

*Status: Point in time view as at 29/07/2016.*

*Changes to legislation: Civil Contingencies Act 2004, Part 4 is up to date with all changes known to be in force on or before 03 June 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

#### CATEGORY 1 AND 2 RESPONDERS

#### 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).
- 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.

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- [<sup>F1</sup>33<sup>F2</sup>(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—
- (i) Council [Directive 1995/18/EC](#) dated 19th June 1995 on the licensing of railway undertakings, or
- (ii) Chapter III of [Directive 2012/34/EU](#) of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast), 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

- F1** 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)**
- F2** Sch. 1 para. 35(1) substituted (29.7.2016) by [The Railways \(Access, Management and Licensing of Railway Undertakings\) Regulations 2016 \(S.I. 2016/645\)](#), reg. 1(1), **Sch. 1 para. 6(3)** (with reg. 4)

- 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>F3</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

- F3** 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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