 115 of the Civil Defence Emergency Management Act 2002, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

| | Page |
|--|----------|
| 1 Title | 2 |
| 2 Commencement | 2 |
| 3 Interpretation | 2 |
| 4 Civil defence logo | 2 |
| 5 Form of search warrant | 3 |
| 6 Form of declarations of state of emergency | 3 |
| 7 Form of transition period notices | 4 |
| Schedule 1 | 5 |
| Form of civil defence logo | |

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

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

Schedule 2
Forms

6

Regulations**1 Title**

These regulations are the Civil Defence Emergency Management Regulations 2003.

2 Commencement

These regulations come into force on 1 June 2003.

3 Interpretation

In these regulations, unless the context otherwise requires, **Act** means the Civil Defence Emergency Management Act 2002.

4 Civil defence logo

- (1) The form and specifications of the civil defence logo are set out in Schedule 1.
- (1A) Despite subclause (1), if the civil defence logo is used on medallions that the Minister issues to recognise outstanding, important, or long-service contributions to civil defence emergency management, the civil defence logo—
- (a) may be—
 - (i) blue and yellow, as specified in clause 1(a) of Schedule 1; or
 - (ii) black and white, as specified in clause 1(b) of Schedule 1; or
 - (iii) wholly gold; or
 - (iv) wholly silver:
 - (b) may—
 - (i) exclude the words CIVIL DEFENCE; or
 - (ii) reposition the words CIVIL DEFENCE outside the circle.
- (2) The civil defence logo may only be used for the purposes of the Act by—
- (a) the responsible department; or
 - (b) Civil Defence Emergency Management Groups; or
 - (c) local authorities; or
 - (d) persons authorised for the purpose by the responsible department, a Civil Defence Emergency Management Group, or a local authority.
- (3) A person commits an offence if that person—
- (a) uses the civil defence logo without authorisation; or
 - (b) conceals, removes, alters, defaces, or obliterates a civil defence logo.

- (4) A person who commits an offence under subclause (3) is liable on conviction to a fine not exceeding \$500.

Regulation 4(1A): inserted, on 1 August 2010, by regulation 4 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Regulation 4(4): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

5 Form of search warrant

A search warrant issued under section 78 of the Act must be in form 1 of Schedule 2.

6 Form of declarations of state of emergency

- (1) If the Minister makes a declaration—
- (a) of a state of national emergency under section 66 of the Act, the declaration must be in form 2 of Schedule 2:
 - (b) extending a state of national emergency under section 71 of the Act, the declaration must be in form 3 of Schedule 2:
 - (c) terminating a state of national emergency under section 72 of the Act, the declaration must be in form 4 of Schedule 2:
 - (d) of a state of local emergency under section 69 of the Act, the declaration must be in form 5 of Schedule 2:
 - (e) extending a state of local emergency under section 71 of the Act, the declaration must be in form 6 of Schedule 2:
 - (f) terminating a state of local emergency under section 72 of the Act, the declaration must be in form 7 of Schedule 2.
- (2) Despite subclause (1), the Minister may, when making a declaration,—
- (a) use a form of similar effect to a form specified in subclause (1):
 - (b) include additional information in any form.
- (3) If a person, other than the Minister and who is authorised to declare a state of local emergency, makes a declaration—
- (a) of a state of local emergency under section 68 of the Act, the declaration must be in form 8 of Schedule 2:
 - (b) extending a state of local emergency under section 71 of the Act, the declaration must be in form 9 of Schedule 2:
 - (c) terminating a state of local emergency under section 72 of the Act, the declaration must be in form 10 of Schedule 2.
- (4) Despite subclause (3), the person may, when making a declaration,—
- (a) use a form of similar effect to a form specified in subclause (3):
 - (b) include additional information in any form.

Regulation 6: substituted, on 1 August 2010, by regulation 5 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

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.

Regulation 7: inserted, on 1 June 2017, by regulation 4 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

Schedule 1 Form of civil defence logo

r 4



1 Design

The civil defence logo,—

- (a) if colour is used, is a yellow triangle in a blue circle, with the letters CD in blue inside the triangle and the words CIVIL DEFENCE in yellow below the triangle; and
- (b) if colour is not used, is a white triangle in a black circle, with the letters CD in black inside the triangle and the words CIVIL DEFENCE in white below the triangle.

