
STATUTORY INSTRUMENTS

2005 No. 2042

**The Civil Contingencies Act 2004
(Contingency Planning) Regulations 2005**

PART 10

Northern Ireland

Duty to have regard to the activities of other bodies involved in civil protection

57.—(1) In performing their duties under section 2(1)(a) (duty to assess risk of emergency occurring), each general Category 1 responder which has functions which are exercisable in Northern Ireland –

- (a) must have regard to any assessment of the risk of an emergency occurring which has been carried out by a body specified in paragraph (4) and of which it is aware; and
- (b) may adopt or have regard to that assessment.

(2) In performing their duties under section 2(1)(g) (duty to maintain arrangements to warn, inform and advise the public in the event of an emergency), each general Category 1 responder which has functions which are exercisable in Northern Ireland –

- (a) must have regard to the arrangements maintained by the bodies specified in paragraph (4) to warn the public, and to provide information and advice to the public, if an emergency is likely to occur or has occurred; and
- (b) need not maintain arrangements to warn the public, and to provide information and advice to the public, which would unnecessarily duplicate the warning, information and advice provided by those bodies.

(3) For the purposes of paragraph (2), it is immaterial whether a body specified in paragraph (4) maintain the arrangements by virtue of a duty under an enactment or otherwise.

(4) The bodies specified in this paragraph are –

- (a) a Northern Ireland department;
- (b) a district council established under the Local Government Act (Northern Ireland) 1972(1);
- (c) the Northern Ireland Housing Executive;
- (d) the Fire Authority for Northern Ireland;
- (e) an Education and Library Board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986(2);
- (f) a Health and Social Services trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991(3);

(1) 1972 c. 9.

(2) S.I. 1986/594.

(3) S.I. 1991/194 (N.I. 1).

- (g) a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972(4);
- (h) the Northern Ireland Central Services Agency for the Health and Social Services established under Article 26 of the Health and Personal Social Services (Northern Ireland) Order 1972;
- (i) the Northern Ireland Blood Transfusion Service Agency;
- (j) the Health Protection Agency established by section 1 of the Health Protection Agency Act 2004(5);
- (k) the Northern Ireland Regional Medical Physics Agency;
- (l) the Food Standards Agency;
- (m) the Health and Safety Executive for Northern Ireland;
- (n) a harbour authority, within the meaning of section 46(1) of the Aviation and Maritime Security Act 1990(6), in Northern Ireland;
- (o) the Northern Ireland Transport Holding Company (established by the Transport Act (Northern Ireland) 1967(7));
- (p) Ulsterbus Limited;
- (q) Citybus Limited;
- (r) Northern Ireland Railways Company Limited
- (s) a person holding a licence granted under Article 10(1)(b) of the Electricity (Northern Ireland) Order 1992(8);
- (t) a person holding a licence granted under Article 8(1) of the Gas (Northern Ireland) Order 1996(9).

Joint discharge of functions etc.

58. Each general Category 1 responder which has functions which are exercisable in Northern Ireland may –

- (a) make arrangements with a body specified in paragraph (4) of regulation 57 to perform a duty of the general Category 1 responder under section 2(1) jointly with that body;
- (b) make arrangements with such a body for that body to perform such a duty on behalf of the general Category 1 responder.

(4) S.I.1972/1265 (N.I. 14).

(5) 2004 c. 17.

(6) 1990 c. 31; amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), Schedule 4.

(7) 1967 c. 37.

(8) S.I. 1992/231 (N.I. 1)

(9) S.I. 1996/275 (N.I. 2)