

# EMERGENCY SERVICES LEGISLATION AMENDMENT BILL 1995

## EXPLANATORY NOTES

### Short title

The Bill may be cited as the *Emergency Services Legislation Amendment Bill 1995*.

### Policy objectives of, and rationale for, the legislation

The legislation is proposed to amend the *State Counter-Disaster Organisation Act 1975* and the *Fire Service Act 1990*.

The *State Counter-Disaster Organisation Act* previously recognised the role of State Emergency Service (SES) members with respect to counter disaster purposes. This Bill will have the effect of providing the legislative underpinning and protections for SES members carrying out search and rescue and similar operations in emergency or other situations. In addition, SES members will be empowered to carry out other operations in an emergency situation to help and protect persons and protect property.

In addition to recognising the role of SES members in providing incident response and support, the Bill will empower officers performing these functions to use warning devices, for example warning lights, and to take certain actions, such as cutting up a car, as part of a road accident rescue operation. Exemption from tolls for SES vehicles in the same manner as exemption is provided for Queensland Police Service, Queensland Ambulance Service and Queensland Fire Service vehicles, is provided in the Bill.

A key amendment to the *Fire Service Act* will be the recognition of fire officers as public sector employees under the *Public Sector Management Commission Act 1990*. This amendment, together with the repeal of the fire service appeal provisions, will provide greater equity for these officers through access to the public sector promotional and disciplinary appeal processes. The amendment will remove references to internal promotional and disciplinary appeal processes and establish the Public Sector

Management Commission as the external appeal authority in accordance with the Public Sector Management Standards.

Auxiliary fire officers will continue to have a right of appeal in disciplinary matters. Similarly, such appeal processes will be provided by the Public Sector Management Commission.

The Bill will provide greater flexibility for fire officers with respect to superannuation arrangements. Currently fire officers are restricted to superannuation coverage under the fire service superannuation scheme. The Bill will provide ambit for the Governor in Council to approve access by fire officers to alternate schemes.

In a localised fire emergency, the Commissioner of Fire Service will have the power to impose fire bans in all or part of a local government area without the need for ministerial approval and gazettal. The commissioner or his delegate now will, by notice in a newspaper circulating in the area or, in urgent circumstances, by radio broadcast notice, be empowered to impose a fire ban for that area for a specified period, and specify the types of fires which may be lit during the period of the ban.

Since its introduction during 1984, the urban fire levy has been calculated having regard to the category of property concerned and the class of urban district within which the property is situated. Such classes of urban district have been based upon the number of permanent fire officers employed at a fire station and have ranged from class A with over 20 permanent fire officers down to class D without permanent fire officers, relying upon auxiliary support. The effect of the amendment to section 108 of the *Fire Service Act* is to affirm that differing fire levies can be imposed on prescribed properties on the basis of these criteria.

Similarly, the effect of the retrospective validation provisions is to ensure the technical correctness of the fire levies imposed under the fire service legislation since the enactment of the *Fire Service Act*.

In summary, the Bill amends the current Acts in a number of respects to reflect changed requirements, to remedy certain shortcomings, to achieve greater operational effectiveness and updates the drafting of the statutes to conform more closely to the current drafting practices of the Office of Parliamentary Counsel.

### **Alternate ways of achieving the policy objectives**

These policy objectives could also have been achieved through the preparation of a Bill which consolidated the *Fire Service Act*, the *Ambulance*

*Service Act 1991*, and the *State Counter-Disaster Organisation Act* into a single statute. The umbrella Emergency Services legislation will require extensive consultation and it was considered necessary to proceed more expeditiously with these amendments in the interim.

### **Estimated cost for government implementation**

Limited savings are expected to be made as a consequence of the proposed amendments, for example through the removal of internal fire appeal processes.

### **Consistency with fundamental legislative principles**

The policies to be given the strength of law by this Bill generally conform with fundamental legislative principles.

It is considered to be reasonable to provide powers to authorised SES officers to damage property, for example when cutting into motor vehicles to free trapped occupants. These powers have previously been provided by the Parliament to Fire Service and other authorised emergency services officers.

