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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 494**

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

**PART 3**

**Duty to assess risk of emergency occurring**

**Guidance and risk assessments issued by Scottish Ministers**

**11.**—(1) The Scottish Ministers may issue to Scottish Category 1 responders (or any class of Scottish Category 1 responders) guidance as to—

- (a) the likelihood of a particular emergency or an emergency of a particular kind occurring;
- (b) the extent to which a particular emergency or an emergency of a particular kind would or might (if it occurred) cause damage to human welfare in a place in the Scotland, the environment of a place in Scotland or the security of the United Kingdom.

(2) The Scottish Ministers may issue to Scottish Category 1 responders (or any class of Scottish Category 1 responders) an assessment of the matters specified in sub-paragraph (a) or (b) of paragraph (1).

(3) In performing its duty under section 2(1)(a), a Scottish Category 1 responder must—

- (a) take into account any guidance issued to it under paragraph (1); and
- (b) adopt any assessment issued to it under paragraph (2).

(4) Any guidance issued under paragraph (1) or assessment issued under paragraph (2) must be in writing.