1. The Royal Commission into National Natural Disaster Arrangements recommended that the Commonwealth Government should create a legislative mechanism for the making of a declaration of a state of national emergency.
2. To implement this recommendation, the *National Emergency Declaration Act 2020* (Cth) (National Declaration Act) provides for the Governor-General to make a national emergency declaration in certain circumstances, including if the Prime Minister is satisfied that an emergency (whether occurring in or outside Australia) is causing harm that is nationally significant in Australia or in an Australian offshore area.
3. A national emergency declaration is not confined to emergencies caused by a natural disaster and may be made at the request of or in consultation with the relevant state or territory or, in certain circumstances, unilaterally by the Commonwealth.
4. In accordance with the National Declaration Act, the Senate Legal and Constitutional Affairs Committee is undertaking a review of the operation of the Act (Senate review).
5. The Queensland Government submission raises several concerns with the National Declaration Act and requests consultation be undertaken between the Commonwealth and states and territories to develop arrangements to support the national emergency declaration process.
6. In particular, consultation is required to provide greater certainty on the circumstances where a national declaration may be made and the ways in which the Commonwealth can provide support to assist states and territories in dealing with emergencies.
7. Cabinet approved the submission be made to the Senate Legal and Constitutional Affairs Legislation Committee’s review of the operation of the *National Emergency Declaration Act 2020* (Cth).
8. *Attachments*
* [Queensland Government submission to the Senate Legal and Constitutional Affairs Legislation Committee regarding the operation of the *National Emergency Declaration Act 2020* (Cth)](Attachments/Response.PDF)