Sections 159 and 160 of the *Fire Service Act* have the effect of validating fire levies which have been imposed annually since the enactment of that Act. These provisions do not impose any additional financial obligations upon the owners of prescribed properties. Since 1984, differing fire levies have been annually prescribed on the basis of the application of the same criteria as set forth originally in section 34A of the now repealed *Fire Brigades Act 1964*. The effect of these validation provisions is to overcome any possible technical irregularity in subordinate legislation promulgated since the enactment of the *Fire Service Act 1990*.

### **Consultation**

Consultation in relation to these issues was extensive and included:

Ministerial Policy Committee

Queensland Fire Service Senior Officers' Association Union of Employees

United Fire Fighters Union

Public Sector Management Commission

Queensland Fire Service Commissioner of Appeals

Queensland Treasury

Queensland Government Superannuation Office

Department of Primary Industries

Department of Environment and Heritage

Rural Fire Council

Volunteer members of the State Emergency Service

Department of Justice and Attorney-General

Office of Cabinet

Crown Solicitor

### **Purpose and intended operation of each clause**

## **Introduction**

*Clause 1* Sets out the short title of the Act.

*Clause 2* Provides that sections 7 to 10, and section 41 (so far as it inserts into the *Fire Service Act 1990* new sections 155 and 156), commence on a day fixed by proclamation.

## **Amendment of the *Fire Service Act 1990***

*Clause 3* States that the *Fire Service Act 1990* is amended as set out in this *Part*.

*Clause 4* Inserts section 5(14) which provides for the application of section 20A of the *Acts Interpretation Act 1954* to this section and schedule 3.

Inserts section 5(15) which provides a sunset machinery provision.

*Clause 5.(1)* Omits the heading “Interpretation” in section 6 and inserts the heading “Definitions”.

*Clause 5.(2)* Omits definitions of “officer of the Queensland Fire Service” and “Queensland Fire Service”.

*Clause 5.(3)* Provides for the definition of “approved form” to be as defined in section 153B (Approval of forms).

Inserts a definition of “approved superannuation scheme” to encompass the existing fire service superannuation scheme and any other superannuation scheme approved by Governor-in-Council in accordance with section 41(2B) of the Act.

Inserts a definition of “broadcasting service” to apply in the context of local fire bans.

Inserts a definition of “fire ban area” by reference to the new section 86(A) of the Act where it is defined to be the area to which a local fire ban applies.

Inserts a definition of “fire service” to mean the Queensland Fire Service.

Inserts a definition of “fire service officer” to mean a person appointed to, or employed in, the fire service, but does not include the person holding office as commissioner.

Inserts a definition of “fire service superannuation scheme” by reference to section 41(1) being the existing Queensland Fire Service Superannuation Plan.

Inserts a definition of “local fire ban” by reference to section 86A which provides that such a fire ban may be imposed by the commissioner where it is considered that a fire emergency exists in a local government’s area. Sub-section (2) of section 86A provides ambit for the determination of the geographical extent of the local fire ban and the nature of fire lighting prohibitions.

*Clause 6* Omits section 19 and inserts a more summary version of the power of the commissioner to delegate. The provision provides for a delegation of power by the commissioner to a fire service officer, an officer of a rural fire brigade, a chief fire warden or a fire warden. A reference to the commissioner’s powers in the context of delegation includes the commissioner’s powers as an authorised fire officer.

*Clause 7* Omits section 25(4). This element of the provision appears in section 25A(1).

*Clause 8* Inserts Section 25A. Section 25A(1) sets forth the content of the omitted section 25(4) with a refinement of wording.

Section 25A(2) designates fire service officers (other than auxiliary fire

officers) as public sector employees. This provision recognises the status of Queensland Fire Service as a unit of the public sector and will allow the application of the Public Sector Management Standards in relation to promotional and disciplinary appeals to the Commissioner for Public Sector Equity for fire service officers.

*Clause 9* Omits section 31 which relates to the superseded appeals process under the *Fire Service Act 1990* and substitutes provisions which make reference to the appeal processes under the *Public Sector Management Commission Act 1990*.

*Clause 10* Omits sections 34 to 40 dealing with the appeal process for disciplinary and promotional matters under the *Fire Service Act 1990* which is to be replaced by coverage under the *Public Sector Management Commission Act 1990*.

*Clause 11.(1)* Omits the heading to Division 4 and substitutes the heading “Superannuation schemes” to reflect the fact that the provision gives ambit for more than one superannuation scheme to be available for the commissioner and every person employed full time in the Queensland Fire Service.

