



23 March 2021

[Redacted]

Reference: OIA-2020/21-0419

Dear [Redacted]

Official Information Act request relating to Policy for Issuance of Emergency Mobile Alerts

Thank you for your Official Information Act 1982 (the Act) request received on 5 March 2021. You requested:

“In view of the recent frequent use of the Emergency Mobile Alert system, I would like to request a copy of any documents governing the use of the EMA system by Civil Defence and any other agencies under DPMC, including available documents describing under what circumstances the system is authorised to be used.

I would also like to request any documentation available on processes for reviewing activations of the EMA for appropriateness, and using this information to inform future guidelines and criteria.”

Please find attached a copy of the Emergency Management Alert Protocol for User Agencies. I trust this document satisfies both parts of your request.

I note that alerts relating to COVID-19 messaging are issued by the National Emergency Management Agency on behalf of the Department of the Prime Minister and Cabinet’s COVID-19 Response Unit.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet’s website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely

[Redacted Signature]

Carolyn Schwalger
Chief Executive, National Emergency Management Agency



Emergency Mobile Alert

Protocol for User Agencies

December 2020

Released under the Official Information Act 1982

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1 INTRODUCTION

1.1 Background

Emergency Mobile Alert is the system used by authorised New Zealand emergency agencies to send alerts about actual or suspected threats, risks, hazards or emergencies (relevant situations) to mobile phones in selected area(s) via a dedicated cell broadcast channel. Cell broadcast works on a 'push' basis, which means there is no requirement on the public to subscribe to receive the alerts. Further, the public cannot opt out of the channel used in New Zealand. Therefore, it is important that agencies use the channel consistently, cautiously and effectively.

Emergency Mobile Alert complements (and does not replace) other channels used for public alerting.

Emergency Mobile Alert in New Zealand is delivered over 3G and 4G on the three New Zealand mobile networks. Alerts are launched by the individual agencies via an Emergency Mobile Alert Portal.

The National Emergency Management Agency (NEMA) is the custodian of the Emergency Mobile Alert system.

1.2 Purpose of this Protocol

The purpose of this protocol is to ensure that the Emergency Mobile Alert system is used consistently, cautiously, and effectively in relevant situations.

2 USER AGENCIES

2.1 Authority and Responsibility

The following table represents the User Agencies of Emergency Mobile Alert and their respective warning mandates:

| User Agency | Mandate |
|---------------------------------|--|
| New Zealand Police | Policing Act 2008 |
| Fire and Emergency New Zealand | Fire and Emergency New Zealand Act 2017 |
| Ministry of Health | Health Act 1956 |
| Ministry for Primary Industries | Food Act 2014; Animal Products Act 1999, Biosecurity Act 1993, Hazardous Substances and New Organisms Act 1996 |

| | |
|--|---|
| National Emergency Management Agency (NEMA) | Civil Defence Emergency Management Act 2002; National Civil Defence Emergency Management Plan Order 2015 |
| Civil Defence Emergency Management (CDEM) Groups | Civil Defence Emergency Management Act 2002; National Civil Defence Emergency Management Plan Order 2015 |

2.2 Registration as an Alerting Authority

User Agencies that use Emergency Mobile Alert must be registered as a New Zealand Alerting Authority and have a corresponding Object Identifier (OID) in the New Zealand branch of the World Meteorological Organization (WMO) Alerting Authorities tree. Registration as a New Zealand Alerting Authority is facilitated by the Meteorological Service of New Zealand Limited, via NEMA.

The following are the registration identifications (Object Identifiers - OIDs) issued by the WMO for the New Zealand Emergency Mobile Alert User Agencies:

| User Agency | WMO Alerting Authority OID |
|--------------------------------------|----------------------------|
| Ministry of Health | 2.49.0.0.554.3 |
| Fire and Emergency New Zealand | 2.49.0.0.554.4 |
| New Zealand Police | 2.49.0.0.554.5 |
| Ministry for Primary Industries | 2.49.0.0.554.7 |
| National Emergency Management Agency | 2.49.0.0.554.2 |
| Northland CDEM Group | 2.49.0.0.554.2.1 |
| Auckland CDEM Group | 2.49.0.0.554.2.2 |
| Waikato CDEM Group | 2.49.0.0.554.2.3 |
| Bay of Plenty CDEM Group | 2.49.0.0.554.2.4 |
| Gisborne CDEM Group | 2.49.0.0.554.2.5 |
| Hawke's Bay CDEM Group | 2.49.0.0.554.2.6 |
| Manawatu-Wanganui CDEM Group | 2.49.0.0.554.2.7 |
| Taranaki CDEM Group | 2.49.0.0.554.2.8 |
| Wellington CDEM Group | 2.49.0.0.554.2.9 |
| Nelson-Tasman CDEM Group | 2.49.0.0.554.2.10 |
| Marlborough CDEM Group | 2.49.0.0.554.2.11 |
| Canterbury CDEM Group | 2.49.0.0.554.2.12 |
| West Coast CDEM Group | 2.49.0.0.554.2.13 |
| Otago CDEM Group | 2.49.0.0.554.2.14 |
| Southland CDEM Group | 2.49.0.0.554.2.15 |

