

1971 No. 221

CIVIL DEFENCE

The Civil Defence (Posts and Telecommunications)

Regulations 1971

Laid before Parliament in draft

Made 9th February 1971

Coming into Operation 1st March 1971

Whereas by the Civil Defence (Designation of the Minister of Posts and Telecommunications) Order 1969(a), the Minister of Posts and Telecommunications is the designated Minister in relation to the provision and maintenance of postal and telecommunication services for purposes which include the making of regulations under section 6 of the Civil Defence Act 1948(b) :

Now, therefore, the Minister of Posts and Telecommunications, in exercise of the powers conferred upon him by section 6 of the Civil Defence Act 1948, and of all other powers him enabling, with the consent of the Treasury, hereby makes the following regulations in the terms of a draft duly approved by resolution of each House of Parliament :—

1. These regulations may be cited as the Civil Defence (Posts and Telecommunications) Regulations 1971 and shall come into operation on the 1st March 1971.

2.—(1) In these regulations, except where the context otherwise requires—

“the Minister” means the Minister of Posts and Telecommunications ;

“the Post Office” has the meaning assigned to it in section 6 of the Post Office Act 1969(c)

“the Act of 1939” means the Civil Defence Act 1939(d)

(2) The Interpretation Act 1889(e), applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. Sections 36, 37 and 39 of the Act of 1939 are brought again into force (with amendments) to the extent provided in the next two following regulations.

4. The Minister may serve a notice in writing on the Post Office requiring it within the time specified in the notice—

(a) to make a report stating what measures it has taken or is taking or proposing to take to secure the due functioning of its undertaking in the event of hostile attack, or

(b) to take such measures as may be specified in the notice to secure the due functioning of its undertaking in the event of hostile attack.

(a) S.I. 1969/1072 (1969 II, p. 3143).

(c) 1969 c. 48.

(d) 2 & 3 Geo. 6. c. 31.

(b) 12, 13 & 14 Geo. 6. c. 5.

(e) 52 & 53 Vict. c. 63.

5.—(1) The Minister may pay out of monies provided by Parliament towards the approved expenses of the Post Office in taking measures, whether before or after the coming into operation of these regulations, to secure the due functioning of its undertaking in the event of hostile attack grants not exceeding fifty-two and three quarters per centum of those expenses.

(2) In this regulation the expression "approved expenses" means such expenses of a capital nature incurred on such measures as the Minister acting in accordance with general directions of the Treasury may approve for the purposes of this regulation.

6.—(1) Section 79 and section 91(28) of the Act of 1939, are brought again into force in relation to notices, reports or other action under these regulations.

(2) Section 80 and subsections (3) and (4) of section 83 of the Act of 1939 shall apply in relation to notices, reports or other action under these regulations but as if references in those sections to the Minister were references to the Minister of Posts and Telecommunications.

Dated 3rd February 1971.

Christopher Chataway,
Minister of Posts and Telecommunications.

We consent.

V. H. Goodhew,
Bernard Weatherill,
Two of the Lords Commissioners of
Her Majesty's Treasury.

9th February 1971.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, made under section 6 of the Civil Defence Act 1948, empower the Minister of Posts and Telecommunications to make grants to the Post Office towards approved expenses incurred in securing the due functioning of its undertaking in the event of hostile attack.

They also provide that the Post Office shall furnish the Minister with such information as he may require as to the measures it has taken, and shall take such measures as the Minister may specify, to secure the due functioning of its undertaking in the event of hostile attack.