*Clause 11.(2)* Omits the “superannuation scheme” and substitutes the “fire service superannuation scheme” which aligns with the definition of such scheme in section 6 of the Act.

*Clause 11.(3)* The amendments to section 41(1)(b) and (d) and (2) mirror the nature of the amendments under Clause 11(2).

*Clause 11.(4)* Similarly in section 41(2A) the reference to the “scheme” is omitted and “fire service superannuation scheme” is inserted.

*Clause 11.(5)* A new section 41(2B) is inserted which gives ambit to the Governor in Council to approve a superannuation scheme in addition to an existing scheme set forth under section 41(1).

*Clause 11.(6)* The reference to “the superannuation scheme” in section 41(3) is omitted and reference is made to “an approved superannuation scheme” to take into account that a further superannuation scheme may be approved by Governor in Council pursuant to section 41(2B).

*Clause 11.(7)* In section 41(3) the phrase “contribute to the scheme” is omitted and “contribute to an approved superannuation scheme” inserted to give coverage to any scheme approved by Governor in Council pursuant to section 41(2B).

*Clause 11.(8)* The insertion of the phrase, “a contributor to the fire service superannuation scheme” makes it clear that section 41(4) is dealing

with contributors to the fire service superannuation scheme.

*Clause 11.(9)* For the sake of clarity omits “the superannuation scheme” and substitutes “the scheme” which, as is indicated at the introduction of the sub-section, refers to the fire service superannuation scheme.

*Clause 11.(10)* Omits the reference to “the superannuation scheme” and inserts “the fire service superannuation scheme” to make it clear that reference is being made to that scheme.

*Clause 11.(11)* Similarly, the insertion of “contribute to the fire service superannuation scheme” in the stead of “contribute to the superannuation scheme” makes it clear which scheme is being referred to.

*Clause 11.(12)* Similarly, the effect of the amendment in section 41(5) is to state “paid to the scheme”.

*Clause 11.(13)* Similarly, the effect of the amendment is to make reference to “contribution to the scheme” in section 41(5) rather than “contribution to the superannuation scheme”.

*Clause 12.(1)* In accordance with the previous amendments the heading to section 42 is changed to “Trustees of fire service superannuation scheme”.

*Clause 12.(2)* References to “superannuation scheme” are deleted and in their stead reference to “the fire service superannuation scheme” inserted.

*Clause 13* The reference to “the superannuation scheme” is omitted and “the fire service superannuation scheme” inserted.

*Clause 14* Once again to identify the current scheme, the amendment to section 46 results in reference to “the fire service superannuation scheme” being made.

*Clause 15* Makes provision for the insertion of a new Part 8, Division 1 and the heading of “Local fire bans”.

Section 86A empowers the commissioner to impose a fire ban where it is considered by the commissioner that a fire emergency exists in a local government area. The section provides that the local fire ban may be imposed for an entire local government area or lesser part and gives ambit for the prohibition of specified types of fires as well as defining the area to which a local fire ban applies as being the “fire ban area”.

Section 86B(1) gives the option for a local fire ban to be imposed either by way of a newspaper notice or by way of a broadcast notice transmitted in the relevant area.

Section 86B(2) sets the parameters for the imposition of a local fire ban by the commissioner by broadcast notice. The commissioner may impose a local fire ban by broadcast notice where it is considered necessary because of urgent circumstances relating to the fire emergency, and the awaiting of publication of a newspaper notice would result in an undesirable delay.

Section 86B(3) provides the detail to be contained in the newspaper or broadcast notice and provides that the period of the ban is to be stated and is to be no longer than 14 days in duration.

Section 86B(4) gives ambit to the commissioner to publicise the local fire ban by means in addition to the use of a newspaper or broadcast notice.

Section 86C(1) provides the requirements and processes for the cancellation of a local fire ban.

Section 86C(2) provides for the cancellation of a local fire ban either by newspaper notice or broadcast notice.

Section 86C(3) provides a qualification whereby a broadcast notice may be utilised for the cancellation of a local fire ban only where the commissioner considers a newspaper notice would cause an unnecessary delay.

Section 86C(4) provides ambit for the use of other means of publicity for the cancellation of a local fire ban.

Section 86D(1) sets the time period for the operation of a local fire ban.

Section 86D(2) sets the point in time when a notice transmitted by a broadcasting service takes effect.

