



# Civil Contingencies Act 2004

## 2004 CHAPTER 36

### PART 1

#### LOCAL ARRANGEMENTS FOR CIVIL PROTECTION

##### *General*

## 10 Enforcement

- (1) Any of the following may bring proceedings in the High Court or the Court of Session in respect of a failure by a person or body listed in Part 1 or 3 of Schedule 1 to comply with section 2(1), 3(3), 4(1) or (8), 5(3), 6(6), 9(4)<sup>[F1]</sup>, <sup>[F2]</sup>15(7), 15A(8) or 15B(7)]—
- (a) a Minister of the Crown,
  - (b) a person or body listed in Part 1 of Schedule 1, and
  - (c) a person or body listed in Part 3 of Schedule 1.
- (2) In proceedings under subsection (1) the High Court or the Court of Session may grant any relief, or make any order, that it thinks appropriate.
- <sup>[F3]</sup>(3) In relation to emergencies that do not fall within section 1(1)(c), the power under subsection (1)(a) to bring proceedings in respect of a failure by the Chief Constable (PSNI) is exercisable by the Department of Justice in Northern Ireland (and not by a Minister of the Crown).]

### Textual Amendments

- F1** Words in s. 10(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 5, **Sch. 3 para. 102(2)** (with arts. 28-31, Sch. 3 para. 110)
- F2** Words in s. 10(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **41(9)**

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**Changes to legislation:** *Civil Contingencies Act 2004, Section 10 is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes*

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**F3** S. 10(3) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 5, **Sch. 3 para. 102(3)** (with arts. 28-31, Sch. 3 para. 110)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 11A inserted by [2006 c. 16 Sch. 11 para. 174](#) (Sch. 11 para. 174 repealed (12.1.2010) without ever being in force by 2009 c. 23, Sch. 22 Pt. 8; S.I. 2009/3345, art. 2, Sch. para 27(d))
- Sch. 1 para. 19(2)(d) and word inserted by [2023 c. 52 Sch. 17 para. 15\(2\)\(b\)](#)
- Sch. 1 para. 30(2)(d) and word inserted by [2023 c. 52 Sch. 17 para. 15\(3\)\(b\)](#)