

*Status: Point in time view as at 06/04/2013.*

**Changes to legislation:** Civil Contingencies Act 2004, SCHEDULE 1 is up to date with all changes known to be in force on or before 31 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

Part 1

#### CATEGORY 1 AND 2 RESPONDERS

#### PART 1

#### CATEGORY 1 RESPONDERS: GENERAL

##### *Local authorities*

- 1 In relation to England—
- (a) a county council,
  - (b) a district council,
  - (c) a London borough council,
  - (d) the Common Council of the City of London, and
  - (e) the Council of the Isles of Scilly.
- [<sup>F1</sup>1A The Greater London Authority.]

#### Textual Amendments

- F1** Sch. 1 para. 1A inserted (6.5.2011) by [The Civil Contingencies Act 2004 \(Amendment of List of Responders\) Order 2011 \(S.I. 2011/1223\)](#), arts. 1, 2

- 2 In relation to Wales—
- (a) a county council, and
  - (b) a county borough council.

##### *Emergency services*

- 3 (1) A chief officer of police within the meaning of section 101(1) of the Police Act 1996 (c. 16).
- (2) The Chief Constable of the Police Service of Northern Ireland.
- (3) The Chief Constable of the British Transport Police Force.
- 4 A fire and rescue authority within the meaning of section 1 of the Fire and Rescue Services Act 2004 (c. 21).

##### *Health*

- [<sup>F2</sup>4A The National Health Service Commissioning Board.]

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**Textual Amendments**

**F2** Sch. 1 para. 4A inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 5 para. 132\(2\)\(a\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

5 A National Health Service trust established under [<sup>F3</sup>section 25 of the National Health Service Act 2006, or section 18 of the National Health Service (Wales) Act 2006] if, and in so far as, it has the function of providing—  
(a) ambulance services,  
(b) hospital accommodation and services in relation to accidents and emergencies, or  
(c) services in relation to public health in Wales.

**Textual Amendments**

**F3** Words in Sch. 1 para. 5 substituted (1.3.2007) by virtue of [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), ss. 2, 8\(2\)](#), [Sch. 1 para. 271\(a\)](#)

[<sup>F4</sup>6 An NHS foundation trust within the meaning of section 30 of the National Health Service Act 2006 if, and in so far as, it has the function of providing—  
(a) ambulance services, or  
(b) hospital accommodation and services in relation to accidents and emergencies.]

**Textual Amendments**

**F4** Sch. 1 para. 6 substituted (1.4.2009) by [The Civil Contingencies Act 2004 \(Amendment of List of Responders\) Order 2008 \(S.I. 2008/3012\)](#), [art. 2](#)

<sup>F5</sup>7 . . . . .

**Textual Amendments**

**F5** Sch. 1 para. 7 omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 5 para. 132\(2\)\(b\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

8 A Local Health Board established under [<sup>F6</sup>section 11 of the National Health Service (Wales) Act 2006] .

**Textual Amendments**

**F6** Words in Sch. 1 para. 8 substituted (1.3.2007) by virtue of [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), ss. 2, 8\(2\)](#), [Sch. 1 para. 271\(d\)](#)

[<sup>F7</sup>9 The Secretary of State, in so far as the functions of the Secretary of State include responding to emergencies by virtue of—  
(a) the Secretary of State's functions under section 2A of the National Health Service Act 2006,

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- (b) the Secretary of State's functions under section 58 of the Health and Social Care Act 2012 in so far as it applies in relation to Wales or Scotland, or
- (c) arrangements made by the Welsh Ministers or Scottish Ministers under which the Secretary of State exercises on their behalf functions in relation to protecting the public in Wales or Scotland from disease or other dangers to health.]

#### Textual Amendments

**F7** Sch. 1 para. 9 substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 7 para. 16; S.I. 2013/160, art. 2\(2\)](#) (with arts. 7-9)

- 10 A port health authority constituted under section 2(4) of the Public Health (Control of Disease) Act 1984 (c. 22).

#### *Miscellaneous*

- 11 The Environment Agency.
- 12 The Secretary of State, in so far as his functions include responding to maritime and coastal emergencies (excluding the investigation of accidents).
- [<sup>F8</sup>12A The Natural Resources Body for Wales.]

