

UNITARY AUTHORITY EMERGENCY MANAGEMENT COMMITTEES

Not Government policy

The Select Committee reported back on the Emergency Management Bill (No 2) to Parliament on 5 June 2026 and made recommendations to amend the Bill as introduced to Parliament in December 2025. Please refer to the information section on the [Emergency Management Bill \(No 2\)](#) on Parliament's website for complete information about the Select Committee's recommendations.

The Select Committee's recommendations are not Government policy. Parliament has not yet considered or agreed to the Select Committee's recommendations and will do so when the Bill is read for a second time for which a date has not been set. The reported-back version of the Bill can, however, be treated as the current version. When the Bill is read for a second time, Parliament may agree to all, some or none of the Select Committee's recommendations. There may also be further amendments to the Bill not in the Select Committee's recommendations.

This information sheet summarises key provisions in the Bill as reported back by Select Committee. This information should not be relied on as definitive guidance on the requirements of the Bill once enacted and readers will need to consider the Bill once enacted. This information should not be relied on as legal advice.

This information sheet summarises key functions, powers and duties in the Emergency Management Bill (No 2) as reported back by Select Committee (EM Bill) relating to **Unitary Authority Emergency Management Committees (Unitary Authority EMC)**. This includes provisions carried over from the Civil Defence Emergency Management Act 2002 (CDEM Act) which the EM Bill will replace, if enacted, as well as new provisions introduced by the Bill. This information may not cover all relevant information related to this role. Readers should refer to the [Emergency Management Bill \(No 2\)](#) as reported back for complete information about what the Bill provides for and requires.

Further information sheets related to other roles under the EM Bill and key differences with the CDEM Act can be found at www.civildefence.govt.nz.

Emergency Management Committees govern emergency management at the local government level

Many emergency management responsibilities are devolved to local government. Under the EM Bill, **Emergency Management Committees (EMC)** govern emergency management at the local government level. An EMC is either a:

- Multi-member EMC made up of more than one local authority in a region, each represented by a mayor or regional council chairperson, or
- Unitary Authority EMC made up of a single unitary authority.

This reflects the different local government organisations that may be established under the Local Government Act 2002 as set out below.

Local authority refers to both regional councils and territorial authorities.

Territorial authority refers to district councils which include unitary authorities, and city councils (but does not include regional councils).

Unitary authority refers to territorial authorities who also have regional council functions.

Emergency Management Bill (No 2) as reported back from Select Committee

ROLE INFORMATION SHEET D

This information sheet focuses on **Unitary Authority EMC**.

See **Role Information Sheet C: Multi-member Emergency Management Committees** and **Topic Information Sheet 2: Emergency Management Committee roles and responsibilities**.

What is a Unitary Authority Emergency Management Committee?

A Unitary Authority EMC consists of a single unitary authority. A Unitary Authority EMC must appoint a committee under Schedule 7 of the Local Government Act to perform and exercise its functions, duties, and powers as an EMC.

Schedule 7 of the Local Government Act also enables Unitary Authority EMC to appoint a person who is not an elected member of a local authority to this committee if they consider that person has the skills, attributes, or knowledge that will assist the work of the EMC. Unitary Authority EMC cannot be discharged or reconstituted. The Minister for Emergency Management and Recovery (the Minister) may approve a proposal for a merger of two or more EMC. The EM Bill also provides for EMC to be established or re-established in the event of local government reorganisations.

The **attached diagram** summarises the main changes between the EM Bill and CDEM Act in relation to Unitary Authority EMC.

Functions of Unitary Authority Emergency Management Committees

The following table sets out the functions of the Unitary Authority EMC within its area.

