

Draft Regulations laid before Parliament under section 8(3) of the Civil Defence Act 1948, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

1983 No. ■

CIVIL DEFENCE

Draft Civil Defence (General Local Authority Functions) Regulations 1983

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Laid before Parliament in draft

Made - - - ■ 1983
Coming into Operation 1st July 1983

In exercise of the powers conferred on me by sections 2 and 8 of the Civil Defence Act 1948(a), as extended by section 49(4) of the London Government Act 1963(b), I hereby make the following Regulations, a draft of which has been laid before Parliament and approved by resolution of each House of Parliament:—

1.—(1) These Regulations may be cited as the Civil Defence (General Local Authority Functions) Regulations 1983 and shall come into operation on 1 July 1983.

(2) These Regulations shall not extend to Scotland.

2. In these Regulations a reference to a council, in relation to the City of London, is a reference to the Common Council of the City of London.

3.—(1) The Regulations specified in Schedule 1 to these Regulations are hereby revoked.

(2) In so far as paragraph (c) of section 49(1) of the London Government Act 1963 (exercise of civil defence functions by local authorities in Great London) would otherwise have effect in relation to the functions conferred by these Regulations, that paragraph shall not have effect in relation to such functions.

4.—(1) It shall be the function of every county council and the Great London Council, for civil defence purposes—

(a) 1948 c. 5.
(b) 1963 c. 33.

in Schedule 2 to these Regulations;

(b) to establish, equip and maintain, in premises at each of the places specified in paragraph (3) below in relation to them, an emergency centre in which to control and co-ordinate action to be taken by them in the event of hostile attack or a threat of hostile attack;

(c) to arrange for the training of an appropriate number of suitable members—

(i) of their own staff; and

(ii) of the staff of the council of every district or London borough or the City of London in their area,

for the purposes of carrying out plans made under sub-paragraph (a) above and discharging the other functions conferred by this Regulation;

(d) to arrange for the attendance at any training course or other form of training in civil defence provided by or on behalf of the designated Minister of any member of their staff who has or is intended to have conferred by this Regulation and who is within a category of persons of any description specified by that Minister as being persons for whom that course or other form of training is provided;

(e) to take part in any training exercise in civil defence organised by or on behalf of the designated Minister which provides for their participation, whether or not in conjunction with any other local authority;

(f) to make arrangements for enabling persons to undertake to serve, otherwise than for payment (except by way of reimbursement of expenses), as volunteers with a view to assisting any local authority in the county or Greater London, as the case may be, in the performance of the functions conferred on the authority by these Regulations; to accept as volunteers persons who undertake to serve as such and are suitable for providing such assistance, and to organise the training and exercising of accepted persons serving as volunteers; and

(g) at the request of the designated Minister—

(i) to take such preparatory steps as may be necessary to ensure that plans made under sub-paragraph (a) above can be carried out;

(ii) to carry out any of those plans.

(2) When making or revising plans under paragraph (1)(a) above a county council and the Greater London Council shall consult with the council of any county, district or London borough or the City of London which may be affected by such plans.

(3) The places referred to in paragraph (1)(b) above are—

(a) in the case of a county council, two places in the county, not being places in the same district in that county; and

(b) in the case of the Greater London Council, five places in Greater London of which not more than one place is in any one London borough and not more than one place is in the City of London.

3.—(1) It shall be the function of the council of every district and London borough and the City of London, for civil defence purposes—

(a) at the request of the relevant county council or the Greater London Council, as the case may be, 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 county council or the Greater London Council, to assist the relevant county council or the Greater London Council, as the case may be, in—

(i) the making and revising of plans under Regulation 4(1)(a) above;

(ii) the performance of the functions specified in Regulation 4(1)(f) above;

(iii) the taking of preparatory steps to ensure that plans made under Regulation 4(1)(a) above can be carried out; and

(iv) the carrying out of any of those plans;

(c) to establish, equip and maintain, in premises in their area, an emergency centre in which to control and co-ordinate action to be taken by them in the event of hostile attack or a threat of hostile attack;

(d) 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 county council or the Greater London Council, for the purpose of training, those members of their staff for whom training is arranged under Regulation 4(1)(c) above;

(e) to arrange for the attendance at any training course or other form of training in civil defence provided by or on behalf of the designated Minister of any member of their staff who has or is intended to have conferred by this Regulation and who is within a category of persons of any description specified by that Minister as being persons for whom that course or other form of training is provided; and

(f) to take part in any training exercise in civil defence organised by or on behalf of the designated Minister which provides for their participation, whether or not in conjunction with any other local authority.

