

CD/11/4538
C O M M I S S I O N E R

**DELEGATION OF FUNCTIONS, POWERS AND DUTIES BY THE FIRE SERVICES
COMMISSIONER UNDER THE
FIRE SERVICES COMMISSIONER ACT 2010
AND
EMERGENCY MANAGEMENT ACT 1986**

INSTRUMENT OF DELEGATION

I, Craig William Lapsley, Fire Services Commissioner under the *Fire Services Commissioner Act 2010*, pursuant to sections 11 and 25 of that Act, delegate to the person(s) holding, acting in or for the time being performing the duties of the position(s) set out in the attached schedules, each function, power and duty set out in the attached schedules.

The delegations effected by this instrument are subject to the following matters:

1. This instrument revokes all previous delegations, comes into force when executed and remains in force until such time as the instrument is varied or revoked by me;
2. This instrument is subject to the conditions and limitations set out in the attached schedules;
3. This instrument and the attached schedules must be read subject to the *Fire Services Commissioner Act 2010* and any Regulations made under that Act;
4. The functions, powers and duties delegated by me pursuant to this instrument must be exercised or carried out in accordance with any policies, procedures or guidelines that I may issue from time to time;
5. In accordance with s 42A of the *Interpretation of Legislation Act 1984*, this instrument does not prevent me from exercising my functions or powers or carrying out my duties under the *Fire Services Commissioner Act 2010*; and
6. In any particular case, where, at any stage, I give notice to the delegate that I intend to exercise any of the functions or powers or carry out any of the duties referred to in the attached schedules, the delegate must not commence to exercise the power or function or carry out the duty, or must cease to do so, as the case may be.

Craig William Lapsley
Fire Services Commissioner

5 January 2011

Date

**DELEGATION OF FUNCTIONS, POWERS AND DUTIES BY THE FIRE SERVICES COMMISSIONER UNDER THE
FIRE SERVICES COMMISSIONER ACT 2010 AND EMERGENCY MANAGEMENT ACT 1986**

SCHEDULE 1 TO INSTRUMENT OF DELEGATION DATED 5TH JANUARY 2011:

CONTROL OF RESPONSE TO A MAJOR FIRE(S)

Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
Chief Officer, Country Fire Authority	s 10(1)(e), <i>Fire Services Commissioner Act 2010</i> s 16, <i>Emergency Management Act 1986</i> ¹	<p>(1) The duty to control the response to a major fire which is burning, which may occur or which has occurred in any area of the State.</p> <p><i>Note:</i> A major fire is any large or complex fire (however caused) which:</p> <p>(a) has the potential to cause or is causing loss of life and extensive damage to property, infrastructure or the environment; or</p> <p>(b) has the potential to have or is having significant adverse consequences for the Victorian community or a part of the Victorian community; or</p> <p>(c) requires the involvement of 2 or more fire services agencies to suppress the fire; or</p> <p>(d) will, if not suppressed, burn for more than one day.</p> <p>(2) The power to appoint one or more assistant controllers for a major fire, or to transfer control of any response activity to one or more other persons.</p> <p>(3) The powers and authorities conferred by the <i>Country Fire Authority Act 1958</i> on the Chief Officer, Country Fire Authority in relation to the</p>	<p>(1) Subject to clauses (2) and (3), the delegation applies to any major fire, where:</p> <p>(a) the Chief Officer, Country Fire Authority is responsible for the control of the prevention and suppression of the fire under ss 14, 16A, 16B, 16C and 20 of the <i>Country Fire Authority Act 1958</i>; or</p> <p>(b) the Country Fire Authority is responsible for the suppression of the fire under a determination made under s 33 of the <i>Country Fire Authority Act 1958</i>; or</p> <p>(c) the Chief Officer, Country Fire Authority has overall control of response activities in relation to the fire in accordance with an appointment under s 16(4) or s 16A(2) or (3) of the <i>Emergency Management Act 1986</i>²; or</p> <p>(d) the Country Fire Authority is nominated, or determined by agreement, to control the response activities for the fire, in accordance with the State Emergency Response Plan and/or any arrangements in effect between the Country Fire Authority and another fire services agency for the conduct of joint</p>

