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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 8**

**Information**

**Information sharing – making a request for information**

**41.**—(1) Paragraph (4) applies to a Category 1 responder or a Category 2 responder (referred to in this Part of the Regulations as the “requesting responder”) to the extent that it is satisfied that the conditions in paragraphs (2) and (3) are satisfied.

(2) The condition in this paragraph is that the requesting responder reasonably requires information which is held by a Scottish Category 1 responder or a Scottish Category 2 responder—

- (a) in connection with the performance of a duty under section 2(1)(a) to (d) or section 4(1); or
- (b) in connection with the performance of another function which relates to an emergency.

(3) The condition in this paragraph is that the requesting responder is satisfied that—

- (a) the information is not held by the requesting responder; and
- (b) it is not reasonable to seek to obtain the information by other means.

(4) To the extent that this paragraph applies, the requesting responder may make a request for the information to a Scottish Category 1 responder or a Scottish Category 2 responder (referred to in this Part of the Regulations as “the receiving responder”).

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**Commencement Information**

**II** [Reg. 41](#) in force at 14.11.2005, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005, Section 41.