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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The core functions of fire and rescue authorities are set out in sections 6 to 8 of the Fire and Rescue Services Act 2004 ('the Act'). These are the functions in connection with fire safety, fire-fighting and road traffic accidents. Section 9 of the Act allows the Welsh Ministers to specify by order other core functions relating to emergencies for which fire and rescue authorities must make provision. Emergencies are defined in section 58 of the Act.

This Order specifies functions in connection with the emergencies described in articles 2 and 3.

Article 2 is concerned with emergencies involving chemical, biological, or radio-active contaminants.

Article 3 is concerned with emergencies involving a structural collapse. It is also concerned with emergencies involving a train, tram or aircraft ("transport emergencies"), but does not apply in relation to transport emergencies unless the incident is likely to require a fire and rescue authority to use resources beyond the scope of its normal day to day operations. Authorities are not required to make provision for dealing with transport emergencies to the extent that they involve the collapse of a tunnel or mine.

Article 4 specifies the things that fire and rescue authorities must do in making provision for emergencies of the descriptions in article 2 or 3.

Where a fire and rescue authority has specialist resources, including specialist trained personnel, to enable it to deal with emergencies of a kind described in this Order, and such an emergency occurs or is likely to occur in the area of another authority, article 5 requires the authority with the specialist resources, if asked to do so, to use those resources in that other authority's area so far as is reasonable for the purpose of dealing with the emergency.

A regulatory impact assessment has been produced in connection with this Order and is available from the Fire & Rescue Branch, Community Safety Division, Welsh Assembly Government, Rhydycar, Merthyr Tydfil, CF48 1UZ (telephone 01685 729253).