



Office of the  
Premier of Queensland  
Minister for Trade

For reply please quote: *SocPol/GO – TF/21/3015 – DOC/21/36561*

8 April 2021

Senator the Honourable Sarah Henderson  
Chair  
Legal and Constitutional Affairs Legislation Committee  
legcon.sen@aph.gov.au

Dear Senator Henderson

Thank you for your letter of 11 February 2021 regarding the *National Emergency Declaration Act 2020* (the Act). I have been requested to reply to you on behalf of the Premier and Minister for Trade and I apologise for the delay in responding.

It is understood that the Legal and Constitutional Affairs Legislation Committee (the Committee) is conducting a review of the operation of the Act and will report to the Senate by 30 June 2021.

Your invitation for the Queensland Government to make a submission to the Committee's review is acknowledged. The Honourable Mark Ryan MP, Minister for Police and Corrective Services and Minister for Fire and Emergency Services, provided a formal Queensland Government submission on 25 March 2021 that raises a number of issues for the Committee's consideration.

Specifically, the Queensland Government seeks legislative provisions enabling a national emergency declaration to be supported by clear and agreed governance arrangements, with the states and territories, to avoid potential operational or public confusion and to ensure that Federal Government action is taken in the most effective and efficient way.

The Queensland Government shares the concerns expressed by other state and territory governments that the Act goes beyond the scope of the recommendation made by the Royal Commission into National Natural Disaster Arrangements, in not limiting the powers to natural disasters and not defining an 'emergency'.

The Premier requests that consultation with state and territory governments is undertaken to provide greater rigour and accountability about when the Federal Government can make a national emergency declaration, in particular when a declaration can be made unilaterally.

The Queensland Government remains committed to improving our disaster preparedness, response and recovery to meet the challenges ahead, and will continue to work collaboratively with the Federal Government to improve outcomes for Queenslanders impacted by natural disasters.

Again, thank you for writing to the Premier about this important matter.

Yours sincerely

**JIM MURPHY**  
**CHIEF OF STAFF**