Functions of the Unitary Authority Emergency Management Committee within its area

- Plan and provide for emergency management.
- Identify and assess hazards and risks.
- Manage hazards and risks.
- Identify and implement cost-effective risk reduction.
- Consult and communicate with communities in their area about identified hazards and risks.
- Ensure suitably trained and competent personnel, including volunteers, are available, and have an appropriate organisational structure for them.
- Take all steps necessary or desirable to maintain and provide, or to arrange the provision of, or otherwise, to make available, material, services, information, and any other resources for effective emergency management.
- Respond to and manage the adverse effects of emergencies.
- In advance of an emergency, plan for recovery activities.
- In the event of an emergency, carry out recovery activities.
- When requested, assist other EMC with emergency management in their areas.
- Promote and raise public awareness of, and compliance with, the EM Bill and legislative provisions relevant to the purpose of the Bill, including in the legislation listed in Schedule 2 of the Bill.
- Monitor and report on compliance with the EM Bill and legislative provisions relevant to the purpose of the Bill, including in legislation listed in **Schedule 2*** of the Bill.
- Develop, approve, implement, and monitor a regional emergency management plan and regularly review the plan.

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Emergency Management Bill (No 2) as reported back from Select Committee

ROLE INFORMATION SHEET D

- Participate in the development of the national emergency management strategy and the national emergency management plan.
- Promote emergency management consistent with the purpose of the EM Bill.

***Schedule 2 Legislation relevant to emergency management:**

Biosecurity Act 1993	Land Drainage Act 1908
Building Act 2004	Local Government Act 1974
Climate Change Response Act 2002	Local Government Act 2002
Fire and Emergency New Zealand Act 2017	Local Government Official Information & Meetings Act 1987
Hazardous Substances & New Organisms Act 1996	Maritime Transport Act 1994
Health Act 1956	Resource Management Act 1991
Health & Safety at Work Act 2015	Soil Conservation & Rivers Control Act 1941

Unitary Authority EMC have a general obligation under the EM Bill to take all necessary steps to undertake emergency management or to perform their functions or duties as required.

EMC must also act consistently with the national emergency management strategy in performing or exercising their functions, duties, and powers.

An EMC is subject to the power of Director-General of Emergency Management (Director-General) to act on default by others. This means that if an EMC fails to perform a function or duty under the Bill within a time that the Director-General considers reasonable, the Director-General may perform that function or duty, at the EMC's expense.

Duty to consider meeting responsibilities through relevant legislation

The EM Bill recognises the interaction between emergency management responsibilities and functions, duties, and powers of local authorities under other relevant legislation. The EM Bill places a duty on EMC to consider whether performing or exercising functions, duties, or powers under other relevant legislation would also enable them to meet their responsibilities under the EM Bill.

General powers of Emergency Management Committees

EMC have all the powers that are reasonably necessary or expedient to enable them to perform their functions and duties. An EMC may delegate any of its functions, duties, or powers to the Regional Controller, the Regional Recovery Manager, or any other persons. Those powers include to:

- recruit and train volunteers for emergency management tasks
- conduct emergency management training exercises, practices, and rehearsals
- issue and control the use of signs, badges, insignia, and identification passes authorised under the EM Bill
- provide, maintain, control, and operate warning systems
- provide communications, equipment, accommodation, and facilities for the performance and exercise of the EMC's functions, duties, and powers during an emergency
- authorise a person to act as an office holder to apply for warrants to obtain information
- perform any other function that is necessary to give effect to any emergency management plan.

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Emergency Management Bill (No 2) as reported back from Select Committee

ROLE INFORMATION SHEET D

If an EMC agrees to undertake emergency management at the request of another EMC, they may recover certain costs from that other EMC.

Power to require information for emergency management

At all times an EMC may, in writing and in a specified form, require any person to provide them with information free of charge that is reasonably necessary for the EMC to carry out emergency management. The person asked to provide the information must already possess the information and be able to provide it without unreasonable difficulty or expense.

The person may appeal to the District Court if the requirement to provide information is unreasonable.

People cannot be required to provide information concerning the medical condition or history of any person or information that is protected by legal professional privilege.

The EMC may disclose or use that information only for the purposes of the EM Bill. However, the EMC may disclose the information to the Minister, a territorial authority, a Controller or a Recovery Manager, if it is relevant and to be used to exercise their powers for buildings affected by an emergency under subpart 6B of Part 2 of the Building Act, in an area where a state of emergency or transition period has been declared.

The EMC must not use information provided by an essential infrastructure provider to enforce obligations under the EM Bill, regulations, or rules.

