

Part 5—The South Australian State Emergency Service

Division 1—Continuation of service

106—Continuation of service

- (1) The State Emergency Service continues in existence as the *South Australian State Emergency Service* (SASES).
- (2) SASES—
 - (a) is a body corporate; and
 - (b) has perpetual succession and a common seal; and
 - (c) is capable of suing and being sued in its corporate name; and
 - (d) has all the powers of a natural person that are capable of being exercised by a body corporate; and
 - (e) has the functions and powers assigned or conferred by or under this or any other Act.
- (3) SASES is an agency of the Crown and holds its property on behalf of the Crown.

107—Constitution of SASES

- (1) SASES consists of—
 - (a) the Chief Officer of SASES; and
 - (b) all other officers of SASES; and
 - (c) all SASES units and all members of SASES units; and
 - (d) all SASES employees.
- (2) The Chief Officer of SASES is responsible for the management and administration of SASES (and will, in undertaking this responsibility, also be the Chief Executive of SASES).
- (3) An act done or decision made by the Chief Officer in the management or administration of the affairs of SASES (including by exercising any power of SASES under this or any other Act) is an act or decision of SASES.

107A—Parliamentary recognition of SASES Volunteer Charter

- (1) The Parliament recognises that SASES is first and foremost a volunteer-based organisation, in which volunteer officers and members are supported by employees in a fully integrated manner.
- (2) The Parliament recognises that the SASES Volunteer Charter—
 - (a) is a statement of the commitment and principles that apply to the relationship between the Government of South Australia, the Commission, SASES and volunteer officers and members; and
 - (b) requires that the Government of South Australia, the Commission and SASES recognise, value, respect and promote the contribution of volunteer officers and members to the well-being and safety of the community; and

- (c) requires that the Government of South Australia, the Commission and SASES commit to consulting with the South Australian State Emergency Service Volunteers Association on behalf of volunteer officers and members on any matter that might reasonably be expected to affect them.
- (3) SASES must, in performing its functions, have regard to the commitments and principles set out in the SASES Volunteer Charter.
- (4) SASES has a responsibility to develop policy and organisational arrangements that encourage, maintain and strengthen the capacity of volunteer officers and members to provide SASES services.
- (5) In this section—

SASES Volunteer Charter means the SASES Volunteer Charter prepared in consultation with the Government of South Australia, the Commission, SASES, the South Australian State Emergency Service Volunteers Association and SASES volunteers, as in force from time to time.

Division 2—Functions and powers

108—Functions and powers

- (1) SASES has the following functions:
 - (a) to assist the Commissioner of Police in dealing with any emergency;
 - (b) to assist the State Co-ordinator, in accordance with the State Emergency Management Plan, in carrying out prevention, preparedness, response or recovery operations under the *Emergency Management Act 2004*;
 - (ba) to assist the Chief Executive within the meaning of the *South Australian Public Health Act 2011*, in accordance with the Public Health Emergency Management Plan, in carrying out prevention, preparedness, response or recovery operations under Part 11 of that Act;
 - (c) to assist SAMFS and SACFS in dealing with any emergency;
 - (d) to deal with any emergency—
 - (i) where the emergency is caused by flood or storm damage; or
 - (ii) where there is no other body or person with lawful authority to assume control of operations for dealing with the emergency;
 - (e) to deal with any emergency until such time as any other body or person that has lawful authority to assume control of operations for dealing with the emergency has assumed control;
 - (f) to respond to emergency calls and, where appropriate, provide assistance in any situation of need whether or not the situation constitutes an emergency;
 - (g) to undertake rescues;
 - (h) to perform any other function assigned to SASES by or under this or any other Act.
- (2) SASES may, for the purpose of performing its functions, exercise any powers that are necessary or expedient for, or incidental to, the performance of its functions.