Section 86D(3) provides that the commencement day and time stated in the notice is not to be earlier than the date and time of transmission under subsection (2).

Section 86D(4) provides that a local fire ban remains in effect until one of the two stipulated events occur.

Section 86E explains the effect of a local fire ban on concurrent authorities to light fires under this Act or other Acts.

Section 86F sets the penalty for a contravention of a local fire ban.

Section 86G provides an evidentiary aid in relation to the proof of the existence and content of a local fire ban.



***Division 2—Declarations of state of fire emergency***

*Clause 16* Omits the words after “offence” and substitutes “against this Act” and provides a maximum penalty of 250 penalty units or 2 years imprisonment.

*Clause 17* Makes an amendment to section 93 in accordance with current evidentiary drafting practices.

*Clause 18* Makes an amendment to section 94 in accordance with current drafting practices.

*Clause 19* Updates the penalty aspect of this provision.

*Clause 20.(1)* The amendment to section 104H(1) simplifies the regulation making power in accordance with current drafting practices.

*Clause 20.(2)* Updates section 104H(2) in accordance with current drafting practices.

*Clause 20.(3)* Similarly updates the language of the provision.

*Clause 20.(4)* Deletes the reference to a recommendation by the Minister.

*Clause 20.(5)* Updates the language of the provision.

*Clause 20.(6)* Substitutes “regulation” for “order”.

*Clause 20.(7)* Updates the language of the provision.

*Clause 20.(8)* Updates the language of the provision.

*Clause 20.(9)* Updates the language of the provision.

*Clause 21.(1)* Updates the language of the provision.

*Clause 21.(2)* Updates the language of the provision.

*Clause 21.(3)* Updates the language of the provision.

*Clause 22* Updates the language of the provision to make reference to the fee being prescribed under a regulation.

*Clause 23* Updates the language of the provision.

*Clause 24.(1)* Updates in section 106(1) the language of the provision.

*Clause 24.(2)* In section 106(2) deletes the reference to “and in the absence of evidence to the contrary, conclusive evidence”.

*Clause 25(1)* Omits section 108(1) and makes provision in its stead for a regulation prescribing the amounts of contributions to be paid by owners of

prescribed properties for a financial year.

*Clause 25.(2)* Substitutes the reference to Governor in Council with a reference to a regulation made under subsection (1).

*Clause 25.(3)* Omits section 108(3) and inserts provision for the categorisation of prescribed properties to be made on the bases stated in the regulation. In this context, examples of the bases upon which prescribed properties may be categorised are set forth. Such categorisation of prescribed properties may take into account the purposes for which the properties are utilised, the nature and availability of fire services in the area, as well as the nature and availability of facilities of such fire service entities in the area. Furthermore, the categorisation of prescribed properties may also be based upon the urban district or class of urban districts in which the properties are located. As an end result the use of such bases for the categorisation of prescribed properties can result in differing fire levies being imposed for the same property usage for example, single unit residences located in different urban districts.

*Clause 25.(4)* Updates the language of the provision.

*Clause 25.(5)* Updates the language in accordance with current drafting practices.

*Clause 26* Updates the language in section 109(1) in accordance with current drafting practices.

*Clause 27* Updates the language in section 110 in accordance with current drafting practices.

*Clause 28* Updates the language in section 112 in accordance with current drafting practices.

*Clause 29* Updates the language in section 113 in accordance with current drafting practices.

*Clause 30* In section 117 makes reference to the amount being prescribed under a regulation.

*Clause 31* Updates the language in section 118 in accordance with current drafting practices.

*Clause 32* Updates the language in section 119 in accordance with current drafting practices.

*Clause 33* Updates the language in section 123(2) in accordance with current drafting practices.

*Clause 34* Updates the language in accordance with current drafting

practices in relation to evidentiary provisions.

*Clause 35. (1)* Substitutes the reference to an order in council in section 144(1) with a reference to a regulation.

*Clause 35.(2)* Omits a redundant evidentiary phrase in section 144(13).

*Clause 36* Simplifies section 148(1) by the deletion of the second half of the provision and consequently deletes section 148(2) and (3).

*Clause 37* Updates the wording of the penalty provision contained in section 149.

*Clause 38* Omits a redundant evidentiary phrase in section 153(f) and (g).