Appointments to the Emergency Management Co-ordinating Executive Group

Each EMC must appoint and maintain an Emergency Management Co-ordinating Executive Group (CEG).

The CEG's role is to:

- provide advice to the EMC and any subgroups or subcommittees
- implement, as appropriate, the decisions of the EMC, and
- oversee the implementation, development, maintenance, monitoring, and evaluation of the regional emergency management plan (Regional Plan).

EMC must appoint to the CEG:

- the chief executive (or a person acting on their behalf) of the unitary authority
- a senior Police employee, assigned by the Commissioner of Police
- a senior employee, volunteer, or contractor of Fire and Emergency New Zealand, assigned by the board of Fire and Emergency New Zealand
- the chief executive or a senior officer of an emergency ambulance service operating in the area (this must be an organisation identified by the Minister as an emergency ambulance service in the New Zealand Gazette)
- the chief executive or a senior member of a provider of health services operating in the area
- one or more people with understanding of local perspectives of Māori and Māori communities in the area (including iwi and hapū, but not necessarily representing a particular iwi or hapū); and their interests and values, including mātauranga Māori (Māori traditional knowledge) and tikanga Māori (Māori protocol and culture), and
- one or more people with knowledge, experience, or expertise in the interests and needs of rural communities in the area.

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Emergency Management Bill (No 2) as reported back from Select Committee

ROLE INFORMATION SHEET D

Each EMC must also consider co-opting to the CEG one or more people who have knowledge of the interests of communities related to emergency management in the area, which will assist the CEG to fulfil its role.

The EMC must ensure that any members appointed related to those with knowledge of Māori communities, rural communities, and interests of communities (as above) have the resources, information, and administrative support necessary to enable them to effectively perform their roles.

An EMC may also co-opt any other person to the CEG and support them as they see fit.

Declaration of a state of local emergency and local transition period

The Mayor of the unitary authority, or an elected member of the unitary authority who is designated to act on their behalf if absent, may declare a state of local emergency or a local transition period that covers the:

- district of the unitary authority, or
- one or more wards within that district.

However, any elected representative of the EMC can declare if it appears to the EMC that an emergency has occurred or may occur and the Mayor has not declared.

An EMC must appoint at least one elected representative to declare a state of local emergency, and at least one elected representative to declare a local transition period that covers the EMC's area. The appointment must state whether the representatives have equal status to make a declaration or whether they may only declare in the absence of another. If no appointed person is, or is likely to be, able to declare then any elected representative of the EMC can also do this.

The Minister may also declare a state of local emergency and a local transition period in certain circumstances. See **Role Information Sheet A: Minister for Emergency Management and Recovery**.

Declarations following local body elections

If an elected mayor has not yet been sworn in under the Local Government Act following a local body election, that mayor-elect may be sworn in temporarily by the chief executive (or their delegate) in order to declare a state of local emergency or local transition period.

Duration, extension and termination of local declarations

A state of local emergency declaration expires after seven days unless its duration is extended or it is terminated earlier. An authorised person or the Minister may terminate the state of local emergency before it expires, or extend its duration for a further seven days any number of times (subject to the relevant legal tests continuing to be met), over the same or a smaller location.

A local transition period declaration expires after 28 days unless its duration is extended or it is terminated earlier. An authorised person or the Minister may terminate the local transition period before it expires, or extend its duration for a further 28 days, any number of times (subject to the relevant legal tests continuing to be met), over the same or a smaller location.

If a local transition period is extended a third or further time the EMC must notify the Minister of the extension. The Minister must then inform the House of Representatives of the extension as soon as practicable.

A local declaration may also be terminated if the Minister declares a state of national emergency or national transition period for the same emergency over the same location, or an authorised person or the Minister declares another state of local emergency or local transition period over that location.

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Emergency powers of Emergency Management Committees

If a state of emergency (national or local) is in force in their area, an EMC may:

- provide for the rescue of endangered persons and their removal to areas of safety
- set up first aid posts, and provide for first aid to be given to casualties and for casualties to be moved to hospitals or to other places of treatment or safety
- provide for the relief of human distress, including emergency food, clothing, and shelter
- undertake emergency measures for the disposal of dead persons or animals if it is satisfied that the measures are urgently necessary in the interests of public health
- undertake emergency measures for the disposal of dead animals if it is satisfied that the measures are urgently necessary in the interests of public health
- transport, equipment, and facilities prohibit or regulate land, air, and water traffic within the area to the extent necessary to conduct emergency management
- provide equipment, accommodation, and facilities for the exercise of any of the powers
- provide information and advice to the public, and
- enter into contracts, including employment contracts, with any person for the purpose of carrying out emergency management.

