

## **Maritime Transport Act 1994**

### **318 Appointment of regional on-scene commanders**

- (1) Every regional council shall from time to time appoint—
  - (a) a regional on-scene commander for its region; and
  - (b) a person or persons, who shall perform the functions and duties and may exercise the powers of a regional on-scene commander, if the office of regional on-scene commander is vacant or the regional on-scene commander is absent, for so long as that vacancy or absence continues.
- (2) Any person appointed under subsection (1)(b) shall, subject to the terms of appointment, be deemed to be a regional on-scene commander during any vacancy or absence.
- (3) The regional on-scene commander of a regional council shall manage and co-ordinate the response of, and direct the use of the resources available to, that regional council, in relation to any marine oil spill in respect of which the council is taking action.
- (4) A regional council shall, in appointing any person or persons under paragraph (a) or paragraph (b) of subsection (1), appoint only such person or persons as are qualified under the marine protection rules to act as regional on-scene commanders.
- (5) If the marine protection rules do not prescribe qualifications for a regional on-scene commander, a regional council shall appoint, under paragraph (a) or paragraph (b) of subsection (1), only those persons who are approved by the Director.