2 Colours

The colours to be used in printed materials are—

- (a) printing manufacturers' standard blue: PMS Pantone 294; and
- (b) printing manufacturers' standard yellow: PMS Process Yellow.

3 Paint materials

The colours to be used in painted materials must match the specifications in clause 2.

Schedule 2

Forms

rr 5, 6

Contents

| | | Page |
|----|---|------|
| 1 | Search warrant to enter premises and obtain information in urgent cases | 7 |
| | <i>Ministerial forms for state of national emergency</i> | |
| 2 | Declaration by Minister of state of national emergency | 9 |
| 3 | Declaration by Minister extending state of national emergency | 11 |
| 4 | Declaration by Minister terminating state of national emergency | 13 |
| | <i>Ministerial forms for state of local emergency</i> | |
| 5 | Declaration by Minister of state of local emergency | 14 |
| 6 | Declaration by Minister extending state of local emergency | 15 |
| 7 | Declaration by Minister terminating state of local emergency | 16 |
| | <i>Non-ministerial forms for state of local emergency</i> | |
| 8 | Declaration of state of local emergency | 17 |
| 9 | Declaration extending state of local emergency | 19 |
| 10 | Declaration terminating state of local emergency | 21 |
| | <i>Ministerial forms for national transition periods</i> | |
| 11 | Notice of national transition period | 23 |
| 12 | Notice of extension of national transition period | 25 |
| 13 | Notice of termination of national transition period | 26 |
| | <i>Ministerial forms for local transition periods</i> | |
| 14 | Notice of local transition period | 27 |
| 15 | Notice of extension of local transition period | 29 |
| 16 | Notice of termination of local transition period | 30 |
| | <i>Non-Ministerial forms for local transition periods</i> | |
| 17 | Notice of local transition period | 30 |
| 18 | Notice of extension of local transition period | 32 |
| 19 | Notice of termination of local transition period | 33 |

Form 1

Search warrant to enter premises and obtain information in urgent cases

Section 78, Civil Defence Emergency Management Act 2002

To **[full name]*, a constable

or

**any constable*

or

**any class of constables*

I am satisfied on oath that—

(a) **a state of emergency is in force in [state “New Zealand” or the name of the area of New Zealand, Civil Defence Emergency Management Group area, district, or ward]*

or

**the Director under the Civil Defence Emergency Management Act 2002 considers that an imminent threat of an emergency exists in [state “New Zealand” or the name of the area of New Zealand, Civil Defence Emergency Management Group area, district, or ward]*

or

**a Controller under the Civil Defence Emergency Management Act 2002 considers that an imminent threat of an emergency exists in [state “New Zealand” or the name of the area of New Zealand, Civil Defence Emergency Management Group area, district, or ward]*

or

**a person authorised by a Civil Defence Emergency Management Group considers that an imminent threat of an emergency exists in [state “New Zealand” or the name of the area of New Zealand, Civil Defence Emergency Management Group area, district, or ward]; and*

(b) in or on *[give particulars of the premises, not being a dwellinghouse]* there is information and—

(i) the information is urgently required to prevent or limit the extent of the emergency; and

(ii) the person in possession of the information has refused to provide the information.

**Delete if inapplicable.*

This warrant authorises you, within 10 days from its date of issue,—

(a) to enter and search the premises stated above at any time by day or night during the currency of the warrant; and

- (b) to use any assistance that may be reasonable in the circumstances for the purposes of the entry and search; and
- (c) to use any force that is reasonable in the circumstances for the purposes of effecting entry, and for breaking open anything in or on the premises searched; and
- (d) to search for and seize information and, for that purpose,—
 - (i) to take copies or extracts of any document; and
 - (ii) to require any person who has a document in his or her possession, or under his or her control, to reproduce, or assist the person executing the warrant to reproduce, any information recorded or stored in the document in a usable form.

This warrant is issued subject to the following special conditions: [*set out any special conditions specified by the person issuing the warrant; if none, state “None specified”*].

Issued at [*place*], [*date*].

.....
District Court Judge

Schedule 2 form 1: amended, on 1 October 2008, pursuant to section 116(a)(ii) of the Policing Act 2008 (2008 No 72).