(2) In this Regulation "the relevant county council", in relation to a district council, means the council of the county in which the area of the district council is situated.

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.

One of Her Majesty's Principal Secretaries of State.

Home Office,
1983.

SCHEDULES
SCHEDULE 1 Regulation 3(1)
REVOCATIONS

Regulations revoked	References
The Civil Defence (Shelter) (Planning) Regulations 1951.	S.I. 1951/1450.
The Civil Defence (Shelter) (Maintenance) Regulations 1956.	S.I. 1956/469.
The Civil Defence (Shelter) (Maintenance) (Amendment) Regulations 1965.	S.I. 1965/721.
The Civil Defence (Planning) Regulations 1974.	S.I. 1974/70.

SCHEDULE 2 Regulation 4(1)(a)

SUBJECT MATTER OF PLANS

1. Collecting information on the results of hostile attack and distributing such information.
2. Controlling and co-ordinating action necessary as a result of hostile attack.
3. Instructing and advising the public on the effects of hostile attack and on protective measures to be taken against such effects.
4. Utilising such buildings, structures, excavations and other features of land in their area as are suitable for use for the purpose of providing civil defence shelters for the public.
5. Providing and maintaining a service in their area for the rescue of persons from damaged buildings and debris in the event of hostile attack.
6. Providing and maintaining a service in their area for the billeting or temporary accommodation therein and, so far as may be necessary, the maintenance of persons who, owing to hostile attack, are made homeless.
7. Providing and maintaining a service in their area for the prevention of disease, or of the spread of disease, in circumstances arising out of hostile attack, including the provision of facilities for emergency sanitation and the removal and disposal of refuse of any kind.

8. Providing facilities for the disposal of human remains in the event of hostile attack.

9. Providing and maintaining a service in their area for the distribution, conservation and control of food in the event of hostile attack, including emergency feeding services and equipment.

10. Providing and maintaining a service in their area for the urgent repair, replacement, or demolition and clearance, as the case may be, of any property, including land, dwelling houses, or premises providing goods or services, or any street within the meaning of the Highways Act 1980(a), in circumstances arising out of hostile attack.

11. Providing and maintaining any other services essential to the life of the community in the event of hostile attack.

12. Securing the participation of voluntary organisations (that is to say bodies whose activities are carried on otherwise than for profit, not being public or local authorities), and other persons volunteering their services, in providing assistance to civil defence services formed in the event of hostile attack or a threat of hostile attack.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make new provision under the Civil Defence Act 1948 for conferring civil defence functions on local authorities in England and Wales. Regulation 3 revokes the Regulations specified in Schedule 1, which are superseded, and disapples a provision of the London Government Act 1963 relating to the exercise of civil defence functions by local authorities in Greater London.

Regulation 4 confers functions on county councils and the Greater London Council in respect of making plans for the facilities and services set out in Schedule 2; providing and equipping emergency control centres (two centres in each county and five centres in Greater London); training members of their staffs and of the staffs of other local authorities in their areas; arranging for the attendance of certain members of their staffs at training courses; participating in civil defence exercises; accepting and training volunteers; and, at the request of the designated Minister, implementing the plans made by them. The county council and the Greater London Council are required, when making plans, to consult other local authorities whose cases may be affected by the plans.

Regulation 5 confers functions on district councils, London borough councils and the Common Council of the City of London in respect of supplying information requested by a county council or the Greater London Council for civil defence purposes; assisting a county council or the Greater London Council, when requested, in the discharge of the functions of that council relating to the making and implementation of plans and the acceptance and training of volunteers; providing and equipping an emergency control centre; training members of their staffs and making them available for training by a county council or the Greater London Council; arranging for the attendance of certain members of their staffs at training courses; and participating in civil defence exercises.

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, in so far as no Minister is so designated, the Secretary of State. The Minister of Agriculture, Fisheries and Food is designated by the Civil Defence (Designation of the Minister of Food) Order 1950 (S.I. 1950/1650, as amended by S.I. 1953/879, 1955/555, 1973/1759) for the purposes of certain provisions of the 1948 Act in relation to the control of food and the provision of emergency feeding services.