#### Textual Amendments

**F8** Sch. 1 para. 12A inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 429](#) (with Sch. 7)

## PART 2

### CATEGORY 1 RESPONDERS: SCOTLAND

#### *Local authorities*

- 13 A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39).

#### *Emergency services*

- [<sup>F9</sup>14. The chief constable of the Police Service of Scotland.]

#### Textual Amendments

**F9** Sch. 1 para. 14 substituted (S.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Modifications and Savings\) Order 2013 \(S.S.I. 2013/119\), art. 1, Sch. 3 para. 1\(a\)](#) (with s. 179(5)(b))

- [<sup>F10</sup>15. The Scottish Fire and Rescue Service.]

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### Textual Amendments

**F10** Sch. 1 para. 15 substituted (S.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Modifications and Savings\) Order 2013 \(S.S.I. 2013/119\)](#), art. 1, **Sch. 3 para. 1(b)**

16 The Scottish Ambulance Service Board.

#### *Health*

17 A Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978 (c. 29).

#### *Miscellaneous*

18 The Scottish Environment Protection Agency.

### PART 3

#### CATEGORY 2 RESPONDERS: GENERAL

#### *Utilities*

19 (1) A person holding a licence of a kind specified in sub-paragraph (2) and granted under section 6 of the Electricity Act 1989 (c. 29).

(2) Those licences are—

- (a) a transmission licence,
- (b) a distribution licence, and
- (c) an interconnector licence.

(3) Expressions used in this paragraph and in the Electricity Act 1989 shall have the same meaning in this paragraph as in that Act.

20 (1) A person holding a licence of a kind specified in sub-paragraph (2).

(2) Those licences are—

- (a) a licence under section 7 of the Gas Act 1986 (c. 44), and
- (b) a licence under section 7ZA of that Act.

21 A water undertaker or sewerage undertaker appointed under section 6 of the Water Industry Act 1991 (c. 56).

22 (1) A person who provides a public electronic communications network which makes telephone services available (whether for spoken communication or for the transmission of data).

(2) In sub-paragraph (1)—

- (a) the reference to provision of a network shall be construed in accordance with section 32(4)(a) and (b) of the Communications Act 2003 (c. 21), and
- (b) “public electronic communications network” shall have the meaning given by sections 32(1) and 151(1) of that Act.

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### *Transport*

- 23 A person who holds a licence under section 8 of the Railways Act 1993 (c. 43) (operation of railway assets) in so far as the licence relates to activity in Great Britain.
- [<sup>F11</sup>24 (1) A person who provides services in connection with railways in Great Britain and who holds a European licence granted pursuant to—
- (a) a provision contained in any instrument made for the purpose of implementing Council Directive [1995/18/ EC](#) dated 19th June 1995 on the licensing of railway undertakings, as amended by Directive [2001/13/ EC](#) dated 26th February 2001 and Directive [2004/49/ EC](#) dated 29th April 2004, both of the European Parliament and of the Council, or
  - (b) any action taken by an EEA State for that purpose.
- (2) In this paragraph, “ EEA State ” means a member State, Norway, Iceland or Liechtenstein. ]

#### **Textual Amendments**

**F11** Sch. 1 para. 24 substituted (28.11.2005) by [The Railway \(Licensing of Railway Undertakings\) Regulations 2005 \(S.I. 2005/3050\)](#), reg. 3, **Sch. 1 para. 4(a)**

- 25 (1) Transport for London.
- (2) London Underground Limited (being a subsidiary of Transport for London).
- 26 An airport operator, within the meaning of section 82(1) of the Airports Act 1986 (c. 31), in Great Britain.
- [<sup>F12</sup>26A A person who, for the purposes of Part 1 of the Civil Aviation Act 2012, is an operator of an airport area that consists of or forms part of an airport in Great Britain.]

#### **Textual Amendments**

**F12** Sch. 1 para. 26A inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), **Sch. 9 para. 16(2)** (with [Sch. 10 para. 1217](#)); [S.I. 2013/589](#), art. 2(3)

- 27 A harbour authority, within the meaning of section 46(1) of the Aviation and Maritime Security Act 1990 (c. 31), in Great Britain.
- 28 The Secretary of State, in so far as his functions relate to matters for which he is responsible by virtue of section 1 of the Highways Act 1980 (c. 66) (highway authorities).

