



# Civil Protection in Peacetime Act 1986

## 1986 CHAPTER 22

An Act to enable local authorities to use their civil defence resources in connection with emergencies and disasters unconnected with any form of hostile attack by a foreign power. [26th June 1986]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### 1 Preliminary.

(1) This Act applies to any local authority within the meaning of the <sup>M1</sup>Civil Defence Act 1948 on whom any functions are for the time being conferred under section 2 (civil defence functions) of that Act [<sup>F1</sup>including, by virtue of section 4A of that Act, any two or more local authorities jointly and a joint board and joint committee]; and in the following provisions of this Act “local authority” means a local authority [<sup>F1</sup>or, as the case may be, the local authorities, joint board or joint committee] to whom this Act applies.

(2) In this Act—

“civil defence” has the same meaning as in the Civil Defence Act 1948;

“civil defence functions”, in relation to a local authority, means all such functions as are for the time being conferred on the authority under section 2 of the Civil Defence Act 1948;

“civil defence resources”, in relation to a local authority, means all the resources maintained, provided, used or held by the authority of civil defence purposes, including personnel (whether employees or volunteers), premises, equipment, services and facilities.

#### Textual Amendments

**F1** Words in s. 1(1) inserted (S.)(1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 146**; S.I. 1996/323, **art.**

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*Status: Point in time view as at 26/02/2002.*

*Changes to legislation: There are currently no known outstanding effects for the Civil Protection in Peacetime Act 1986 (repealed). (See end of Document for details)*

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#### Marginal Citations

**M1** 1948 c. 5 (12, 13 & 14 Geo. 6).

## 2 Use of civil defence resources in emergencies or disasters.

- (1) Where an emergency or disaster involving destruction of or danger to life or property occurs or is imminent or there is reasonable ground for apprehending such an emergency or disaster, and a local authority are of opinion that it is likely to affect the whole or part of their area or all or some of its inhabitants, the authority may use any of their civil defence resources in taking action (either alone or jointly with any other person or body and either in their area or elsewhere in or outside the United Kingdom) which is calculated to avert, alleviate or eradicate in their area or among its inhabitants the effects or potential effects of the event, notwithstanding that the event is unconnected with any form of hostile attack by a foreign power.
- (2) A local authority whose civil defence functions include the function of making, keeping under review and revising plans for any matter may perform that function so as to allow for the possible occurrence of such an emergency or disaster and facilitate the use of all or any of their civil defence resources in connection with any such emergency or disaster that may occur or become imminent or which there may be reasonable ground for apprehending.
- (3) References in the Civil Defence Act 1948 to functions conferred on a local authority under section 2 of that Act do not include any power conferred on them by subsection (1) or (2) above; but the fact that expenses incurred by a local authority in or in connection with the discharge of functions conferred on them under section 2 of that Act are incurred (whether in the repair or replacement of damaged or expended equipment or otherwise) in circumstances resulting from the exercise of any such power shall not prevent those expenses from qualifying for grant under <sup>F2</sup>under section 3 or 3A of that Act].
- (4) There shall be paid out of money provided by Parliament any increase attributable to this section in the sums payable out of money so provided under any other Act.

#### Textual Amendments

**F2** Words in s. 2(3) substituted (26.2.2002 with effect as mentioned in s. 2(2) of the amending Act) by 2002 c. 5, ss. 1(2), 2(2)

## 3 Short title, commencement and extent.

- (1) This Act may be cited as the Civil Protection in Peacetime Act 1986.
- (2) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act does not extend to Northern Ireland.

**Status:**

Point in time view as at 26/02/2002.

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Protection in Peacetime Act 1986 (repealed).