
STATUTORY INSTRUMENTS

1993 No. 1774 (S.215)

CIVIL DEFENCE

The Civil Defence (General Local Authority Functions) (Scotland) Regulations 1993

Made - - - - *13th July 1993*

Coming into force - - *1st August 1993*

The Secretary of State, in exercise of the powers conferred on him by sections 2 and 8 of the Civil Defence Act 1948(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations, a draft of which has been laid before Parliament and approved by resolution of each House of Parliament:

Citation, commencement and extent

- 1.—(1) These Regulations may be cited as the Civil Defence (General Local Authority Functions) (Scotland) Regulations 1993 and shall come into force on 1st August 1993.
- (2) These Regulations shall apply to Scotland only.

Interpretation

2. In these Regulations, unless the context otherwise requires—
 - “area”, in relation to a local authority, means 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(2); 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.

Revocations

3. The Regulations specified in the Schedule to these Regulations are hereby revoked.

(1) 1948 c. 5; section 2(2)(b) was repealed by the Local Government (Scotland) Act 1973 (c. 65), Schedule 29; and the Secretary of State is by virtue of section 9(2) of the Civil Defence Act 1948 the designated Minister for the purpose of making regulations under section 2 prescribing civil defence functions of local authorities (the definition of local authority as respects Scotland in section 9(1) is substituted by the Local Government (Scotland) Act 1973, Schedule 27, paragraph 95).

(2) 1973 c. 65.

Civil defence functions of regional and islands councils

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 their area and to carry out exercises based on such plans;
- (b) to arrange for the training—
 - (i) of an appropriate number of suitable members of their own staff;
 - (ii) in the case of a regional council, of an appropriate number of suitable members of the staff of every district council in their area; and
 - (iii) of such other persons as they consider necessary,for the purposes of carrying out plans made under sub-paragraph (a) above and discharging the other functions conferred by this regulation; and
- (c) at the request of the designated Minister, or where the regional or islands council considers it appropriate—
 - (i) to take such preparatory steps as may be necessary to ensure that plans made under sub-paragraph (a) above can be carried out; and
 - (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.

Civil defence functions of district councils

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 taking of preparatory steps to ensure that plans made under regulation 4(1)(a) above can be carried out; and
 - (iii) the carrying out of any of those plans;
- (c) 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)(b) above.

Directions by designated Minister

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.

St Andrew's House,
Edinburgh
13th July 1993

Ian Lang
One of Her Majesty's Principal Secretaries of
State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 3

Regulations revoked	References
The Civil Defence (General) (Scotland) Regulations 1949	S.I. 1949/1416 (3)
The Civil Defence (Fire Services) (Water) (Scotland) Regulations 1956	S.I. 1956/463
The Civil Defence (General) (Scotland) Amendment Regulations 1975	S.I. 1975/848
The Civil Defence (General Local Authority Functions) (Scotland) Regulations 1983	S.I. 1983/1650

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace the Civil Defence (General Local Authority Functions) (Scotland) Regulations 1983 (S.I. [1983/1650](#)), and come into force on 1st August 1993.

Regulation 3 revokes the regulations specified in the Schedule, which are no longer of practical utility or are spent.

By virtue of regulation 4 the principal civil defence functions remain with regional and islands councils. These functions relate to making civil defence plans; training members of their staff, and in the case of regional councils of the staff of every district council in their area, and such other persons as they consider necessary; and, at the request of the designated Minister or where the regional or islands councils consider appropriate, implementing the plans made by them. The regional and islands councils are required, when making or revising plans, to consult other local authorities whose areas may be affected by the plans.

By virtue of regulation 5 certain civil defence functions remain with district councils, namely 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 arranging for the training of members of their staffs.

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, insofar as no Minister is so designated, the Secretary of State.

(3) Revoked in part by S.I. [1975/848](#).