



# Civil Contingencies Act 2004

## 2004 CHAPTER 36

### PART 1

#### LOCAL ARRANGEMENTS FOR CIVIL PROTECTION

##### *Contingency planning*

### 3 Section 2: supplemental

- (1) A Minister of the Crown may issue guidance to a person or body listed in Part 1 or 3 of Schedule 1 about the matters specified in section 2(3) and (5).
- (2) The Scottish Ministers may issue guidance to a person or body listed in Part 2 or 4 of Schedule 1 about the matters specified in section 2(4) and (5) (as applied by section 2(6)).
- [<sup>F1</sup>(2A) The Welsh Ministers may issue guidance to a person or body listed in Part 2A or 5 of Schedule 1 about the matters specified in section 2(4A) and (5) (as applied by section 2(6A)).]
- (3) A person or body listed in any Part of Schedule 1 shall—
  - (a) comply with regulations under [<sup>F2</sup>section 2(3), (4) or (4A)] , and
  - (b) have regard to guidance under [<sup>F3</sup>subsection (1), (2) or (2A)] above.
- (4) A person or body listed in [<sup>F4</sup>Part 1, 2 or 2A of] Schedule 1 may be referred to as a “Category 1 responder”.
- (5) A person or body listed in [<sup>F5</sup>Part 3, 4 or 5 of] Schedule 1 may be referred to as a “Category 2 responder”.
- [<sup>F6</sup>(6) In relation to emergencies that do not fall within section 1(1)(c), the power under subsection (1) to issue guidance to the Chief Constable (PSNI) is exercisable by the Department of Justice in Northern Ireland (and not by a Minister of the Crown).]

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**Changes to legislation:** Civil Contingencies Act 2004, Section 3 is up to date with all changes known to be in force on or before 04 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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### Textual Amendments

- F1** S. 3(2A) inserted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **41(3)(a)**
- F2** Words in s. 3(3)(a) substituted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **41(3)(b)**
- F3** Words in s. 3(3)(b) substituted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **41(3)(c)**
- F4** Words in s. 3(4) substituted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **41(3)(d)**
- F5** Words in s. 3(5) substituted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **41(3)(e)**
- F6** S. 3(6) 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. 97(2)** (with arts. 28-31, Sch. 3 para. 110)

### Commencement Information

- I1** S. 3 partly in force; s. 3 not in force at Royal Assent see s. 34; s. 3(1)(3)(4)(5) in force for specified purposes at 14.11.2005 by S.I. 2005/2040, **art. 3(c)**; s. 3(2) in force and s. 3(4)(5) in force for specified purposes (S.) at 6.10.2005 and s. 3(3) in force for specified purposes (S.) at 14.11.2005 by S.S.I. 2005/493, **arts. 3(c)(d), 4(c)**

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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\(3\)\(b\)](#)