

1983 No. 1650 (S. 157)**CIVIL DEFENCE****The Civil Defence (General Local Authority Functions)
(Scotland) Regulations 1983***Laid before Parliament in draft**Made - - - - - 3rd November 1983**Coming into operation in accordance with Regulation 1(1)*

In exercise of the powers conferred upon me by sections 2 and 8 of the Civil Defence Act 1948(a), and of all other powers enabling me in that behalf, I hereby make the following regulations, a draft of which has been laid before Parliament and approved by resolution of each House of Parliament:—

1.—(1) These regulations may be cited as the Civil Defence (General Local Authority Functions) (Scotland) Regulations 1983 and shall come into operation on the twenty-eighth day after the day on which they are made.

(2) These regulations shall apply to Scotland only.

2. In these regulations, unless the context otherwise requires—

“area”, in relation to a local authority, means a region, islands area or district, as the case may be;

“region”, “islands area” and “district” have the same meanings as in the Local Government (Scotland) Act 1973(b); and

“relevant regional council”, in relation to a district council, means the council of the region in which the area of the district council is situated.

3. The regulations specified in Schedule 1 to these regulations are hereby revoked.

4.—(1) It shall be the function of every regional council and islands council, for civil defence purposes—

(a) to make, keep under review and revise plans for the matters specified in Schedule 2 to these regulations;

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

(b) 1973 c. 65.

- (b) to establish, equip and maintain, in premises at each of two places in the region (not being places in the same district in that region) or islands area, as the case may be, an emergency centre in which to control and co-ordinate action to be taken by them in the event of hostile attack or a threat of hostile attack;
 - (c) to arrange for the training of an appropriate number of suitable members—
 - (i) of their own staff; and
 - (ii) in the case of a regional council, of the staff of the district council of every district in their area,for the purposes of carrying out plans made under sub-paragraph (a) above and discharging the other functions conferred by this regulation;
 - (d) to arrange for the attendance at any training course or other form of training in civil defence provided by or on behalf of the designated Minister of any member of their staff who has or is intended to have duties to perform in connection with the discharge of any function conferred by this regulation and who is within a category of persons of any description specified by that Minister as being persons for whom that course or other form of training is provided;
 - (e) to take part in any training exercise in civil defence organised by or on behalf of the designated Minister which provides for their participation, whether or not in conjunction with any other local authority;
 - (f) to make arrangements for enabling persons to undertake to serve, otherwise than for payment (except by way of reimbursement of expenses), as volunteers with a view to assisting any local authority in the region or islands area, as the case may be, in the performance of the functions conferred on the authority by these regulations; to accept as volunteers persons who undertake to serve as such and are suitable for providing such assistance, and to organise the training and exercising of accepted persons serving as volunteers; and
 - (g) at the request of the designated Minister—
 - (i) to take such preparatory steps as may be necessary to ensure that plans made under sub-paragraph (a) above can be carried out;
 - (ii) to carry out any of those plans.
- (2) When making or revising plans under paragraph (1)(a) above a regional council and islands council shall consult with any regional, islands or district council whose area may be affected by such plans.

5. It shall be the function of every district council, for civil defence purposes—

- (a) at the request of the relevant regional council to furnish such information on such matters as may be specified in the request;

- (b) at the request either of the designated Minister or of the relevant regional council, to assist the relevant regional council in—
 - (i) the making and revising of plans under regulation 4(1)(a) above;
 - (ii) the performance of the functions specified in regulation 4(1)(f) above;
 - (iii) the taking of preparatory steps to ensure that plans made under regulation 4(1)(a) above can be carried out; and
 - (iv) the carrying out of any of those plans;
- (c) to establish, equip and maintain, in premises in their area, an emergency centre in which to control and co-ordinate action to be taken by them in the event of hostile attack or a threat of hostile attack;
- (d) to arrange for the training of an appropriate number of suitable members of their staff for the purpose of discharging the functions conferred by this regulation, and to make available to the relevant regional council, for the purpose of training, those members of their staff for whom training is arranged under regulation 4(1)(c) above;
- (e) to arrange for the attendance at any training course or other form of training in civil defence provided by or on behalf of the designated Minister of any member of their staff who has or is intended to have duties to perform in connection with the discharge of any function conferred by this regulation and who is within a category of persons of any description specified by that Minister as being persons for whom that course or other form of training is provided; and
- (f) to take part in any training exercise in civil defence organised by or on behalf of the designated Minister which provides for their participation, whether or not in conjunction with any other local authority.