An EMC must act consistently with any directions given by the Minister or the Director-General.

Powers in recovery

An EMC is subject to the Minister's power to - if a state of emergency is in force or an imminent threat of an emergency exists - direct the EMC to perform or exercise (to the satisfaction of the Director-General) or stop performing or exercising, any of their functions and powers under the EM Bill.

Appointments and delegations to Controllers and Recovery Managers

See **Role Information Sheet G: Controllers** and **Role Information Sheet H: Recovery Managers**.

Controllers during a state of emergency and Recovery Managers in a transition period, direct and coordinate resources, and may also use extraordinary emergency powers, to effectively manage the response to, and recovery from, an emergency.

A Unitary Authority EMC must have a suitably qualified and experienced Regional Controller and Regional Recovery Manager; and at least one suitably qualified and experienced person to act as an alternate Regional Controller and an alternate Regional Recovery Manager.

The Unitary Authority EMC may decide to appoint the unitary authority's chief executive to one or either of these roles, if they are suitably qualified and experienced. Otherwise, the chief executive must appoint a suitably qualified and experienced person as a Regional Controller and a Regional Recovery Manager; and at least one alternate Regional Controller and alternate Regional Recovery Manager.

In practice, it is expected that most chief executives will not be a Regional Controller or Regional Recovery Manager. However, the EM Bill allows for this because this may work best for smaller councils.

The chief executive of a Unitary Authority EMC may appoint one or more suitably qualified and experienced people as a Local Controller and a Local Recovery Manager; and will determine which Regional Controller and Regional Recovery Manager functions or powers should be held by a Local Controller as part of their appointment.

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Emergency Management Bill (No 2) as reported back from Select Committee

ROLE INFORMATION SHEET D

The EMC may delegate any of its functions, duties and powers to the Regional and Local Controller and Regional and Local Recovery Manager.

Publishing reports of the exercise of powers

When a state of local emergency or local transition period expires or is terminated, Regional Controllers and Regional Recovery Managers must provide reports to the EMC which set out the use of powers under Part 4 of the Bill by any Controller or Recovery Manager during the state of local emergency or local transition period. The EMC must publish these reports on their internet site.

Regional emergency management planning

Each Unitary Authority EMC must prepare and approve a Regional Plan.

Matters that the Regional Plan must state and provide for

Key matters that a Regional Plan must state and provide for are the:

- hazards and risks to be managed by the EMC, the emergency management necessary to manage those hazards and risks, and the strategic planning for recovery from those hazards and risks
- objectives of the Plan and the relationship of each objective to the national emergency management strategy (National Strategy), and
- arrangements for:
 - declaring a state of local emergency and a local transition period
 - co-operation and co-ordination with other EMC
 - the needs of any community in the area that the EMC considers to be a disproportionately affected community in an emergency
 - how offers of assistance with emergency management from individuals and groups will be managed during an emergency, and
 - managing animals (including pets, working animals, livestock, and wildlife) during an emergency.

'Disproportionately affected communities' are defined in the EM Bill to mean a community that, if an emergency occurs:

- will or is likely to be significantly more affected by the emergency than other communities, and
- because it is significantly more affected, will or is likely to have increased vulnerabilities or specific needs during or after the emergency.

To provide for these matters a Regional Plan may impose duties on any person.

The Regional Plan may authorise an employee of the EMC to exercise the power to enter contracts on behalf of the EMC and may authorise a person to exercise the power to close roads and public places during a state of emergency.

National level oversight of the Regional Plan

See **Role Information Sheet A: Minister for Emergency Management and Recovery** and **Role Information Sheet B: Director-General of Emergency Management**.

