

Authorisation for a category or class of persons to exercise declared disaster powers

This form is in accordance with Sections 75 to 79 of the *Disaster Management Act 2003*.

This form is to be completed by the chairperson of the State Disaster Management Group or a relevant District Disaster Coordinator (DDC) for the disaster situation

A disaster situation has been declared for:

Disaster District/s, part of District, the State or part of the State:	
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The disaster situation remains in force until:

Ending date:	
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(NB: Police officers do not need authorisation to exercise declared disaster powers)

Authorisation to exercise declared disaster powers under section 77 of the *Disaster Management Act 2003* excluding 77(1)(h) and 78 is to be given to: (Note 1)

Category of officer	All officers of the category <i>(tick if relevant)</i>	Particular class of officer <i>(specify particular class if relevant)</i> e.g. intensive care paramedics
Ambulance officers		
Fire officers		
Health officers		
All members of a class of persons the chairperson or relevant DDC is satisfied has the necessary expertise or experience to exercise the powers e.g. military personnel or veterinarians		

The officer/s is/are also authorised to exercise the following powers: (Note 2)

Remove, dismantle, demolish or destroy a building or other structure, in the declared area.	Yes / No
Direct the owner of any property, by giving the owner notice through the approved form, to put the property under the control, or at the disposal, of a person stated in the notice.	Yes / No

Conditions of the authorisation (if applicable): (Note 3)	

Signature:	
Printed name:	
Position:	
Date and time:	

Provide a copy to the individual/s authorised to exercise the declared disaster powers.

Retain a copy of this form for your records and send the original to the State Disaster Coordination Centre on Fax: 3357 4682.

Guidelines for completing an authorisation for a category or class of persons to exercise declared disaster powers form DM8B

General

In accordance with section 75 of the *Disaster Management Act 2003* the chairperson of the State Disaster Management Group (State Group), or a relevant District Disaster Coordinator (DDC), may authorise any of the following persons to exercise declared disaster powers for the disaster situation -

- An ambulance officer
- A fire officer
- A health officer;
- A person who is a member of a class of persons the chairperson or relevant DDC is satisfied has the necessary expertise or experience to exercise the powers.

Police officers may also exercise declared disaster powers.

A failure to put an authorisation in writing (through this form) does not invalidate the authorisation or anything done under the authorisation.

DDCs or Declared Disaster Officers (DDOs) may exercise a power only –

- During the period of the disaster situation; and
- To do any of the following –
 - Ensure public safety or public order;
 - Prevent or minimise loss of human life, or illness or injury to humans or animals;
 - Prevent or minimise property loss or damage, or damage to the environment.

A DDO may exercise a power only subject to any conditions on which they have been authorised.

Section 76(4) provides that if the DDO is a non-government ambulance officer, the officer is subject to the directions of a government ambulance officer; and if the DDO is a non-government fire officer, the officer is subject to the directions of a government fire officer; and if the DDO is a non-government health officer, the officer is subject to the directions of a government health officer.

In accordance with Subsection (1)(h) of the *Disaster Management Act 2003* a relevant District Disaster Coordinator (DDC) or Declared Disaster Officer (DDO) may remove, dismantle, demolish or destroy a vehicle, or a building or other structure, in the declared area.

Section 77(2) provides that a DDO may exercise a power under subsection (1)(h) in relation to a building or other structure only with the written approval of a relevant DDC.

In accordance with section 78 of the *Disaster Management Act 2003*, a relevant District Disaster Coordinator (DDC) or a Declared Disaster Officer (DDO) may direct the owner of any property, by notice in the approved form given to the owner, to put the property under the control, or at the disposal, of a person stated in the notice.

If the property is residential or business premises, a DDO may give a person a direction only with the written approval of a relevant DDC.

Note 1

Police officers do not need to be listed, because they are already authorised to exercise declared disaster powers in a disaster situation.

This section allows for a whole category of officer to be authorised at the same time, rather than having to list each individual separately.

Next to the relevant category, either tick in the 'all officers of this category column', or specify in the next column which particular class of officers you would like to authorise.

Example:

Category of officer	All officers of the category <i>(tick if relevant)</i>	Particular class of officer <i>(specify particular class if relevant)</i>
Ambulance officers		intensive care paramedics
Fire officers	✓	
Health officers		
All members of a class of persons the chairperson or relevant DDC is satisfied has the necessary expertise or experience to exercise the powers e.g. military personnel or veterinarians		

This example would mean that all fire officers are authorised, and intensive care paramedics (which are a class of the category ambulance officer) are being authorised with the declared disaster powers.

Note 2

Please indicate if you would like an individual to be authorised to:

- Remove, dismantle, demolish or destroy a building or other structure, in the declared area; or
- Direct the owner of any property, to put the property under the control, or at the disposal, of a person stated in the notice;

By circling Yes or No.

Note 3

You may place conditions on the authorisation.

e.g. the powers may only be exercised in the Brisbane City Council area on 13 March 2005.

Or the powers can only be used in order to prevent the Newcity Dam from bursting.

Or the powers can only be used after discussing their use with the DDC.