

House of Representatives

Supplementary Order Paper

Tuesday, 13 April 2021

Protection for First Responders and Prison Officers Bill

Proposed amendments

Hon Mark Mitchell, in Committee, to move the following amendments:

Clause 4

In *clause 4, new section 189A(2)*, replace the definition of **first responder** (page 2, lines 21 to 25) with:

emergency services worker includes a person who has a legal duty (under any enactment, employment agreement, other binding agreement or arrangement, or other source) to, at the scene of an emergency, provide 1 or more of the following services:

- (a) ambulance services, first aid, or medical or paramedical care:
- (b) designated services (as defined in section 6 of the Fire and Emergency New Zealand Act 2017)

first responder means—

- (a) a constable (within the meaning of section 4 of the Policing Act 2008); or
- (b) an emergency services worker

In *clause 4, new section 189A(2)*, after the definition of **prison officer** (page 2, line 28), insert:

scene of emergency includes—

- (a) the physical location (whether on land, water, or air) where an emergency has occurred or is occurring:
- (b) a hospital or other emergency facility (whether temporary or permanent) that is used or is being used for providing first aid or medical or paramedical care:

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- (c) a vehicle, vessel, or aircraft that is used or is being used for providing ambulance services, first aid, or medical or paramedical care.

Clause 8

In *clause 8(3)*, replace *new subsection (2)* (page 3, lines 23 to 27) with:

- (2) In this section,—
 - emergency services worker** includes a person who has a legal duty (under any enactment, employment agreement, other binding agreement or arrangement, or other source) to, at the scene of an emergency, provide 1 or more of the following services:
 - (a) ambulance services, first aid, or medical or paramedical care;
 - (b) designated services (as defined in section 6 of the Fire and Emergency New Zealand Act 2017)
 - first responder** means—
 - (a) a constable (within the meaning of section 4 of the Policing Act 2008); or
 - (b) an emergency services worker
 - scene of emergency** includes—
 - (a) the physical location (whether on land, water, or air) where an emergency has occurred or is occurring;
 - (b) a hospital or other emergency facility (whether temporary or permanent) that is used or is being used for providing first aid or medical or paramedical care;
 - (c) a vehicle, vessel, or aircraft that is used or is being used for providing ambulance services, first aid, or medical or paramedical care.

Explanatory note

This Supplementary Order Paper amends the Protection for First Responders and Prison Officers Bill to insert new definitions of “emergency services worker” and “scene of emergency” into the proposed amendments to the Crimes Act 1961 and the Summary Offences Act 1981. The meaning of “emergency services worker” in the bill as initially proposed remains the same, but instead of referring to the definition of that term in section 92(4) of the Health and Safety at Work Act 2015, the definition from that Act is reproduced verbatim in the proposed amendments in this Supplementary Order Paper. The meaning of the term “scene of an emergency”, as used in the above definition, has been clearly set out to specifically identify the physical locations where an emergency could occur and where emergency services workers may provide emergency services.