*Clause 39* Inserts a new section 153B making provision for the chief executive to approve forms for use under the Act.

*Clause 40.(1)* Inserts a new heading entitled “Regulation making power”.

*Clause 40.(2)* Simplifies the introduction to the regulation making power.

*Clause 40.(3)* Updates the content of the provision to reflect current drafting practices.

*Clause 40.(4)* Renumbers paragraphs in section 154.

*Clause 40.(5)* Omits section 154(3).

*Clause 40.(6)* Renumbers section 154(5) as 154(3).

*Clause 41* Inserts a new “Part 12—Transitional Provisions” after section 154.

Section 155 defines “commencement day”.

Section 156 provides the transitional arrangements in relation to appeals lodged but not heard before the commencement day of the Act.

Section 157 deals with transitional arrangements in relation to the usage of forms.

Section 157(3) provides a sunset clause for itself.

Section 158 provides transitional arrangements in relation to references to an officer of the Queensland Fire Service.

Section 159 validates amounts prescribed or purporting to have been prescribed as contributions for a financial year under section 108 other than for the financial year commencing 1 July 1994.

Section 160 relates to amounts prescribed or purporting to have been prescribed as contributions for section 108 under the *Fire Service Regulation 1990* in force after the commencement of the *Fire Service Amendment Regulation (No.2) 1994*. Such amounts are declared to have been validly prescribed as the contributions for the 1994/1995 financial year.

*Clause 42.(1)* Substitutes a heading in Schedule 4.

*Clause 42.(2)* Substitutes a new heading in Schedule 4, section 1.

*Clause 42.(3)* Updates the section to refer to the fire service superannuation scheme.

*Clause 42.(4)* Updates the language of the provision.

*Clause 42.(5)* Updates the language of the provision to refer to a regulation.

*Clause 43* Inserts a new heading in Schedule 5.

### ***Amendment of the State Counter-Disaster Organisation Act 1975***

*Clause 44* States that the *State Counter-Disaster Organisation Act 1975* is amended as set out in this *Part*.

*Clause 45* Updates the spelling of “organisation”.

*Clause 46.(1)* Omits the section 4 heading and replaces it with a new heading.

*Clause 46.(2)* Omits section 4(1) and (2).

*Clause 47.(1)* Substitutes a new heading in section 6.

*Clause 47.(2)* Omits the definitions of “Combined Local Authorities”, “Director”, “Local Authority”, “Minister”, “regional operations officer”, “vehicle” and “vessel” to provide ambit for the use of accurate updated definitions.

*Clause 47.(3)* Provides new definitions for “approved form”, “boat”, “combined local governments”, “director”, “emergency related function”, “SES”, “SES member”, “SES vehicle”, and “vehicle”.

The changed definition of “director” reflects the changed status of

Counter-Disaster Services (including State Emergency Services) as a Division of the department of Queensland Emergency Services.

The definition of “emergency related function” appears in section 14(3) and refers to section 14(2) which sets forth the functions of the State Emergency Service in an emergency situation where a state of disaster has not been declared. The ambit of the functions is circumscribed in effect by the nature of operations required in an emergency situation to help injured persons or to protect persons or property from danger or potential danger related to the emergency situation.

“SES” means the State Emergency Service.

The concept of an “SES member” means a person in the SES.

“SES vehicle” means a vehicle of the SES.

The definitions of “vehicle” and “boat” is of relevance in relation to the delineation of the ambit of powers of authorised officers pursuant to section 14B.

*Clause 47.(4)* Provides for the word “vessel” to be omitted from the definition of “resources” in section 6 with the regard to the fact that the definition of “vehicle” now includes a boat which is defined as including any type of ship or other vessel. This makes a use of the term “vessel” redundant.

*Clause 48* Omits section 9(2) and substitutes a new section 9(2) which has the effect of streamlining the description of the composition of the State Counter-Disaster Organisation.

*Clause 49* The amendment clarifies the fact that the conduct of the business of the State Counter-Disaster Organisation is to be in accordance with a way that it determines.

*Clause 50.(1)* Has the effect of omitting the second half of section 12(1) and making an insertion which provides that the central control group shall consist of the persons appointed by the Governor in Council.

*Clause 50.(2)* Inserts a new section 12(1A) which stipulates that the Governor in Council is to appoint a chairperson and executive officer respectively of the group.