6. As respects the exercise of any functions conferred on a local authority by these regulations the authority shall comply with any directions given to them by the designated Minister.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.
3rd November 1983.

SCHEDULE 1

Regulation 3

REVOCATIONS

Regulations revoked	References
The Civil Defence (Shelters) (Planning) (Scotland) Regulations 1951.	S.I. 1951/1459.
The Civil Defence (Shelters) (Maintenance) (Scotland) Regulations 1956.	S.I. 1956/464.
The Civil Defence (Planning) (Scotland) Regulations 1975.	S.I. 1975/849.

SCHEDULE 2

Regulation 4(1)(a)

SUBJECT MATTER OF PLANS

1. Collecting information on the results of hostile attack and distributing such information.
2. Controlling and co-ordinating action necessary as a result of hostile attack.
3. Instructing and advising the public on the effects of hostile attack and on protective measures to be taken against such effects.
4. Utilising such buildings, structures, excavations and other features of land in their area as are suitable for use for the purpose of providing civil defence shelters for the public.
5. Providing and maintaining a service in their area for the rescue of persons from damaged buildings and debris in the event of hostile attack.
6. Providing and maintaining a service in their area for the billeting or temporary accommodation therein and, so far as may be necessary, the maintenance of persons who, owing to hostile attack, are made homeless.
7. Providing and maintaining a service in their area for the prevention of disease, or of the spread of disease, in circumstances arising out of hostile attack, including the provision of facilities for emergency sanitation and the removal and disposal of refuse of any kind.
8. Providing facilities for the disposal of human remains in the event of hostile attack.
9. Providing and maintaining a service in their area for the distribution, conservation and control of food in the event of hostile attack, including emergency feeding services and equipment.
10. Providing and maintaining a service in their area for the urgent repair, replacement, or demolition and clearance, as the case may be, of any property, including land, dwelling houses, or premises providing goods or services, or any road within the meaning of the Roads (Scotland) Act 1970(a), in circumstances arising out of hostile attack.

(a) 1970 c. 20.

11. Providing and maintaining any other services essential to the life of the community in the event of hostile attack.

12. Securing the participation of voluntary organisations (that is to say bodies whose activities are carried on otherwise than for profit, not being public or local authorities), and other persons volunteering their services, in providing assistance to civil defence services formed in the event of hostile attack or a threat of hostile attack.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make new provision under the Civil Defence Act 1948 for conferring civil defence functions on local authorities in Scotland. They come into operation twenty-eight days after they are made.

Regulation 3 revokes the regulations specified in Schedule 1, which are superseded.

Regulation 4 confers functions on regional councils and islands councils in respect of making plans for the facilities and services set out in Schedule 2; providing and equipping two emergency control centres in their areas; training members of their staffs and, in the case of regional councils, of the staff of every district council in their areas; arranging for the attendance of certain members of their staffs at training courses; participating in civil defence exercises; accepting and training volunteers; and, at the request of the designated Minister, implementing the plans made by them. The regional council and islands council are required, when making plans, to consult other local authorities whose areas may be affected by the plans.

Regulation 5 confers functions on district councils, in respect of supplying information requested for civil defence purposes by the regional council within whose area the district lies; assisting the regional council, when requested, in the discharge of the functions of that council relating to the making and implementation of plans and the acceptance and training of volunteers; providing and equipping an emergency control centre; training members of their staffs and making them available for training by the regional council; arranging for the attendance of members of their staffs at training courses; and participating in civil defence exercises.

Regulation 6 requires the local authorities to exercise their functions in accordance with any directions given by the designated Minister. The designated Minister is a Minister designated by Order in Council under section 9(2) of the 1948 Act or, in so far as no Minister is so designated, the Secretary of State. The Minister of Agriculture, Fisheries and Food is designated by the Civil Defence (Designation of the Minister of Food) Order 1950 (S.I. 1950/1650, as amended by S.I. 1953/879, 1955/555 and 1983/609) for the purposes of certain provisions of the 1948 Act in relation to the control of food.

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