2.3 Use of Emergency Mobile Alert

User Agencies must:

- only use Emergency Mobile Alert within the scope of, and for the purposes of, their mandate as set out in paragraph 2.1;
- only use Emergency Mobile Alert where the certainty, severity and urgency requirements in paragraph 3.1 are met, or otherwise in accordance with paragraph 3.2;

- ensure that the content of each Emergency Mobile Alert message complies with the content requirements in paragraph 5; and
- not use Emergency Mobile Alert in any way which is unlawful or fraudulent, abusive (e.g. spamming any person or group of persons), or contrary to any written directions or instructions from NEMA.

3 APPLICATION OF EMERGENCY MOBILE ALERT

3.1 High-Priority Alerts

The Emergency Mobile Alert service is to be used to issue **High-Priority Alerts** only. In accordance with the New Zealand Common Alerting Protocol (CAP-NZ), High-Priority Alerts are at level (a) or (b) within each of the following three criteria:

1. **Certainty**
 - a. *Observed*: Determined to have occurred or to be ongoing
 - b. *Likely*: Probability of its occurrence greater than 50%
2. **Severity**
 - a. *Extreme*: Extraordinary threat to life, health or property
 - b. *Severe*: Significant threat to life, health or property
3. **Urgency**
 - a. *Immediate*: Responsive action should be taken immediately
 - b. *Expected*: Responsive action should be taken soon

3.1.1 Explanations: 'Certainty', 'Severity', 'Urgency'

Certainty: '*Likely*' should consider that a qualitative estimate of probability may vary by up to 30%, and erring on the side of caution may be preferable in some circumstances.

The desire to wait for certainty is a trade-off against allowing sufficient time for action.

Severity: '*Extreme*' applies to an emergency affecting a town, city or a region:

- **Life**: widespread deaths are possible; or
- **Health**: widespread permanently incapacitating injuries or illness are possible; or
- **Property**: widespread destruction (or rendering uninhabitable) of buildings is possible

'*Severe*' applies to an emergency affecting rural dwellers, or a small part of a suburb in an urban area:

- **Life**: limited deaths (i.e. individuals or small groups) are possible; or
- **Health**: limited permanently incapacitating injuries or illness are possible; or

- **Property:** limited (i.e. few or very localised) destruction (or rendering uninhabitable) of buildings is possible

‘Urgency’: *‘Expected’:* **soon** must include time for action - the minimum amount of time people could reasonably be expected to carry out the instructions in the alert. For example:

- **5 minutes:** ‘Do not take personal belongings other than critical medication and personal documents’
- **30 minutes:** ‘Bring in outdoor objects such as lawn furniture, toys and garden tools, and anchor objects that cannot be brought inside’

3.1.2 Further considerations

These factors are also to be considered before deciding to issue an Emergency Mobile Alert:

- **Expectation:** Would the public expect to receive an Emergency Mobile Alert for this emergency?
- **Alert fatigue:** Would the public feel the alert was irrelevant, unnecessary, untimely, or feel they are being over-alerted?
- **Reduce responder effort/risk:** Will an Emergency Mobile Alert reduce the response effort or risk to the emergency responders?
- **Alerting efficiency:** Are there a large number of people impacted by the emergency within the size of the target area?
- **Economic threat:** Even if the event was not a direct threat to life or health, could the emergency lead to a major economic threat to New Zealand unless immediate actions are taken by the public?

3.2 Exceptions

There may be justification to issue an Emergency Mobile Alert that does not qualify as a High-Priority Alert.

Emergency Mobile Alert may be used during emergencies to maintain important communication with affected communities, however User Agencies must apply discretion with regards to the over-use of the Emergency Mobile Alert channel vis-à-vis other communication channels.

