



Civil Defence (Grant) Act 2002

2002 CHAPTER 5

An Act to replace section 3 of the Civil Defence Act 1948 in so far as it applies to authorities in England or Wales. [26th February 2002]

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 Civil defence: grants

- (1) The following shall be substituted for section 3 of the Civil Defence Act 1948 (c. 5) (grants) in so far as it applies in relation to authorities in England or Wales—

“3 Fixed grant

- (1) For each financial year the designated Minister shall make grants to authorities on whom functions are conferred under section 2.
- (2) For each financial year the designated Minister shall—
- determine the aggregate amount of grants to be made under subsection (1),
 - determine for each authority the amount of grant (if any) to be made under subsection (1),
 - publish each amount determined under paragraph (a) or (b),
 - publish any formula or other criteria used to determine whether to make a grant to an authority, and
 - publish any formula or other criteria used to determine the amount of a grant.
- (3) The designated Minister—
- may use different formulae or other criteria in making determinations for different authorities, and
 - may vary a determination by a further determination.

3A Discretionary grant

The designated Minister may make a grant to an authority on whom a function is conferred under section 2 (whether or not in addition to any grant under section 3).

3B Payment

- (1) Grant under section 3 or 3A shall be paid in such manner and at such time as the designated Minister determines.
 - (2) In particular—
 - (a) a grant for a financial year need not be paid in that year, and
 - (b) a grant may be paid in instalments.
 - (3) A grant under section 3 or 3A may be conditional.
 - (4) An authority shall repay to the designated Minister any sum which—
 - (a) the authority receives by way of grant under section 3 for a financial year, and
 - (b) exceeds the amount to which the authority is entitled under that section for that year (whether or not by virtue of a varying determination under section 3(3)(b)).”
- (2) In section 2(3) of the Civil Protection in Peacetime Act 1986 (c. 22) (emergency) for the words “regulations made under section 3 of that Act” there shall be substituted the words “under section 3 or 3A of that Act”.

2 General

- (1) This Act may be cited as the Civil Defence (Grant) Act 2002.
- (2) This Act shall have effect in relation to—
 - (a) the financial year ending with 31st March 2003, and
 - (b) later financial years.
- (3) This Act does not extend to Northern Ireland.