¹ As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

² As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
		<p>control of response to a major fire.</p>	<p>operational activities or provision of mutual aid.</p> <p>(2) In any case in which the delegation applies to a major fire under clause (1), the Chief Officer, Country Fire Authority must notify the Fire Services Commissioner of the fire, as soon as practicable after the Chief Officer, Country Fire Authority becomes aware that the fire:</p> <ul style="list-style-type: none"> (a) has the potential to become or is a level 3 fire; or (b) has the potential to pose or poses a threat to 1 or more communities (whatever the size); or (c) has the potential to require or requires the substantial involvement of another fire service agency or agencies. <p>(3) The delegation does not apply to a major fire:</p> <ul style="list-style-type: none"> (a) that is burning, may occur or has occurred on a day in respect of which: <ul style="list-style-type: none"> (i) a Code Red fire danger rating applies to 1 or more forecast districts; or (ii) an Extreme fire danger rating applies to 3 or more forecast districts; or (iii) irrespective of the fire danger rating that applies to any forecast district, the Fire Services Commissioner has determined that State, Regional and Incident level control structures be in place and pre-deployed; or (b) where the Fire Services Commissioner otherwise elects to assume control, or to appoint an officer other than the Chief Officer, Country Fire Authority to control, the

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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
Chief Fire Officer, Department of Sustainability and Environment	s 10(1)(e), <i>Fire Services Commissioner Act 2010</i> s 16, <i>Emergency Management Act 1986</i> ³	<p>(1) The duty to control the response to a major fire which is burning, which may occur or which has occurred in any area of the State.</p> <p><i>Note:</i> A major fire is any large or complex fire (however caused) which:</p> <p>(a) has the potential to cause or is causing loss of life and extensive damage to property, infrastructure or the environment; or</p> <p>(b) has the potential to have or is having significant adverse consequences for the Victorian community or a part of the Victorian community; or</p> <p>(c) requires the involvement of 2 or more fire services agencies to suppress the fire; or</p> <p>(d) will, if not suppressed, burn for more than one day.</p> <p>(2) The power to appoint one or more assistant controllers for a major fire, or to transfer control of any response activity to one or more other persons.</p> <p>(3) The powers and authorities conferred by the <i>Country Fire Authority Act 1958</i> on the Chief Officer, Country Fire Authority in relation to the control of response to a major fire.</p>	<p>response to the fire, under s 16(2) or (4) of the <i>Emergency Management Act 1986</i>.</p> <p>(1) Subject to clauses (2) and (3), the delegation applies to any major fire:</p> <p>(a) where the Chief Fire Officer, Department of Sustainability and Environment has overall control of response activities in relation to the fire in accordance with an appointment under s 16(4) or s 16A(2) or (3) of the <i>Emergency Management Act 1986</i>⁴; or</p> <p>(b) where—</p> <p>(i) the Secretary to the Department of Sustainability and Environment has a duty to prevent and suppress the fire under s 62 of the <i>Forests Act 1958</i>; or</p> <p>(ii) the Secretary to the Department of Sustainability and Environment is responsible for the suppression of the fire under a determination made under s 33 of the <i>Country Fire Authority Act 1958</i>; or</p> <p>(iii) the Department of Sustainability and Environment is nominated, or determined by agreement, to control the response activities for the fire, in accordance with the State Emergency Response Plan and/or any arrangements in effect between the Department of Sustainability and Environment and another fire services agency for the conduct of joint</p>

³ As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

⁴ As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			<p>operational activities or provision of mutual aid—</p> <p>but only if, and to the extent that, the Secretary to the Department of Sustainability and Environment has authorised the Chief Fire Officer, Department of Sustainability and Environment, pursuant to s 29 of the <i>Forests Act 1958</i>, to perform the functions of the Secretary in respect of the fire.</p> <p>(2) In any case in which the delegation applies to a major fire under clause (1), the Chief Fire Officer, Department of Sustainability and Environment must notify the Fire Services Commissioner of the fire, as soon as practicable after the Chief Fire Officer, Department of Sustainability and Environment becomes aware that the fire:</p> <ul style="list-style-type: none"> (a) has the potential to become or is a level 3 fire; or (b) has the potential to pose or poses a threat to 1 or more communities (whatever the size); or (c) has the potential to require or requires the substantial involvement of another fire service agency or agencies. <p>(3) The delegation does not apply to a major fire:</p> <ul style="list-style-type: none"> (a) that is burning, may occur or has occurred on a day in respect of which: <ul style="list-style-type: none"> (i) a Code Red fire danger rating applies to 1 or more forecast districts; or (ii) an Extreme fire danger rating applies to

