



New Zealand Government



# Strengthening New Zealand's emergency management legislation

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Blind Low Vision NZ, Auckland

**Transcriber's Note:** At the top of the page, three logos are displayed in a row. On the left is **Civil Defence**. In the centre is **New Zealand Government**. On the right is **National Emergency Management Agency: Te Rākau Whakamarumaru**.

# **Strengthening New Zealand's emergency management legislation**

New Zealand is vulnerable to a wide range of hazards that could cause disasters, such as floods, wildfires, pandemics, earthquakes, or infrastructure failure. As a country we need to learn from past emergencies to strengthen our disaster resilience.

The Government intends to introduce new legislation later this year to strengthen and modernise how New Zealand manages the risk of emergencies. This legislation will replace the Civil Defence Emergency Management Act 2002 (the CDEM Act).

As part of this process, the National Emergency Management Agency (NEMA) wants to hear your views about the issues and options which have been outlined in a discussion document. Your feedback will help inform NEMA's advice to the Government on the content of the legislation.

## **Consultation process**

You can find the full discussion document and more information about how to have your say on NEMA's website.

[Emergency Management Bill consultation]

Public consultation will close at 5pm on 13 May 2025.

# **What does the Civil Defence Emergency Management Act do?**

The CDEM Act provides:

- government agencies, local government, emergency services and lifeline utilities (such as the electricity network) with emergency management roles and responsibilities
- extraordinary powers that can be used to protect people and manage the consequences when an emergency happens
- requirements for national and local emergency management planning
- the ability to set more detailed expectations and standards for emergency management through regulations or non-legislative documents.

# Why is legislative change needed?

An inquiry after Cyclone Gabrielle and other reviews have shown that improvements are needed to the CDEM Act and the approach to emergency management on the ground.

The Government intends to respond to the inquiries and reviews by delivering new legislation as well as non-legislative improvements (such as training). More information on the Government's focus areas for this work are available on NEMA's website:

[Strengthening disaster resilience and emergency management]

The Government's proposed objectives for the new legislation, and the issues that relate to them, are summarised below. We have also provided a summary of the options to address the issues under Objective 1, because we think they will be of particular interest to communities.

# **Objective 1: Strengthening community and iwi Māori participation**

Everyone has a role to play in emergency management—before, during and after disaster strikes.

The Government wants to achieve a "whole of society" approach to emergency management, where communities can act alongside the "official" emergency system.

This means having an emergency management system which has a good understanding of the diverse needs of communities, particularly those who may face worse outcomes. It also means having a system that can draw on the expertise and resources offered by iwi Māori, community groups, businesses, volunteers, and other organisations before, during and after emergencies.

The issues and options we are looking at under this Objective are:

## **1. Meeting the diverse needs of people and communities**

Options include:

- 1) provide more tailored information on emergency management to different groups based on their specific needs or interests

- 2) require local government emergency plans to consider the needs of people that may be disproportionately affected by emergencies
- 3) require NEMA's Director to consult with representatives of disproportionately affected communities to inform national planning

## **2. Strengthening and enabling iwi Māori participation in emergency management**

Options include:

- 1) address the roles of iwi Māori in plans, guidance, and other policy settings
- 2) require iwi Māori representation on local government emergency management decision-making bodies
- 3) require local government to engage with iwi Māori during the development of emergency management plans
- 4) require NEMA's Director to seek advice on Māori interests and knowledge to inform national planning

## **3. Strengthening and enabling community participation in emergency management**

Options include:

- 1) provide better information and guidance for community groups

- 2) require local government emergency plans to state how they will manage offers of assistance from the public

#### **4. Recognising that people, businesses and communities are often the first to respond in an emergency**

Options include:

- 1) provide greater legal protections for people who act in good faith during an emergency
- 2) enable compensation, in certain circumstances, for labour costs when people are tasked by emergency management authorities

### **Objective 2: Providing for clear responsibilities and accountabilities at the national, regional, and local levels**

A wide range of organisations have roles and responsibilities in emergency management. Those roles and responsibilities are set out in the CDEM Act and other legislative documents.

The Government wants to ensure it is clear who will do what, how organisations will work together, and that there

are clear lines of accountability for those who have legal responsibilities under the CDEM Act.

The issues we are looking at under this objective are:

**5. Clearer direction and control of the overall operational response to an emergency, including when no "state of emergency" has been declared**

**6. Strengthening regional leadership and coordination of emergency management—by clarifying roles and responsibilities, accountabilities, and strengthening performance**

**7. Ensuring emergency management plans can be kept up to date**

### **Objective 3: Enabling a higher minimum standard of emergency management**

Many hazards are managed by local authorities, with emergency management choices that are informed by local knowledge and their unique context.

Although this approach is a strength, the Government wants to ensure there are acceptable outcomes for people across New Zealand.

The issues we are looking at under this objective are:



**8. Strengthening the ability to set national expectations and monitor and address performance issues if individuals or organisations fail to meet their legal responsibilities**

**9. Strengthening hazard risk management at the local government level**

**10. Strengthening consideration of taonga Māori, other cultural heritage, and animals (including pets, working animals, livestock, and wildlife) during and after emergencies**

## **Objective 4: Minimising disruption to essential services**

Our wellbeing depends on essential services that meet our basic needs, keep us safe, and let us live our normal lives. We often don't realise how much we rely on these services, such as electricity, communications or the justice system, until something goes wrong.

The Government wants to minimise the impact emergencies have on these services, to help communities continue to function normally or return to normal as soon as possible.

The issues we are looking at under this objective are:

**11. Reducing disruption to the infrastructure that provides essential services, including by recognising**

**a wider range of infrastructure, strengthening planning, and reducing barriers to cooperation and information sharing**

**12. Ensuring all government organisations that provide critical services consider how to minimise disruption of these services in an emergency**

## **Objective 5: Having the right powers available when an emergency happens**

During a declared state of emergency, or the initial stages of recovery, the CDEM Act grants access to extraordinary powers to help address risks to life or property or limit the severity of an emergency.

The Government wants to ensure the process to access these emergency powers, and who can use them, is fit for purpose.

The issues we are looking at under this objective are:

**13. Safely managing access to closed roads and other restricted areas**

**14. Ensuring the right people can access emergency powers at the local level**

**15. Ensuring declarations for a state of emergency can happen efficiently and effectively, such as using electronic signatures on declarations**

**16. Making it clear who declares a local state of emergency**

## **Have your say**

The issues and options outlined in the discussion document are preliminary only. To inform our advice on content for the new legislation, we would like your views on:

- how we have described the issue
- the likely benefits or risks of the options (including telling us if there are any options you prefer and why)
- any new ideas or alternative options.

To submit your views, please use the submission template on our website or email

[EmergencyManagementBill@nema.govt.nz](mailto:EmergencyManagementBill@nema.govt.nz)

[Emergency Management Bill consultation]

Submissions must be in English or te reo Māori. Your feedback may be shared with other government agencies, published on our website, or shared in response to an Official Information Act request. If you provide information that you do not wish to be shared (such as your name),

please state this clearly in the email that goes with your submission, noting the parts you would like to be withheld and your reasons for doing so.

To learn what you and your community can do to be ready for an emergency, visit: <https://getready.govt.nz/>

**End of Strengthening New Zealand's emergency management legislation**