*Clause 50.(3)* The amendment makes it clear that any such prescription is to be under a regulation.

*Clause 50.(4)* The amendment has the effect of providing that the Central Control Group shall conduct its business in the way it determines from time to time.

*Clause 51* Provides for the deletion of section 13(3) in accordance with changed administrative arrangements with the establishment of the department of Queensland Emergency Services. The need for the transitional arrangement contained in section 13(4) has passed and this subsection is deleted.

*Clause 52* The inclusion of a new section 14(2) and (3) will have the effect of enhancing the functions of the SES to include the carrying out of search and rescue operations and other operations in emergency situations if a state of disaster has not been declared.

The enhancement of functions will give legislative underpinning for motor vehicle accident rescues, searches and cliff rescues but will not be limited to such emergency situations. Section 14(3) provides for a function referred to in section 14(2) to be referred to as an “emergency related function”.

*Clause 53* Sections 14A and 14B have the effect of vesting discretion in the director to appoint SES members as authorised officers with the necessary powers as particularised to perform emergency related functions as described in section 14(2). Section 14B(3) expressly provides that an authorised officer may direct a person not to enter, or to leave a stated area around the site of danger to a patient provided that this power in no way limits the other express power contained in section 14B(1)(a)(ii).

*Clause 54* Omits the phrase (“other than controllers”) in section 15(d).

*Clause 55* The amendments to section 16 streamline the description of the executive officer’s functions.

*Clause 56* In accordance with current drafting practices the reference to Order in Council is omitted and “gazette notice” substituted.

*Clause 57* Section 19 is omitted having regard to the fact that regional operations officers are no longer appointed and thus the provision has become redundant.

*Clause 58* In accordance with current drafting practices reference to Order in Council has been omitted and “gazette notice” substituted.

*Clause 59* Similarly, with respect to section 21 the outdated references to prescription under an Order in Council have been omitted and “prescribed under a regulation” inserted.

*Clause 60* With respect to delegations the deletion of the previous delegation powers and substitution of delegation powers with respect to the Minister, the chairperson, the director and the disaster district co-ordinator for a disaster district control group streamline these powers. The powers of

delegation contained in the Act are enhanced by the provisions contained in the *Acts Interpretation Act 1954*.

*Clause 61* Amends section 23 in accordance with current drafting practices.

*Clause 62* Similarly amends section 24 in accordance with current drafting practices replacing references to Order in Council with references to a regulation.

*Clause 63.(1)* Similarly amends section 25(1)(a)(v), in accordance with the practice of referring to prescription by way of a regulation.

*Clause 63.(2)* Definition of a vehicle now includes a boat which is defined to mean any type of ship or other vessel used in navigation by water. It has become unnecessary to make reference to “or vessel”, and this phrase is omitted.

*Clause 64* The amendments to section 26 accord with current drafting practices making reference to prescription under a regulation.

*Clause 65* The insertion of a new section 28A gives appropriate legislative underpinning to the sounding or activation of warning devices or warning lights in or on an SES vehicle whilst the SES member is discharging functions in an emergency and considers it appropriate to activate the lights or sound the devices.

Section 28B makes it clear that an SES vehicle responding to an emergency with warning lights sounding or activated is not liable to pay a toll for the use of any road, bridge or ferry. This will help facilitate a prompt response to an emergency by authorised officers.

*Clause 66* The amendment through section 31(3) accords with current drafting practices and in particular with the method of setting penalty units other than a monetary fine in accordance with the *Penalties and Sentences Act 1992*.

*Clause 67* A portion of section 32 is omitted in accordance with current drafting practices.

*Clause 68* It is considered correct to state that the certification provided for in section 34 shall be evidenced. Accordingly the phrase “and, in the absence of evidence to the contrary, conclusive evidence” is omitted.

*Clause 69* The deletion of section 34A from the Act is appropriate having regard to the parallel responsibilities in existence under the *Financial Administration and Audit Act 1977*.

*Clause 70* Sections 37 and 38 are deleted and section 37 replaced with

provision for the Chief Executive to approve forms for use under the Act.

The insertion of the new section 38 accords with current drafting practices.

The inclusion of *Part 6—Transitional Provisions* covers transitional provisions in relation to the usage of forms and references to combined local authorities.

Section 41(1) provides that any reference to the State Emergency Service is a reference to the SES.