



# EMERGENCY MANAGEMENT DECLARATIONS

## Declaring states of emergency and transition periods

In the Emergency Management Bill (No 2) 2025 (EM Bill), transition periods will be declared, instead of a notice being issued.

The procedure for declaring is similar to the procedure in the Civil Defence Emergency Management Act 2002 (CDEM Act), with minor changes, for example, the removal of newspaper publication requirements.

**This information sheet contains information about:**

- Declarations for states of emergency and transition periods
- Declarations for concurrent emergencies
- Enhanced Mayoral role in declaration
- Use of electronic signatures to sign declarations

## Concurrent national and local emergencies

### What's changing?

The EM Bill enables a state of local emergency or local transition period and a state of national emergency or national transition period to exist over the same location, at the same time.

A state of local emergency or a local transition period will remain in force if a state of national emergency or a national transition period is subsequently declared for another emergency, even if both emergencies affect the same location. Conversely, if a state of national emergency or national transition period is in place, a state of local emergency or a local transition period may be declared.

Where there are concurrent emergencies, the Regional, District, and Local Controllers, Recovery Managers, and persons acting under delegated authority must exercise their powers consistently with the priorities for the use of resources and services determined by the Director-General of Emergency Management, the National Controller, or the National Recovery Manager.

### Why the changes?

National and local level emergencies can happen in the same location over the same or overlapping time periods (concurrent emergencies). The CDEM Act only allows for either a state of local emergency or a local transition period or a state of national emergency or national transition period over the same location at any given time.

Currently, if a state of local emergency is in place and a state of national emergency is declared to manage another emergency, then the state of national emergency will automatically terminate the state of local emergency. Similarly, if a local transition period is in place and a national transition period is subsequently declared, the national transition period will automatically terminate the local transition period. Also, if a local or national transition period is in place and a state of emergency is declared (whether at the national or local level), the transition period will be automatically terminated.

This change will enable local authorities to have appropriate access to the response and recovery powers needed to manage local events when a national level response or recovery is happening.

### When is this happening?

The ability to declare concurrent emergencies will come into force the day after Royal assent.

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# EMERGENCY MANAGEMENT BILL (No 2) 2025

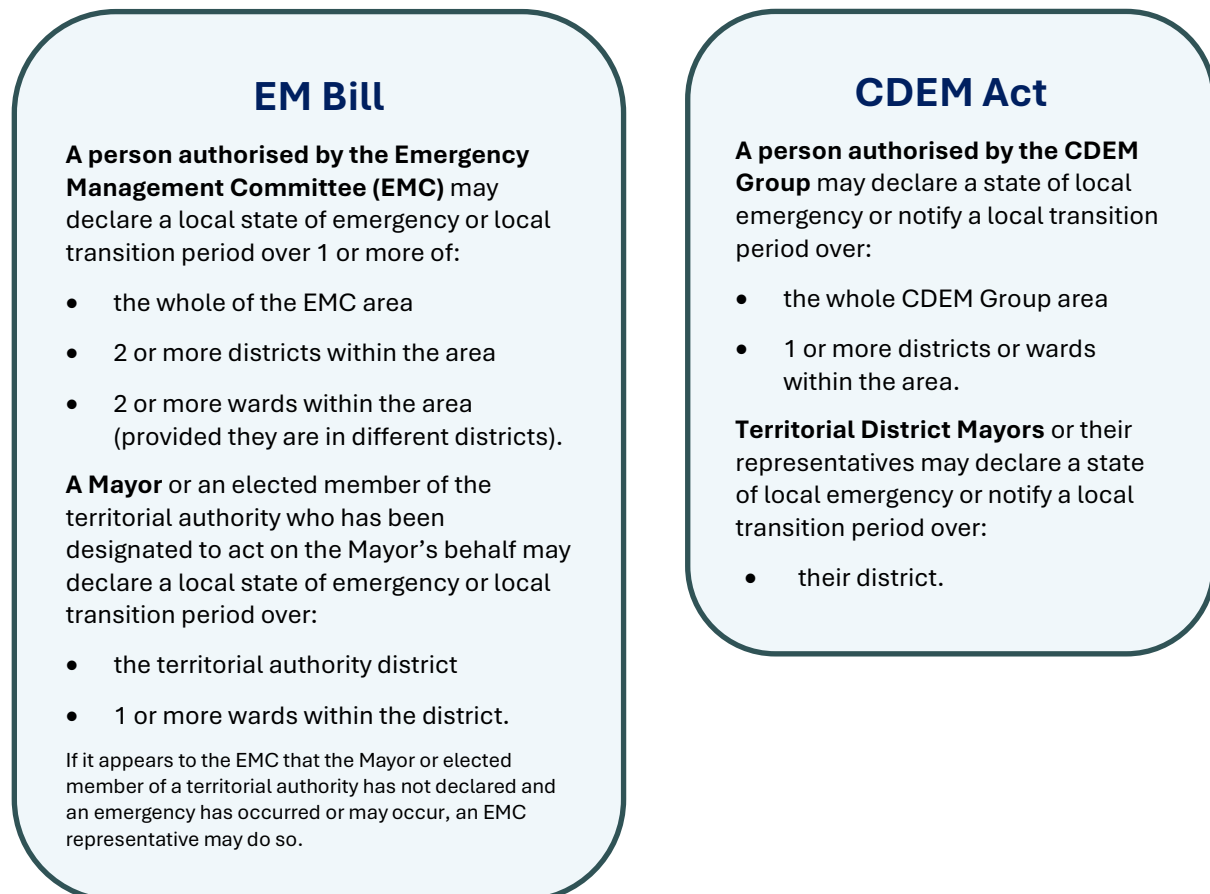
## INFORMATION SHEET 4

For Regional Controllers and Regional Recovery Managers, the duty to act consistently with national priorities will come into force the day after Royal assent. For District and Local Controllers this duty comes into force 12 months after Royal assent.