Ministerial forms for state of national emergency

Heading: inserted, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Form 2

Declaration by Minister of state of national emergency

Section 66, Civil Defence Emergency Management Act 2002

I, [full name], declare that a state of national emergency exists over the whole of New Zealand/exists in [specify names of Civil Defence Emergency Management Group areas or districts]* owing to [describe emergency].

The state of national emergency comes into force immediately on the making of this declaration.

The state of national emergency expires 7 days after the time and date on which the state of emergency comes into force.

Declared by: [signature]

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

*Select one.

Time and date of declaration:

Notes

- 1 The Minister must advise the House of Representatives as soon as practicable of the making of this declaration.
- 2 This declaration must also be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 3 Calculating “7 days after the time and date on which the state of emergency comes into force”: If the state of emergency came into force at 9.35 am on 1 January, it would expire at 9.35 am on 8 January. If the state of emergency came into force at 9.35 am on a Friday, it would expire at 9.35 am on the following Friday.

Schedule 2 form 2: substituted, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 2: amended, on 25 March 2012, by section 11(2) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 2: amended, on 25 March 2012, by section 11(3) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 2: amended, on 25 March 2012, by section 11(4) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Form 3

Declaration by Minister extending state of national emergency

Section 71, Civil Defence Emergency Management Act 2002

I, [full name], extend the state of national emergency declared at [specify time and date][†] over the whole of New Zealand/for [specify names of Civil Defence Emergency Management Group areas or districts]* owing to [describe emergency].

The state of national emergency is extended for 7 days immediately before the expiry of the original declaration/the last extension*.

Declared by: [signature]

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

[†]Include times and dates when any extensions took effect.

*Select one.

Time and date of declaration:

Notes

- 1 The Minister must advise the House of Representatives as soon as practicable of the making of this declaration.
- 2 This declaration must also be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 3 Calculating the extension of “7 days” for a declaration extending the state of emergency: If the extension came into force at 9.35 am on 1 January, it would expire at 9.35 am on 8 January. If the extension came into force at 9.35 am on a Friday, it would expire at 9.35 am on the following Friday.
- 4 If this is a second or subsequent extension of a state of emergency, specify the time and date when each previous extension took effect and the time and date when the state of emergency was first declared.

Schedule 2 form 3: substituted, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 3: amended, on 25 March 2012, by section 11(5) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 3: amended, on 25 March 2012, by section 11(6) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 3: amended, on 25 March 2012, by section 11(7) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 3: amended, on 25 March 2012, by section 11(8) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Form 4

Declaration by Minister terminating state of national emergency

Section 72, Civil Defence Emergency Management Act 2002

I, [full name], terminate the state of national emergency declared at [specify time and date][†] over the whole of New Zealand/for [specify names of Civil Defence Emergency Management Group areas or districts]* owing to [describe emergency].

The termination of the state of national emergency takes effect from the time and date this declaration is made.

Declared by: [signature]

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

[†]Include times and dates when any extensions took effect.

*Select one.

Time and date of declaration:

Notes

- 1 This declaration must be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 2 If any extension of the state of emergency was made, specify the time and date when each extension took effect, as well as the time and date when the state of emergency was first declared.

Schedule 2 form 4: substituted, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 4: amended, on 25 March 2012, by section 11(9) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 4: amended, on 25 March 2012, by section 11(10) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 4: amended, on 25 March 2012, by section 11(11) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 4: amended, on 25 March 2012, by section 11(12) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Ministerial forms for state of local emergency

Heading: inserted, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Form 5**Declaration by Minister of state of local emergency**

Section 69, Civil Defence Emergency Management Act 2002

I, [full name], declare that a state of local emergency exists in [specify names of Civil Defence Emergency Management Group area, districts, or wards] owing to [describe emergency].

The state of local emergency comes into force immediately on the making of this declaration.

The state of local emergency expires 7 days after the time and date on which the state of emergency comes into force.

Declared by: [signature]

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

*Select one.

Time and date of declaration:

Notes

- 1 This declaration must be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 2 Calculating “7 days after the time and date on which the state of emergency comes into force”: If the state of emergency came into force at 9.35 am on 1 January, it would expire at 9.35 am on 8 January. If the state of emergency came into force at 9.35 am on a Friday, it would expire at 9.35 am on the following Friday.

