

*These notes relate to the Fire (Scotland) Act 2005
(asp 5) which received Royal Assent on 1 April 2005*

FIRE (SCOTLAND) ACT 2005

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 2 – Fire and Rescue Services

Chapter 2 – Principal fire and rescue functions

Section 11 – Conferral of functions in relation to other emergencies

18. This section allows the Scottish Ministers to confer on a relevant authority specified functions by order (an “additional function order”). This might relate to such matters as flooding, chemical spills and terrorist incidents.
19. The Scottish Ministers will also have the power, by additional function order, to direct relevant authorities as to how they should plan, equip for, and respond to such emergencies. This may include, for example, directions as to the deployments of mass decontamination equipment for civil resilience purposes. The intention is to ensure consistency of approach towards emergencies, particularly in response to terrorist incidents.
20. This section also allows the order to require an authority to respond to an emergency that has arisen outside its own area if, for example, it has more appropriate equipment and training than the authority in whose area the emergency has occurred.
21. The term “emergency” is defined for the purposes of Part 2 of this Act at section 52.