



Amendments to *The Emergency Measures Act*

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January 17, 2007



Background

- First major amendments since *The Security Management (Various Acts Amended) Act* in 2001, which included new requirements for municipal emergency plans
- Minor amendments made in 2004 to enable mutual aid with United States
- Introduced in November 2005, received unanimous support and voted into law in April 2006. Supported by AMM at Committee hearings.

Key features

- Creation of ***Emergency Prevention Orders***.
- Clarifies ***Manitoba EMO's mandate***, particularly within the provincial government.
- Requirement for provincial government ***departments to complete emergency programs***, including Business Continuity Planning.
- Requirement for ***local authorities to provide information*** to provincial government when needed.
- Increased ***penalty for refusing an evacuation order***.

Emergency Prevention Orders

- Provides separate powers for the pre-disaster period.
- Creates an interim stage between normal conditions and a state of emergency.
- Intended for use when an emergency is *possible*, but not yet *probable*. If more powers are needed, local authorities can then declare state of emergency.
- Recognizes that emergencies often escalate, and the additional powers available to government should be appropriate to the conditions of the emergency.

Emergency Prevention Orders

- Administrative requirements mirror those of a local state of emergency.
- Requires a resolution of council indicating the nature of the threat, duration, and actions required. Must be communicated to the public.
- May be up to 30 days, 14 day extensions require Minister's approval.
- Local authority must provide compensation for damage to property.

Emergency Prevention Orders

- Powers available under an Emergency Prevention Order:
 - Limit access or close roads.
 - Evacuate people and/or livestock.
 - Access private property without warrant.
- Will make Manitoba the first jurisdiction in North America with specific and separate statutory authority for the pre-disaster period.

Manitoba EMO's mandate

- Established role of EMO as part of the emergency management function is more clearly established. Does not represent a change, only clarifies existing roles.
- Manitoba EMO is responsible for:
 - “overseeing and co-ordinating all aspects of emergency preparedness in the province”.
 - “managing, directing and co-ordinating the response of all departments” to an emergency.

Manitoba EMO's mandate

- Makes distinction between management at the site of an emergency, and management of the emergency away from the site. First responders are responsible for the on-site emergency – EMO has responsibility for handling the emergency away from the site.
- Using Incident Command system terminology, everything inside the 'cold zone' belongs to first responders, everything outside the 'cold zone' belongs to emergency managers.

Emergency Preparedness within the provincial government

- Every department must prepare an emergency program in accordance with direction from Minister.
- Includes a requirement for Business Continuity Planning.
- EMO has responsibility for reviewing and coordinating internal government preparedness.

Increased penalty for refusing an evacuation order

- Increased penalty is up to \$50,000 and/or up to one year in prison. Penalty for all other breaches of the *Act* remains at up to \$10,000 and/or up to one year in prison.
- Recognizes that refusing an evacuation order is a more serious offence than other breaches.

Providing information to Manitoba EMO

- Municipalities must provide information on the event or impacts when requested by Manitoba EMO.
- Necessary to ensure a province-wide understanding of the situation – allows the provincial government to make fully informed decisions on the deployment of resources.
- *This will not be burdensome.* We will ask only for what we need at the time of the emergency, and will use the same Situation Report form presently used.

Moving forward

- On-going review of the effectiveness of our legislation, and consideration of amendments to improve the framework for emergency management in Manitoba.
- Will continue working with municipalities to meet requirements for an approved emergency plan.
- In discussion with AMM on evolving the requirements for municipal emergency plans to reflect lessons learned from writing the plans, and best practices for emergency management (i.e. NFPA 1600)