The Regional Plan must:

- be consistent with the National Strategy

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Emergency Management Bill (No 2) as reported back from Select Committee

ROLE INFORMATION SHEET D

- meet the requirements in any planning standards issued by the Minister, and
- take account of guidelines, codes, or technical standards issued by the Director-General.

An EMC is also subject to the power of the Minister to direct changes to a proposed Regional Plan and direct a review of the Regional Plan.

Regional emergency management plan review

The EMC must review and decide to amend, replace or retain its Regional Plan every five years. It can also review the plan at any time.

In developing the Regional Plan, the EMC must:

- engage with and involve representatives of any community in the area that the EMC considers is likely to be a disproportionately affected community in an emergency in the area
- engage with and involve representatives of iwi and Māori in the area
- consult people and agencies who would have roles and responsibilities under the proposed Plan
- publicly notify the proposed Plan and notify representatives of iwi and Māori within the area and any other person or group the EMC considers appropriate, and invite submissions, and
- provide the proposed Plan to the Minister for the Minister's comments and any direction the Minister may wish to make to amend the Plan.

In making the Regional Plan, the EMC must also have regard to:

- the responsibility of people and communities to provide for their own well-being and the well-being of future generations
- the benefits to be derived for people and communities from the management of hazards and risks, and
- New Zealand's international obligations (to the extent relevant).

The EMC may make targeted amendments of limited scope and impact without a full review of the Regional Plan, after applying the principles of consultation under section 82 of the Local Government Act. The EMC may make minor amendments to the plan (that would not affect the rights and obligations of anyone) without undertaking consultation.

Implementation of the Regional Plan under the Local Government Act

Under the EM Bill, the Local Government Act is amended to require that a local authority's long-term plan must set out steps to implement or progress the requirements imposed on the local authority in the relevant regional emergency management plan.

The steps must provide for the local authority to implement or progress the requirements:

- in a way that the local authority considers appropriate, having regard to competing demands and any other relevant circumstances, and
- only to the extent that the local authority is reasonably able to do so in the period covered by the long-term plan; and consistently with the local authority's role, functions, duties, and powers under the EM Bill and any other legislation.

Civil liability protection

An EMC is protected from liability in civil proceedings for any act they do or omit to do when performing or exercising in good faith their functions, duties or powers under the EM Bill, if:

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Emergency Management Bill (No 2) as reported back from Select Committee

ROLE INFORMATION SHEET D

- they are acting directly or indirectly in relation to a state of emergency or transition period, or
- they consider that an imminent threat of an emergency exists and intend their actions to be precautionary or preventive to lessen the impact of the emergency.

This includes situations where the EMC may be acting under the direction of someone else who is performing or exercising a function, duty, or power under the EM Bill, for example, the Minister.

A person who issues or fails to issue a warning under the Act (whether or not in connection with a state of emergency or transition period) is protected from civil liability for loss or damage relating to the warning.

The above protections do not apply to actions taken or not taken in bad faith or gross negligence.

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Local government structures under the Emergency Management Bill

Unitary authority Emergency Management Committees

The Emergency Management Bill provides different structural arrangements for “multi-member” and “unitary authority” Emergency Management Committees (EMC).

This page sets out the structural arrangements for **unitary authority EMC**, which are made up of a single unitary authority.

Key:

Structure unchanged from CDEM Act

Change to structure or line of accountability

Summary of structural changes

- 1 The Regional Controller and Regional Recovery Manager are appointed by the unitary authority’s chief executive (or the EMC, if the chief executive is to hold the role). The chief executive may also appoint Local Controllers and Local Recovery Managers.
- 2 The Bill clarifies which kinds of health providers are represented on Coordinating Executive Groups.
- 3 Each EMC must appoint the chief executive or a senior officer of an emergency ambulance service to its Coordinating Executive Group.
- 4 Each EMC must appoint to its Coordinating Executive Group at least 1 person with an understanding of local Māori and Māori communities and their interests and values.
- 5 Each EMC must appoint to its Coordinating Executive Group at least 1 person with knowledge, experience, or expertise regarding the interests and needs of rural communities.
- 6 Each EMC must consider co-opting to its Coordinating Executive Group 1 or more persons who have knowledge of other community interests.