Schedule 2 form 5: substituted, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 5: amended, on 25 March 2012, by section 11(13) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 5: amended, on 25 March 2012, by section 11(14) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 5: amended, on 25 March 2012, by section 11(15) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Form 6

Declaration by Minister extending state of local emergency

Section 71, Civil Defence Emergency Management Act 2002

I, [full name], extend the state of local emergency declared at [specify time and date][†] for [specify names of Civil Defence Emergency Management Group area, districts, or wards] owing to [describe emergency].

The state of local emergency is extended for 7 days immediately before the expiry of the original declaration/the last extension*.

Declared by: [signature]

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

[†]Include times and dates when any extensions took effect.

*Select one.

Time and date of declaration:

Notes

- 1 This declaration must be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 2 Calculating the extension of “7 days” for a declaration extending the state of emergency: If the extension came into force at 9.35 am on 1 January, it would expire at 9.35 am on 8 January. If the extension came into force at 9.35 am on a Friday, it would expire at 9.35 am on the following Friday.
- 3 If this is a second or subsequent extension of a state of emergency, specify the time and date when each previous extension took effect and the time and date when the state of emergency was first declared.

Schedule 2 form 6: added, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 6: amended, on 25 March 2012, by section 11(16) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 6: amended, on 25 March 2012, by section 11(17) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 6: amended, on 25 March 2012, by section 11(18) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 6: amended, on 25 March 2012, by section 11(19) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Form 7

Declaration by Minister terminating state of local emergency

Section 72, Civil Defence Emergency Management Act 2002

I, [full name], terminate the state of local emergency declared at [specify time and date][†] for [specify names of Civil Defence Emergency Management Group area, districts, or wards] owing to [describe emergency].

The termination of the state of local emergency takes effect from the time and date when this declaration is made.

Declared by: [signature]

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

[†]Include times and dates when any extensions took effect.

*Select one.

Time and date of declaration:

Notes

- 1 This declaration must be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 2 If any extension of the state of emergency was made, specify the time and date when each extension took effect, as well as the time and date when the state of emergency was first declared.

Schedule 2 form 7: added, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 7: amended, on 25 March 2012, by section 11(20) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 7: amended, on 25 March 2012, by section 11(21) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 7: amended, on 25 March 2012, by section 11(22) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 7: amended, on 25 March 2012, by section 11(23) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Non-ministerial forms for state of local emergency

Heading: added, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Form 8

Declaration of state of local emergency

Section 68, Civil Defence Emergency Management Act 2002

I, [full name], declare that a state of local emergency exists in [specify names of Civil Defence Emergency Management Group area, districts, or wards] owing to [describe emergency].

The state of local emergency comes into force immediately on the making of this declaration.

The state of local emergency expires 7 days after the time and date on which the state of emergency comes into force.

Declared by: [signature]

Designation:

Select the applicable designation.

- Person appointed and authorised by the Civil Defence Emergency Management Group to declare a state of local emergency for its area.
- Representative of a member of the Civil Defence Emergency Management Group [select this designation where no appointed person is or is likely to be able to exercise the power to declare a state of local emergency].
- Mayor of the district for which the state of local emergency is declared.
- Elected member of the district for which the state of local emergency is declared (designated to act on behalf of the mayor when the mayor is absent).

Time and date of declaration:

Notes

- 1 This declaration must be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 2 Calculating “7 days after the time and date on which the state of emergency comes into force”: If the state of emergency came into force at 9.35 am on 1 January, it would expire at 9.35 am on 8 January. If the state of emergency

came into force at 9.35 am on a Friday, it would expire at 9.35 am on the following Friday.

Schedule 2 form 8: added, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 8: amended, on 25 March 2012, by section 11(24) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 8: amended, on 25 March 2012, by section 11(25) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 8: amended, on 25 March 2012, by section 11(26) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Form 9

Declaration extending state of local emergency

Section 71, Civil Defence Emergency Management Act 2002

I, [full name], extend the state of local emergency declared at [specify time and date][†] for [specify names of Civil Defence Emergency Management Group area, districts, or wards] owing to [describe emergency].