It is not possible to foresee all other situations that could benefit from the issuing of an Emergency Mobile Alert. For any such proposed use, **the NEMA Duty Manager must be consulted in advance.**

3.3 Lead agency and cross-jurisdictional considerations

The following guidelines apply for alert campaigns¹ using Emergency Mobile Alert where multiple User Agencies are involved:

- the Lead Agency² of an emergency will be responsible for initiating an alert campaign for a specific event;
- upon the request of Support Agencies, and when other alerting channels are not suitable, the Lead Agency must as far as possible accommodate critical information provided by those Support Agencies for inclusion in their alerts;
- when the Lead Agency changes, the previous Lead Agency and new Lead Agency must agree which User Agency will continue the initial alert campaign;
- when multiple User Agencies have a stake in the same emergency (e.g. CDEM Groups that span the same emergency), steps must be taken between the User Agencies to ensure their messaging is consistent; and
- when a User Agency wishes to issue an alert for a concurrent but different event that overlaps the broadcast area of an existing alert campaign, the agency that already has an alert campaign underway must be informed.

If a User Agency is requested to send an Emergency Mobile Alert message on behalf of another User Agency, the User Agency that will send the message is still responsible for ensuring, prior to sending the message, that:

- use of Emergency Mobile Alert is for a High-Priority Alert (meeting the certainty, severity and urgency requirements in paragraph 3.1), or the exceptions in paragraph 3.2; and
- the Emergency Mobile Alert complies with the content requirements in paragraph 5.

3.4 Supplementing Emergency Mobile Alerts via other channels

Emergency Mobile Alerts rely on an enabled mobile device being connected to one of New Zealand's three mobile networks. It therefore does not replace existing alerting channels.

People who are not within a mobile network, do not have an enabled device, or whose device is switched off, must be alerted by other channels. Messages carried by these other channels must be consistent with those issued via Emergency Mobile Alert, noting that many people will receive

¹ An *alert campaign* is the sequence of messages issued for a single emergency event.

² The CIMS framework for response defines Lead and Support Agencies. Lead Agencies and the hazards they are responsible for are described in Appendix 1 of the National Civil Defence Emergency Management Plan Order 2015.

alerts via more than one channel. This is especially important if the Emergency Mobile Alert directly refers to other sources of information.

4 ALERT DISSEMINATION

4.1 Authorised

User Agencies carry their own responsibility for the use of Emergency Mobile Alert. Therefore, User Agencies must have a clear internal policy and process for alert decision-making and authorisation. Procedures must be based on, and not be inconsistent with the criteria in paragraphs 3.1, 3.2 and 3.3 above.

User Agencies must also ensure that only properly authorised personnel use and are able to access the Emergency Mobile Alert system.

Details of each User Agency's authorised personnel must be provided to NEMA using an Emergency Mobile Alert Service Request Form in advance of their personnel accessing or using the Emergency Mobile Alert system. Those details must include the authorised personnel's:

- full name;
- position within the User Agency;
- contact phone number(s) (including an after-hours contact number); and
- email address, and
- other details that NEMA may reasonably require about the authorised personnel.

4.2 Targeted

The following guidelines apply when defining the appropriate target area for an alert:

- because a precise boundary is not achievable in cell broadcasting, it is preferable to 'over-alert' in respect of the target area. People who are in fact safe will also receive the alert. Therefore the message should clearly describe the area that is affected, in a way that people in the area will be able to relate with;
- when the target area becomes larger or smaller in size than what was indicated in an initial alert, a new alert must be sent. The new alert must note that there is a change to the hazard area, and state what the new area is, and the original target area must be included in the new target area; and
- when the target area changes completely, an appropriate update must be sent to the original area to cancel that alert campaign, and a new alert must be sent to the new target area.

4.3 Timed

Emergency Mobile Alerts must be appropriately timed in terms of:

- the time of day or night the broadcast should start, i.e. whether the alert should wake everyone up in the target area, or whether it can start broadcasting early the next morning; and
- how long a broadcast should continue i.e. how long the alert should be 'live'.

4.4 Closed

Each Emergency Mobile Alert campaign must be closed off by an appropriate final message that either indicates that the threat is over, or advice on where further information can be found.

If messaging has been made by multiple User Agencies about the same event, the agencies must agree which agency will issue the final messages, at what time, and their content.

5 CONTENT OF EMERGENCY MOBILE ALERTS

Emergency Mobile Alerts will be issued in situations when time is of the essence. Pre-prepared messages maintained within the Emergency Mobile Alert system will speed up this process, and also permit prior consideration of the following rules.