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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			<p>3 or more forecast districts; or</p> <p>(iii) irrespective of the fire danger rating that applies to any forecast district, the Fire Services Commissioner has determined that State, Regional and Incident level control structures be in place and pre-deployed; or</p> <p>(b) where the Fire Services Commissioner otherwise elects to assume control, or to appoint an officer other than the Chief Fire Officer, Department of Sustainability and Environment to control, the response to the fire, under s 16(2) or (4) of the <i>Emergency Management Act 1986</i>.</p>
<p>Secretary to the Department of Sustainability and Environment</p>	<p>s 10(1)(e), <i>Fire Services Commissioner Act 2010</i></p> <p>s 16, <i>Emergency Management Act 1986</i>⁶</p>	<p>(1) The duty to control the response to a major fire which is burning, which may occur or which has occurred in any area of the State.</p> <p><u>Note:</u> A major fire is any large or complex fire (however caused) which:</p> <p>(a) has the potential to cause or is causing loss of life and extensive damage to property, infrastructure or the environment; or</p> <p>(b) has the potential to have or is having significant adverse consequences for the Victorian community or a part of the Victorian community; or</p> <p>(c) requires the involvement of 2 or more fire services agencies to suppress the fire; or</p> <p>(d) will, if not suppressed, burn for more than one day.</p> <p>(2) The power to appoint one or more assistant controllers for a major fire, or to transfer control</p>	<p>(1) Subject to clauses (2) and (3), the delegation applies to any major fire, where—</p> <p>(a) the Secretary to the Department of Sustainability and Environment has a duty to prevent and suppress the fire under s 62 of the <i>Forests Act 1958</i>; or</p> <p>(b) the Secretary to the Department of Sustainability and Environment is responsible for the suppression of the fire under a determination made under s 33 of the <i>Country Fire Authority Act 1958</i>; or</p> <p>(c) the Department of Sustainability and Environment is nominated, or determined by agreement, to control the response activities for the fire, in accordance with the State Emergency Response Plan and/or any arrangements in effect between the Department of Sustainability and</p>

⁶ As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
		<p>of any response activity to one or more other persons.</p> <p>(3) The powers and authorities conferred by the <i>Country Fire Authority Act 1958</i> on the Chief Officer, Country Fire Authority in relation to the control of response to a major fire.</p>	<p>Environment and another fire services agency for the conduct of joint operational activities or provision of mutual aid—</p> <p>but only if, and to the extent that, the Secretary to the Department of Sustainability and Environment has <i>not</i> authorised the Chief Fire Officer, Department of Sustainability and Environment, pursuant to s 29 of the <i>Forests Act 1958</i>, to perform the functions of the Secretary in respect of the fire.</p> <p>(2) In any case in which the delegation applies to a major fire under clause (1), the Secretary to the Department of Sustainability and Environment must notify the Fire Services Commissioner of the fire, as soon as practicable after the Secretary to the Department of Sustainability and Environment becomes aware that the fire:</p> <p>(a) has the potential to become or is a level 3 fire; or</p> <p>(b) has the potential to pose or poses a threat to 1 or more communities (whatever the size);</p> <p>or</p> <p>(c) has the potential to require or requires the substantial involvement of another fire service agency or agencies.</p> <p>(3) The delegation does not apply to a major fire:</p> <p>(a) that is burning, may occur or has occurred on a day in respect of which:</p> <p>(i) a Code Red fire danger rating applies to 1 or more forecast districts; or</p> <p>(ii) an Extreme fire danger rating applies to 3 or more forecast districts; or</p>