### *Health and safety*

- 29 The Health and Safety Executive.

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### [<sup>F13</sup>Health]

#### Textual Amendments

**F13** Sch. 1 para. 29A and preceding cross-heading inserted (14.11.2005) by [The Civil Contingencies Act 2004 \(Amendment of List of Responders\) Order 2005 \(S.I. 2005/2043\)](#), **art. 2(b)**

[<sup>F14</sup>29ZA A clinical commissioning group established under section 14D of the National Health Service Act 2006.]

#### Textual Amendments

**F14** Sch. 1 para. 29ZA inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 132(3)(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

<sup>F15</sup> 29A . . . . .

#### Textual Amendments

**F15** Sch. 1 para. 29A omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 132(3)(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

## PART 4

### CATEGORY 2 RESPONDERS: SCOTLAND

#### *Utilities*

- 30 (1) A person holding a licence of a kind specified in sub-paragraph (2) and granted under the Electricity Act 1989 (c. 29), in so far as the activity under the licence is undertaken in Scotland.
- (2) Those licences are—
- (a) a transmission licence,
  - (b) a distribution licence, and
  - (c) an interconnector licence.
- (3) Expressions used in this paragraph and in the Electricity Act 1989 shall have the same meaning in this paragraph as in that Act.
- 31 (1) A person holding a licence of a kind specified in sub-paragraph (2), in so far as the activity under the licence is undertaken in Scotland.
- (2) Those licences are—
- (a) a licence under section 7 of the Gas Act 1986 (c. 44), and
  - (b) a licence under section 7ZA of that Act.
- 32 Scottish Water, established by section 20 of, and Schedule 3 to, the Water Industry (Scotland) Act 2002 (asp 3).

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- 33 (1) A person who provides a public electronic communications network which makes telephone services available (whether for spoken communication or for the transmission of data) in so far as the services are made available in Scotland.
- (2) In sub-paragraph (1)—
- (a) the reference to provision of a network shall be construed in accordance with section 32(4)(a) and (b) of the Communications Act 2003 (c. 21), and
  - (b) “public electronic communications network” shall have the meaning given by sections 32(1) and 151(1) of that Act.

#### *Transport*

- 34 A person who holds a licence to operate railway assets under section 8 of the Railways Act 1993 (c. 43) in so far as such operation takes place in Scotland.
- [<sup>F16</sup>35 (1) A person who provides services in connection with railways, in so far as such services are provided in Scotland, and who holds a European licence granted pursuant to—
- (a) a provision contained in any instrument made for the purpose of implementing Council Directive [1995/18/ EC](#) dated 19th June 1995 on the licensing of railway undertakings, as amended by Directive [2001/13/ EC](#) dated 26th February 2001 and Directive [2004/49/ EC](#) dated 29th April 2004, both of the European Parliament and of the Council, or
  - (b) any action taken by an EEA State for that purpose.
- (2) In this paragraph, “ EEA State ” has the same meaning as in paragraph 24. ]

#### **Textual Amendments**

**F16** Sch. 1 para. 35 substituted (28.11.2005) by [The Railway \(Licensing of Railway Undertakings\) Regulations 2005 \(S.I. 2005/3050\)](#), reg. 3, **Sch. 1 para. 4(b)**

- 36 An airport operator within the meaning of section 82(1) of the Airports Act 1986 (c. 31) in so far as it has responsibility for the management of an airport in Scotland.
- [<sup>F17</sup>36A A person who, for the purposes of Part 1 of the Civil Aviation Act 2012, is an operator of an airport area that consists of or forms part of an airport in Scotland.]

#### **Textual Amendments**

**F17** Sch. 1 para. 36A inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), s. 110(1), **Sch. 9 para. 16(3)** (with [Sch. 10 para. 1217](#)); [S.I. 2013/589](#), art. 2(3)

- 37 A harbour authority, within the meaning of section 46(1) of the Aviation and Maritime Security Act 1990 (c. 31) in so far as it has functions in relation to improving, maintaining and managing a harbour in Scotland.

#### *Health*

- 38 The Common Services Agency established by section 10 of the National Health Service (Scotland) Act 1978 (c. 29).

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