The state of local emergency is extended for 7 days immediately before the expiry of the original declaration/the last extension*.

[†]Include times and dates when any extensions took effect.

*Select one.

Declared by: [signature]

Declaration:

Select applicable designation.

- Person appointed and authorised by the Civil Defence Emergency Management Group to declare a state of local emergency for its area.
- Representative of a member of the Civil Defence Emergency Management Group [*select this designation where no appointed person is or is likely to be able to exercise the power to declare a state of local emergency*].
- Mayor of the district for which the state of local emergency is declared.
- Elected member of the district for which the state of local emergency is declared (designated to act on behalf of the mayor when the mayor is absent).

Time and date of declaration:

Notes

- 1 This declaration must be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 2 Calculating the extension of “7 days” for a declaration extending the state of emergency: If the extension came into force at 9.35 am on 1 January, it would expire at 9.35 am on 8 January. If the extension came into force at 9.35 am on a Friday, it would expire at 9.35 am on the following Friday.
- 3 If this is a second or subsequent extension of a state of emergency, specify the time and date when each previous extension took effect and the time and date when the state of emergency was first declared.

Schedule 2 form 9: added, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 9: amended, on 25 March 2012, by section 11(27) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 9: amended, on 25 March 2012, by section 11(28) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 9: amended, on 25 March 2012, by section 11(29) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 9: amended, on 25 March 2012, by section 11(30) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Form 10

Declaration terminating state of local emergency

Section 72, Civil Defence Emergency Management Act 2002

I, [full name], terminate the state of local emergency declared at [specify time and date][†] for [specify names of Civil Defence Emergency Management Group area, districts, or wards] owing to [describe emergency].

The termination of the state of local emergency takes effect from the time and date when this declaration is made.

[†]Include times and dates when any extensions took effect.

Declared by: [signature]

Designation:

Select applicable designation.

- Person appointed and authorised by the Civil Defence Emergency Management Group to declare a state of local emergency for its area.
- Representative of a member of the Civil Defence Emergency Management Group [*select this designation where no appointed person is or is likely to be able to exercise the power to declare a state of local emergency*].
- Mayor of the district for which the state of local emergency is declared.
- Elected member of the district for which the state of local emergency is declared (designated to act on behalf of the mayor when the mayor is absent).

Time and date of declaration:

Notes

- 1 This declaration must be—
 - (a) notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - (b) published in the *Gazette* as soon as practicable. It is recommended publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.
- 2 If any extension of the state of emergency was made, specify the time and date when each extension took effect, as well as the time and date when the state of emergency was first declared.

Schedule 2 form 10: added, on 1 August 2010, by regulation 6 of the Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176).

Schedule 2 form 10: amended, on 25 March 2012, by section 11(31) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 10: amended, on 25 March 2012, by section 11(32) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 10: amended, on 25 March 2012, by section 11(33) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Schedule 2 form 10: amended, on 25 March 2012, by section 11(34) of the Civil Defence Emergency Management Amendment Act 2012 (2012 No 6).

Ministerial forms for national transition periods

Heading: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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.

Schedule 2 form 11: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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*.

Schedule 2 form 12: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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*.

Schedule 2 form 13: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

Ministerial forms for local transition periods

Heading: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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.

Schedule 2 form 14: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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.

Schedule 2 form 15: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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*.

Schedule 2 form 16: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

Non-Ministerial forms for local transition periods

Heading: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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.

Schedule 2 form 17: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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.

Schedule 2 form 18: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

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*.

Schedule 2 form 19: inserted, on 1 June 2017, by regulation 5 of the Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59).

Diane Wilderspin,
Acting for Clerk of the Executive Council.

Reprints notes

1 *General*

This is a reprint of the Civil Defence Emergency Management Regulations 2003 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Civil Defence Emergency Management (Transition Period Notices) Amendment Regulations 2017 (LI 2017/59)

Civil Defence Emergency Management Amendment Act 2012 (2012 No 6): section 11

Criminal Procedure Act 2011 (2011 No 81): section 413

Civil Defence Emergency Management Amendment Regulations 2010 (SR 2010/176)

Policing Act 2008 (2008 No 72): section 116(a)(ii)