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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			<p>(iii) irrespective of the fire danger rating that applies to any forecast district, the Fire Services Commissioner has determined that State, Regional and Incident level control structures be in place and pre-deployed; or</p> <p>(b) where the Fire Services Commissioner otherwise elects to assume control, or to appoint an officer other than the Secretary to the Department of Sustainability and Environment to control, the response to the fire, under s 16(2) or (4) of the <i>Emergency Management Act 1986</i>.</p>
Chief Officer, Metropolitan Fire and Emergency Services Board	<p>s 10(1)(e), <i>Fire Services Commissioner Act 2010</i></p> <p>s 16, <i>Emergency Management Act 1986</i>⁷</p>	<p>(1) The duty to control the response to a major fire which is burning, which may occur or which has occurred in any area of the State.</p> <p><i>Note:</i> A major fire is any large or complex fire (however caused) which:</p> <p>(a) has the potential to cause or is causing loss of life and extensive damage to property, infrastructure or the environment; or</p> <p>(b) has the potential to have or is having significant adverse consequences for the Victorian community or a part of the Victorian community; or</p> <p>(c) requires the involvement of 2 or more fire services agencies to suppress the fire; or</p> <p>(d) will, if not suppressed, burn for more than one day.</p> <p>(2) The power to appoint one or more assistant controllers for a major fire, or to transfer control of any response activity to one or more other</p>	<p>(1) Subject to clauses (2) and (3), the delegation applies to any major fire, where:</p> <p>(a) the Chief Officer, Metropolitan Fire and Emergency Services Board is responsible for the provision of fire suppression or fire prevention services in relation to the fire under ss 7, 28 and 31 of the <i>Metropolitan Fire Brigades Act 1958</i>; or</p> <p>(b) the Chief Officer, Metropolitan Fire and Emergency Services Board has overall control of response activities in relation to the fire in accordance with an appointment under s 16(4) or s 16A(2) or (3) of the <i>Emergency Management Act 1986</i>⁸; or</p> <p>(c) the Metropolitan Fire and Emergency Services Board is nominated, or determined by agreement, to control the response activities for the fire, in accordance with the State Emergency Response Plan and/or any</p>

⁷ As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

⁸ As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
		<p>persons.</p> <p>(3) The powers and authorities conferred by the <i>Country Fire Authority Act 1958</i> on the Chief Officer, Country Fire Authority in relation to the control of response to a major fire.</p>	<p>arrangements in effect between the Metropolitan Fire and Emergency Services Board and another fire services agency for the conduct of joint operational activities or provision of mutual aid.</p> <p>(2) In any case in which the delegation applies to a major fire under clause (1), the Chief Officer, Metropolitan Fire and Emergency Services Board must notify the Fire Services Commissioner of the fire, as soon as practicable after the Chief Officer, Metropolitan Fire and Emergency Services Board becomes aware that the fire:</p> <ul style="list-style-type: none"> (a) is a 5th Alarm level fire under the Greater Alarm Response System; or (b) has the potential to become or is a level 3 fire; or (c) has the potential to pose or poses a threat to 1 or more communities (whatever the size); or (d) has the potential to require or requires the substantial involvement of another fire service agency or agencies. <p>(3) The delegation does not apply to a major fire:</p> <ul style="list-style-type: none"> (a) that is burning, may occur or has occurred on a day in respect of which: <ul style="list-style-type: none"> (i) a Code Red fire danger rating applies to 1 or more forecast districts; or (ii) an Extreme fire danger rating applies to 3 or more forecast districts; or (iii) irrespective of the fire danger rating that applies to any forecast district, the Fire Services Commissioner has determined

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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			<p>that State, Regional and Incident level control structures be in place and pre-deployed; or</p> <p>(b) where the Fire Services Commissioner otherwise elects to assume control, or to appoint an officer other than the Chief Officer, Metropolitan Fire and Emergency Services Board to control, the response to the fire, under s 16(2) or (4) of the <i>Emergency Management Act 1986</i>.</p>

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**DELEGATION OF FUNCTIONS, POWERS AND DUTIES BY THE FIRE SERVICES COMMISSIONER UNDER THE
FIRE SERVICES COMMISSIONER ACT 2010 AND EMERGENCY MANAGEMENT ACT 1986**

SCHEDULE 2 TO INSTRUMENT OF DELEGATION DATED 5th JANUARY 2011:

COMMUNITY WARNINGS AND INFORMATION

Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
Chief Officer, Country Fire Authority	s 24, <i>Fire Services Commissioner Act 2010</i>	The duty to issue warnings and provide information to the community in relation to fires in Victoria for the purposes of protecting life and property.	<p>(1) Subject to clause (2), the delegation applies in circumstances, and for the duration of any period, in which:</p> <ul style="list-style-type: none"> (a) the Chief Officer, Country Fire Authority is responsible for the control of the prevention and suppression of a fire in the country area of Victoria under ss 14, 16A, 16B, 16C and 20 of the <i>Country Fire Authority Act 1958</i>; or (b) the Country Fire Authority is responsible for the suppression of a fire under a determination made under s 33 of the <i>Country Fire Authority Act 1958</i>; or (c) the Chief Officer, Country Fire Authority has overall control of response activities in relation to a major fire in accordance with an appointment under s 16(4) or s 16A(2) or (3) of the <i>Emergency Management Act 1986</i>⁹; or (d) the Country Fire Authority is nominated, or determined by agreement, to control the response activities for a fire, in accordance with the State Emergency Response Plan and/or any arrangements in effect between the Country Fire Authority and another fire services agency for the conduct of joint

⁹ As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			<p>operational activities or provision of mutual aid.</p> <p>(2) In any case in which the delegation applies to a fire under clause (1), the delegation only extends to issuing warnings and providing information in relation to that fire.</p> <p>(3) The delegation does not derogate from the general duty imposed on the Chief Officer, Country Fire Authority under s 50B(1)(b) of the <i>Country Fire Authority Act 1958</i>¹⁰ to issue warnings and provide information to the community.</p>
Secretary to the Department of Sustainability and Environment	s 24, <i>Fire Services Commissioner Act 2010</i>	The duty to issue warnings and provide information to the community in relation to fires in Victoria for the purposes of protecting life and property.	<p>(1) Subject to clause (2), the delegation applies in circumstances, and for the duration of any period, in which—</p> <p>(a) the Secretary to the Department of Sustainability and Environment has a duty to prevent and suppress a fire under s 62 of the <i>Forests Act 1958</i>; or</p> <p>(b) the Secretary to the Department of Sustainability and Environment is responsible for the suppression of a fire under a determination made under s 33 of the <i>Country Fire Authority Act 1958</i>; or</p> <p>(c) the Department of Sustainability and Environment is nominated, or determined by agreement, to control the response activities for a fire, in accordance with the State Emergency Response Plan and/or any arrangements in effect between the Department of Sustainability and Environment and another fire services</p>


¹⁰ As amended by s 44 of the *Fire Services Commissioner Act 2010*.

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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			<p>agency for the conduct of joint operational activities or provision of mutual aid—</p> <p>but only if, and to the extent that, the Secretary to the Department of Sustainability and Environment has <i>not</i> authorised the Chief Fire Officer, Department of Sustainability and Environment, pursuant to s 29 of the <i>Forests Act 1958</i>, to perform the functions of the Secretary in respect of the fire.</p> <p>(2) In any case in which the delegation applies to a fire under clause (1), the delegation only extends to issuing warnings and providing information in relation to that fire.</p> <p>(3) The delegation does not derogate from the general duty imposed on the Secretary to the Department of Sustainability and Environment under s 62AA(1)(b) of the <i>Forests Act 1958</i>¹¹ to issue warnings and provide information to the community.</p>
Chief Fire Officer, Department of Sustainability and Environment	s 24, <i>Fire Services Commissioner Act 2010</i>	The duty to issue warnings and provide information to the community in relation to fires in Victoria for the purposes of protecting life and property.	<p>(1) Subject to clause (2), the delegation applies in circumstances, and for the duration of any period:</p> <p>(a) in which the Chief Fire Officer, Department of Sustainability and Environment has overall control of response activities in relation to a major fire in accordance with an appointment under s 16(4) or s 16A(2) or (3) of the <i>Emergency Management Act 1986</i>¹²; or</p> <p>(a) in which—</p> <p>(i) the Secretary to the Department of Sustainability and Environment has a</p>

¹¹ As amended by s 52 of the *Fire Services Commissioner Act 2010*.

