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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 494**

**The Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005**

**PART 1**

Introductory

**Citation and commencement**

1. These Regulations may be cited as the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005 and come into force on 14th November 2005. .

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Civil Contingencies Act 2004;

“body which deals with security matters” means any of—

- (a) the Security Service;
- (b) the Secret Intelligence Service;
- (c) the Government Communications Headquarters;
- (d) the National Criminal Intelligence Service;

“Category 1 responder” means a body or person listed in Part 1 or 2 of Schedule 1;

“Category 2 responder” means a general Category 2 responder or a Scottish Category 2 responder;

“community risk register” has the meaning given by regulation 12;

“emergency” has the meaning given by section 1(1);

“function” has the meaning given by section 18(1);

“general Category 1 responder” means a person or body listed in Part 1 of Schedule 1;

“general Category 2 responder” means—

- (a) body or person listed in paragraphs 19 to 22, 24, 25 28, 29 or 29A(1) of Part 3 of Schedule 1;
- (b) a body or person listed in paragraph 23 of Part 3 of Schedule 1 which is a relevant railway operator;
- (c) a body or person listed in paragraph 26 of Part 3 of Schedule 1 which is a relevant airport authority; and
- (d) a person or body listed in paragraph 27 of Part 3 of Schedule 1 which is a relevant harbour authority;

“non lead Category 1 responders” has the meaning given in regulation 6(3);

“relevant airport operator” means an airport operator, within the meaning of section 82(1) of the Airports Act 1986<sup>(2)</sup>, which is responsible for an airport through which, in the most recent year for which data is available, at least 50,000 passengers or 10,000 tonnes of freight and mail were transported;

“relevant harbour authority” means a harbour authority, within the meaning of section 46(1) of the Aviation and Maritime Security Act 1990<sup>(3)</sup>, which is responsible for a harbour through which the average annual maritime traffic, calculated by reference to the most recent three years for which data is available, is at least 1.5 million tonnes of cargo or 200,000 passengers;

“relevant railway operator” means a person who holds a licence under section 8 of the Railways Act 1993<sup>(4)</sup> (operation of railway assets) in so far the licence relates to activity in Great Britain and in so far as the licence held is–

- (a) a network licence (within the meaning of that Act);
- (b) a passenger licence (within the meaning of that Act);
- (c) a station licence (within the meaning of that Act); or
- (d) a non passenger licence (meaning a licence authorising a person to be the operator of a train being used on a network for a purpose other than carrying passengers), where such licence is held for the purpose of operating trains for the carriage of goods by railway and connected purposes,

except where such a licence is held only for the purpose of carrying out light maintenance activities (within the meaning of that Act);

“responder” means a Category 1 responder or a Category 2 responder;

“Scottish Category 1 responder” means a person or body listed in Part 2 of Schedule 1;

“Scottish Category 2 responder” means–

- (i) a body or person listed in paragraph 30 to 35 or paragraph 38 of Part 4 of Schedule 1;
- (ii) a body or person listed in paragraph 36 of Part 4 of Schedule 1 which is a relevant airport operator; and
- (iii) a body or person listed in paragraph 37 of Part 4 of Schedule 1 which is a relevant harbour authority;

“Sensitive information” has the meaning given by regulation 39;

“Strategic Co ordinating Group” has the meaning given by regulation 3(3);

“voluntary organisation” means a body (other than a Scottish public or local authority) whose activities are not carried on for profit.

(2) In these Regulations, unless otherwise specified, any reference to a section, Part or Schedule is a reference to that section or Part of, or Schedule to, the Act.

(2) 1986 c. 31.

(3) 1990 c. 31.

(4) 1993 c. 43.