### Enhanced Mayoral role in local declarations

#### What's changing?

The Mayor will be primarily responsible for declarations over their territorial district and the wards. The diagram below shows the changes to who makes declarations between the EM Bill and the CDEM Act.



The EM Bill also requires that before declaring a state of local emergency a person authorised by the CDEM Group must, if practicable, consult the Mayor of any affected local authority. This ensures a co-ordinated response.

#### Why the changes?

Currently, both a person authorised by the CDEM Group and a Mayor can declare a state of emergency or give notice of a transition period over a district or ward. This creates uncertainty for those with responsibility to act, and for those responsible for advising decision-makers.

Making the Mayor responsible for declarations over their territorial district and the wards within it clearly identifies the key statutory decision maker in an emergency.

The changes reflect current practice and align with the accountability of Mayors to their communities.

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### Use of electronic signatures to sign declarations

#### What's changing?

The EM Bill enables the Minister to make an emergency management rule to prescribe the form and manner in which declarations are made. This can include the use of both a physical or electronic signature.

#### Why the changes?

Under the CDEM Act, declarations and transition period notices can only be signed with a physical signature. Allowing only physical signatures to be used for signing forms is outdated and can also:

- be impractical in certain circumstances
- cause delays in the commencement of a state of emergency or transition period, and
- put people at risk during an emergency if they travel to obtain a physical signature.

#### When is this happening?

The provision for a rule to be made to enable the use of electronic signatures to sign declarations will come into force the day after Royal assent.

### Reducing the geographic area when a state of emergency or transition period is extended

#### What's changing?

Under the CDEM Act, if a state of emergency or transition period is extended it can only be for the same location. A second declaration is required for a smaller location.

The EM Bill removes the need for a second declaration of a state of emergency or transition period when extending the declaration but for a smaller location to the original declaration.

#### Why the changes?

States of emergency and transition periods provide access to powers that limit normal rights and freedoms. These powers should only remain available in areas where they are still needed.

#### When is this happening?

This change comes into force the day after Royal assent.

### Terminating states of emergency

#### What's changing?

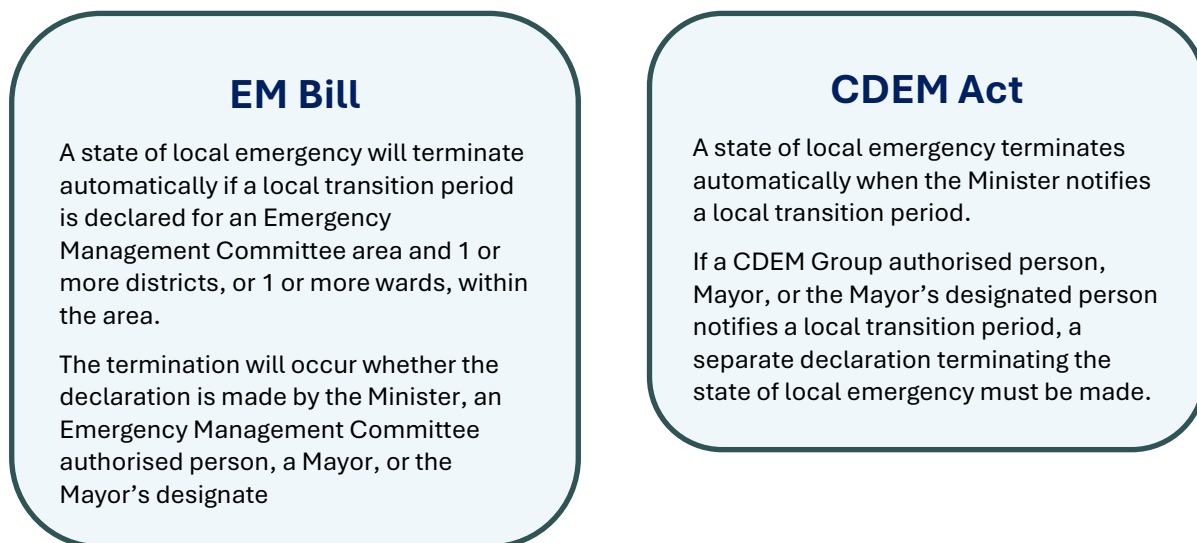
The EM Bill provides for automatic termination of a local state of emergency on the declaration of a local transition period.

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## INFORMATION SHEET 4

The diagram below shows the changes relating to terminating states of emergency between the EM Bill and the CDEM Act.



### Why the changes?

Providing for automatic termination of a local state of emergency on the declaration of a local transition period is administratively straightforward.

### Who is affected by the changes?

The following people or groups are affected by the changes outlined in this information sheet:

- Emergency Management Committees
- National, Regional, District and Local Controllers
- National, Regional, District and Local Recovery Managers
- Anyone with delegated authority from a Regional or District Controller to exercise the emergency powers
- Mayors
- Elected members of territorial authority designated to act on the Mayor's behalf
- The Minister for Emergency Management and Recovery

## Key terms | Ngā kupu hira

<b>Royal assent</b>	The date when a Bill is signed by the Governor-General and becomes law (typically the next working day after it receives Royal assent).
<b>Emergency Management Committee</b>	A group of local authority elected representatives who lead emergency management in their areas, including making declarations.
<b>Minister</b>	Minister for Emergency Management and Recovery.

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