¹² As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			<p>duty to prevent and suppress fire under s 62 of the <i>Forests Act 1958</i>; or</p> <p>(ii) the Secretary to the Department of Sustainability and Environment is responsible for the suppression of fires under a determination made under s 33 of the <i>Country Fire Authority Act 1958</i>; or</p> <p>(iii) the Department of Sustainability and Environment is nominated, or determined by agreement, to control the response activities for a fire, in accordance with the State Emergency Response Plan and/or any arrangements in effect between the Department of Sustainability and Environment and another fire services agency for the conduct of joint operational activities or provision of mutual aid—</p> <p>but only if, and to the extent that, the Secretary to the Department of Sustainability and Environment has authorised the Chief Fire Officer, Department of Sustainability and Environment, pursuant to s 29 of the <i>Forests Act 1958</i>, to perform the functions of the Secretary in respect of the fire.</p> <p>(2) In any case in which the delegation applies to a fire under clause (1), the delegation only extends to issuing warnings and providing information in relation to that fire.</p> <p>(3) The delegation does not derogate from the general duty imposed on the Secretary to the</p>

¹⁴ As amended by s 52 of the *Fire Services Commissioner Act 2010*.


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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			Department of Sustainability and Environment under s 62AA(1)(b) of the <i>Forests Act 1958</i> ¹⁴ to issue warnings and provide information to the community.
Chief Officer, Metropolitan Fire and Emergency Services Board	s 24, <i>Fire Services Commissioner Act 2010</i>	The duty to issue warnings and provide information to the community in relation to fires in Victoria for the purposes of protecting life and property.	<p>(1) Subject to clause (2), the delegation applies in circumstances, and for the duration of any period, in which—</p> <ul style="list-style-type: none"> (a) the Chief Officer, Metropolitan Fire and Emergency Services Board is responsible for the provision of fire suppression or fire prevention services in relation to a fire in the metropolitan fire district under ss 7, 28 and 31 of the <i>Metropolitan Fire Brigades Act 1958</i>; or (b) the Chief Officer, Metropolitan Fire and Emergency Services Board has overall control of response activities in relation to a major fire in accordance with an appointment under s 16(4) or s 16A(2) or (3) of the <i>Emergency Management Act 1986</i>¹⁵; or (c) the Metropolitan Fire and Emergency Services Board is nominated, or determined by agreement, to control the response activities for a fire, in accordance with the State Emergency Response Plan or any arrangements in effect between the Metropolitan Fire and Emergency Services Board and another fire services agency for the provision of mutual aid — <p>(2) In any case in which the delegation applies to a fire under clause (1), the delegation only extends to issuing warnings and providing information in</p>

¹⁵ As amended by Part 4, Div 1 of the *Fire Services Commissioner Act 2010*.

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Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
			relation to that fire. (3) The delegation does not derogate from the general duty imposed on the Chief Officer, Metropolitan Fire and Emergency Services Board under s 32AA(1)(b) of the <i>Metropolitan Fire Brigades Act 1958</i> ¹⁶ to issue warnings and provide information to the community.



¹⁶ As amended by s 56 of the *Fire Services Commissioner Act 2010*.

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**DELEGATION OF FUNCTIONS, POWERS AND DUTIES BY THE FIRE SERVICES COMMISSIONER UNDER THE
FIRE SERVICES COMMISSIONER ACT 2010 AND EMERGENCY MANAGEMENT ACT 1986**

SCHEDULE 3 TO INSTRUMENT OF DELEGATION DATED 5TH JANUARY 2011:

MANAGEMENT OF STATE CONTROL CENTRE

Delegate	Relevant legislative provision	Summary of function, power or duty delegated	Conditions and limitations
Secretary to the Department of Sustainability and Environment	s 10(1)(h), <i>Fire Services Commissioner Act 2010</i>	The duty to manage the State's primary control centre for the response to major fires on behalf of, and in collaboration with, all emergency service agencies. . <i>Note:</i> The State's primary control centre for the response to major fires is the State Control Centre.	The scope of the duty is as set out in the letter from the Fire Services Commissioner to the Secretary to the Department of Sustainability and Environment, dated 30 November 2010, a copy of which is attached.