5.1 Required content

All Emergency Mobile Alert messages must:

- identify the relevant User Agency using agreed agency names as the sender of the message;
- be written in plain understandable language;
- have simple, short and easily-remembered names for sources of further information (which must not be a Mobile Operator); and
- provide recipients with relevant information regarding the event or threat to which the message relates (including what the emergency is; what to do; and where to go for more information, as applicable).

5.2 Prohibited content

Emergency Mobile Alerts must not contain:

- any content that is of a commercial nature (e.g. advertising or endorsing any products or businesses);

- any content that is of a political nature;
- any content that is abusive, defamatory or fraudulent;
- any other content that is unrelated to the relevant event or threat justifying use of Emergency Mobile Alert as per paragraph 3;
- any content that could harm, or bring into disrepute, Emergency Mobile Alert (and/or any of the parties involved in providing the Emergency Mobile Alert system, including One2Many and any of the Mobile Operators); or
- anything of a similar nature to any of the above.

6 INFORMATION & PROMOTION

NEMA will maintain a central repository of public information about Emergency Mobile Alert on its website. This information is regarded as the official information about Emergency Mobile Alert and any information generated by individual User Agencies must be consistent with that.

All documentation, including the handbook and training materials, are also maintained by NEMA.

Changes to any of the official Emergency Mobile Alert information can be requested using the Service Request Form.

NEMA also leads and funds the official Emergency Mobile Alert public promotion campaign and will share public education material, which may be subject to an embargo, prior to any such campaign launch.

Each User Agency must ensure that:

- all media activity directly related to Emergency Mobile Alert is organised, channelled through/or approved by NEMA;
- no surprises – it does not release any information relating to Emergency Mobile Alert publicly without prior notice to NEMA;
- it does not mention another User Agency, or any party involved in providing the Emergency Mobile Alert system, in external communications relating to Emergency Mobile Alert without first getting approval from NEMA and all involved parties on what is said;
- all high-level messaging is agreed with NEMA prior to the start of any public education or promotional activities; and
- it does not endorse any commercial handset supplier, or comment on any Mobile Operator's or One2Many's performance, products, goods or services.

7 TESTING

NEMA will conduct nation-wide testing of Emergency Mobile Alert at least annually.

The following principles apply to tests:

- NEMA will inform service providers of planned tests one month in advance;
- tests must be well publicised to the public two weeks in advance;
- tests must be conducted between the hours of 07:00 and 19:00 (New Zealand time); and
- the following text must be used for test messages:

*This is a test message for the Emergency Mobile Alert system. No action is required.
Sent by [User Agency name]
Visit civildefence.govt.nz for more information about Emergency Mobile Alert.*

8 GOVERNANCE

Strategic oversight, direction and policy with regards to Emergency Mobile Alert is provided by a Governance Committee, chaired by NEMA. The role of the Governance Committee includes:

- oversight and enforcement of appropriate use of the Emergency Mobile Alert system;
- approval of change and improvements to the Emergency Mobile Alert system and its use;
- monitoring the performance of service providers, noting the “at cost” service provision by the Mobile Operators; and
- financial oversight.

The Governance Committee may establish working groups or task teams as required.

Governance arrangements are detailed in the *Public Alerting Governance Committee* document.

9 MAINTENANCE

NEMA is the operational custodian agency of Emergency Mobile Alert. As custodian, NEMA is responsible for:

- monitoring the use of Emergency Mobile Alert;
- monitoring and reviewing the effectiveness of Emergency Mobile Alert;
- coordination or management of ongoing improvements to Emergency Mobile Alert;
- first level support and training;
- coordination of operational meetings with User Agencies and service providers; and
- reporting to the Governance Committee.

10 CHANGE

Change requests for the Emergency Mobile Alert system must be submitted to the Governance Committee via NEMA.

A Technical Change Advisory Board will review any change requests that have been submitted to the Governance Committee from an information and communications technology perspective, and will provide a recommendation to the Committee. The Board will provide a forum for discussing change requests to Emergency Mobile Alert and ensure all parties to the solution have an equal input to the recommended outcome.

The Technical Change Advisory Board will also apply swift consideration to urgent change requests that are deemed to have a substantial or critical impact on Emergency Mobile Alert, and seek approval for change from the Governance Committee without delay.

Change arrangements are detailed in the *Public Alerting Governance Committee* document.

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