



New Zealand Legislation

Civil Defence Emergency Management Act 2002

If you need more information about this Act, please contact the administering agency: **Department of Internal Affairs**

- Warning: Some amendments have not yet been incorporated
- with search matches highlighted

Version as at 1 July 2022



Civil Defence Emergency Management Act 2002

Public Act 2002 No 33

Date of assent 17 October 2002

Commencement see section 2

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under [subpart 2](#) of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the National Emergency Management Agency.

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Civil Defence Emergency Management Act 2002

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- not the latest version

4 Interpretation

In this Act, unless the context otherwise requires,—

administering authority means, in relation to a Civil Defence Emergency Management Group, the administering authority described in [section 23](#)

area, in relation to a Civil Defence Emergency Management Group,—

- (a) means all the districts of the local authorities that are members of the Group; and
- (b) extends to—
 - (i) the landward boundary of the territorial authorities in the Group; and
 - (ii) the seaward boundary of the regions of regional councils or unitary authorities in the Group

chief executive officer, in relation to a provider, means—

- (a) in relation to a company, the person occupying the position of chief executive of the company, by whatever name called;
- (b) in relation to a partnership, a partner nominated for the purpose by the partnership;
- (c) in relation to an individual provider, the provider;
- (d) in relation to any other provider, including an unincorporated body, a person occupying a position that is comparable with that of chief executive officer of a company, by whatever name called

civil defence emergency management—

- (a) means the application of knowledge, measures, and practices that—
 - (i) are necessary or desirable for the safety of the public or property; and
 - (ii) are designed to guard against, prevent, reduce, recover from, or overcome any hazard or harm or loss that may be associated with any emergency; and
- (b) includes, without limitation, the planning, organisation, co-ordination, and implementation of those measures, knowledge, and practices

Civil Defence Emergency Management Co-ordinating Executive Group or **Executive Group** means a Group established under [section 20](#)

Civil Defence Emergency Management Group or **Group** means a Group established under [section 12](#) or established or re-established under [section 22](#)

civil defence emergency management group plan means a plan prepared and approved under [section 48](#)

civil defence emergency management plan means a national civil defence emergency management plan or a civil defence emergency management group plan

constable—

- (a) has the same meaning as in [section 4](#) of the Policing Act 2008; and

(b) in [Part 5B](#), includes any person acting under the authority of a constable

Controller means the person who is the National Controller in accordance with [section 10](#), or a Group Controller appointed under [section 26](#)

department means a department of the public service listed in [Schedule 1](#) of the State Sector Act 1988

Director means the Director of Civil Defence Emergency Management appointed under [section 8](#)

district means the district of a local authority; and includes a region

emergency means a situation that—

- Q
- (a) is the result of any happening, whether natural or otherwise, including, without limitation, any explosion, earthquake, eruption, tsunami, land movement, flood, storm, tornado, cyclone, serious fire, leakage or spillage of any dangerous gas or substance, technological failure, infestation, plague, epidemic, failure of or disruption to an emergency service or a lifeline utility, or actual or imminent attack or warlike act; and
 - (b) causes or may cause loss of life or injury or illness or distress or in any way endangers the safety of the public or property in New Zealand or any part of New Zealand; and
 - (c) cannot be dealt with by emergency services, or otherwise requires a significant and co-ordinated response under this Act

emergency services means the New Zealand Police, Fire and Emergency New Zealand, and providers of health and disability services

Group Controller means a person appointed as a Group Controller under [section 26](#)

Group Recovery Manager means a person appointed as a Group Recovery Manager under [section 29](#)

hazard means something that may cause, or contribute substantially to the cause of, an emergency

health and disability services means health services and disability support services within the meaning of the [New Zealand Public Health and Disability Act 2000](#)

lifeline utility means an entity named or described in [Part A](#) of [Schedule 1](#), or that carries on a business described in [Part B](#) of [Schedule 1](#)

local authority means a local authority within the meaning of the [Local Government Act 2002](#).

Local Recovery Manager means a person appointed as a Local Recovery Manager under [section 30](#)

local transition period means a local transition period notified under [section 94B](#)

member means a local authority that is a member of a Civil Defence Emergency Management Group

Minister means, subject to any enactment, the Minister of the Crown who, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

national civil defence emergency management plan means a plan made under [section 39](#)

national civil defence emergency management strategy means a strategy completed under [section 31](#)

National Controller means the person who is the National Controller in accordance with [section 10](#)

National Recovery Manager means the person who is delegated specified functions and powers of the Director under [section 11A](#)

national significance includes, without limitation, any case where the Minister or the Director considers that—

- (a) there is widespread public concern or interest; or
- (b) there is likely to be significant use of resources; or
- (c) it is likely that the area of more than 1 Civil Defence Emergency Management Group will be affected; or
- (d) it affects or is likely to affect or is relevant to New Zealand's international obligations; or
- (e) it involves or is likely to involve technology, processes, or methods that are new to New Zealand; or
- (f) it results or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment)

national transition period means a national transition period notified under [section 94A](#)

owner, in relation to a structure, includes (but is not limited to) a person who owns part of the structure