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STATUTORY INSTRUMENTS

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**2005 No. 2040 (C.89)**

**CIVIL CONTINGENCIES**

**The Civil Contingencies Act 2004  
(Commencement No.3) Order 2005**

*Made - - - - 22nd July 2005*

The Minister for the Cabinet Office, in exercise of the powers conferred upon him by section 34(1) and (3) of the Civil Contingencies Act 2004<sup>(1)</sup>, hereby makes the following Order:

**Citation**

1. This Order may be cited as the Civil Contingencies Act 2004 (Commencement No.3) Order 2005.

**Provisions coming into force on 22nd July 2005**

2. The following provisions of the Civil Contingencies Act 2004 (“the Act”) come into force forthwith—

- (a) subsections (3) and (5) of section 2, except in so far as they relate to subsection (4) or (6) of that section;
- (b) subsections (2), (4) and (5) of section 4, except in so far as they relate to subsection (3) or (7) of that section and only for the purpose of permitting a body specified in paragraph 1 or 2 of Schedule 1 to the Act to provide advice and assistance of the kind specified in subsection (1) of that section;
- (c) subsection (1) of section 6, except in so far as it relates to subsection (2) or (5) of that section;
- (d) section 12;
- (e) subsections (1) and (3) of section 13, except in so far as they relate to subsection (2) of that section;
- (f) section 15; and
- (g) subsection (6) of section 17, except in so far as it relates to subsection (3) or (5) of that section.

### **Provisions coming into force on 14th November 2005**

3. The following provisions of the Act come into force on 14th November 2005 –
- (a) section 1, except section 1(4) in so far as it relates to the Scottish Ministers;
  - (b) subsections (1) and (2) of section 2, except in so far as they relate to subsection (4) or (6) of that section;
  - (c) subsections (1), (3), (4) and (5) of section 3, except in so far as they relate to subsection (2) of that section;
  - (d) subsections (1), (6) and (8) of section 4, except in so far as they relate to subsection (3) or (7) of that section and only for the purpose of permitting a body specified in paragraph 1 or 2 of Schedule 1 to the Act to provide advice and assistance of the kind specified in subsection (1) of that section;
  - (e) subsections (1), (3) and (4) of section 5, except in so far as they relate to subsection (2) or (5) of that section;
  - (f) subsections (3), (4) and (6) of section 6, except in so far as they relate to subsection (2) or (5) of that section;
  - (g) section 7;
  - (h) subsections (1), (3) and (4) of section 9, except in so far as they relate to subsection (2) of that section;
  - (i) section 10;
  - (j) section 14(1);
  - (k) section 16;
  - (l) subsections (1), (2) and (4) of section 17, except in so far as they relate to subsection (3) or (5) of that section;
  - (m) section 18;
  - (n) section 32, to the extent not already commenced (except in so far as it introduces paragraph 3 of Schedule 2 or Schedule 3, to the extent that it repeals section 3, 3A or 3B of the Civil Defence Act 1948(2));
  - (o) section 33;
  - (p) Schedule 1;
  - (q) paragraphs 1, 2, 4, 5, 6, 7, 8 and 9 of Schedule 2; and
  - (r) Schedule 3 to the extent not already commenced (except to the extent that it repeals section 3, 3A or 3B of the Civil Defence Act 1948).

### **Provisions coming into force on 15th May 2006**

4. Subsections (1), (2), (4), (5), (6) and (8) of section 4 of the Act, except in so far as they relate to subsection (3) or (7) of that section and to the extent not already in force, come into force on 15th May 2006.

22nd July 2005

*Jim Murphy*  
Parliamentary Secretary, Cabinet Office

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## EXPLANATORY NOTE

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

This Order brings into force the provisions of Part 1 of the Civil Contingencies Act 2004 (“the Act”), except in so far as that Part confers functions on the Scottish Ministers. Sections 2(3) and (5), section 4(2), (4) and (5), section 6(1), section 12, section 15(3) and section 17(6) are commenced forthwith to enable the Minister for the Cabinet Office to make and lay regulations to come into force on 14th November 2005. Section 4 of the Act is commenced only for the purpose of permitting local authorities to provide advice and assistance to the public in relation to business continuity. This Order also commences the other provisions of the Act which are consequential on Part 1 of the Act. These provisions come into force on 14th November 2005.

The Order commences the duty imposed by section 4 of the Act on 15th May 2006.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Sections 19 to 31	10th December 2004	S.I. <a href="#">2004/3281</a>
Section 32 (partially)	10th December 2004 (for certain purposes)	S.I. <a href="#">2004/3281</a>
	19th January 2005 (for certain purposes)	S.I. <a href="#">2005/772</a>
	1st April 2005 (for certain purposes)	
Paragraph 3 of Schedule 2	1st April 2005 (for certain purposes)	S.I. <a href="#">2005/772</a>
Paragraph 10 of Schedule 2	1st April 2005	S.I. <a href="#">2005/772</a>
Part 2 of Schedule 2	10th December 2004	S.I. <a href="#">2004/3281</a>
Part 3 of Schedule 2	19th January 2005	S.I. <a href="#">2004/3281</a>
Schedule 3 (partially)	10th December 2004 (for certain purposes)	S.I. <a href="#">2004/3281</a>
	19th January 2005 (for certain purposes)	S.I. <a href="#">2005/772</a>
	1st April 2005 (for certain purposes)	

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