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STATUTORY INSTRUMENTS

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**1993 No. 1812**

**CIVIL DEFENCE**

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

*Made* - - - - *19th July 1993*  
*Coming into force* - - *1st August 1993*

In exercise of the powers conferred on me by sections 2, 6 and 8 of the Civil Defence Act 1948(1), I hereby make 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) Regulations 1993.
- (2) These Regulations shall come into force on 1st August 1993.
- (3) These Regulations shall not extend to Scotland.

**Interpretation**

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.

**Repeals and revocations**

3. The enactments specified in Parts I and II of the Schedule to these Regulations are hereby respectively repealed and revoked.

**Civil defence functions of county councils**

- 4.—(1) It shall be in each non-metropolitan county the function of the county council, for civil defence purposes—

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(1) 1948 c. 5; by virtue of section 9(2) the Secretary of State is the designated Minister for the purpose of making regulations prescribing civil defence functions of local authorities under section 2 (the definition of “local authority” in section 9(1) of the 1948 Act is substituted by S.I. 1990/776). The power to vary or revoke regulations made under the 1948 Act is extended by section 38(5) of the Local Government Act 1985 (c. 51).

- (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 and of the staff of the council of every district in the county, and
  - (ii) 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;
- (c) at the request of the designated Minister, or where the county council consider 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;
  - (ii) to carry out any of those plans.

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

#### **Non-metropolitan counties: civil defence functions of district councils**

5. It shall be in each non-metropolitan county the function of the council of every district in the county, for civil defence purposes—

- (a) at the request of the council of that county 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 council of that county, to assist the council of that county 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 council of that county, for the purpose of training, those members of their staff for whom training is arranged under regulation 4(1)(b) above.

#### **Metropolitan counties and Greater London: civil defence functions of councils**

6.—(1) It shall be the function of the council of every metropolitan district, and in Greater London of the council of every London borough and the City of London, 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, and
  - (ii) 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;
- (c) at the request of the designated Minister, or where the 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;

(ii) to carry out any of those plans.

(2) When making or revising plans under paragraph (1)(a) above, a council shall consult with the relevant fire and civil defence authority, any county council, district council or council of a London borough whose area may be affected by such plans and with the council of the City of London if its area may be so affected.

(3) A council may enter into an arrangement with the relevant fire and civil defence authority for the carrying out of all or any of the functions assigned to that council by paragraphs (1) and (2) above.

(4) In this regulation and regulation 7 below, “the relevant fire and civil defence authority”, in relation to a metropolitan district council, means the metropolitan county fire and civil defence authority for the area in which the area of the district council is situated and, in relation to the council of a London borough or the City of London, means the London Fire and Civil Defence Authority.

#### **Civil defence functions of metropolitan county fire and civil defence authorities and London Fire and Civil Defence Authority**

7. It shall be the function of the relevant fire and civil defence authority—

(a) to carry out on behalf of any council in its area civil defence functions in accordance with any arrangement entered into by that council under regulation 6(3) above;

(b) at the request of the designated Minister, or of any council in its area with civil defence functions under these Regulations, to assist any such council in—

(i) the making and revising of plans for their area under regulation 6(1)(a) above and the carrying out of exercises based on such plans;

(ii) the taking of preparatory steps to ensure that such plans can be carried out;

(iii) the carrying out of those plans; and

(iv) the training of staff under regulation 6(1)(b) above.

#### **Directions by designated Minister**

8. 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.

Home Office  
19th July 1993

*Michael Howard*  
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

## REPEALS AND REVOCATIONS

## PART I

## Repeals

Enactments repealed	References
Local Government Act 1985, section 38(1) to (4)	<a href="#">1985 c. 51</a>

## PART II

## Revocations

Regulations revoked	References
The Civil Defence (General) Regulations 1949	S.I. <a href="#">1949/1432</a>
The Civil Defence (Fire Services) Regulations 1949	S.I. <a href="#">1949/2120</a>
The Civil Defence (Fire Services) (Water) Regulations 1956	S.I. <a href="#">1956/480</a>
The Civil Defence (Fire Services) Regulations 1968	S.I. <a href="#">1968/542</a>
The Civil Defence (General) (Amendment) Regulations 1974	S.I. <a href="#">1974/68</a>
The Civil Defence (General Local Authority Functions) Regulations 1983	S.I. <a href="#">1983/1634</a>

## EXPLANATORY NOTE

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

These Regulations replace the Civil Defence (General Local Authority Functions) Regulations 1983 (S.I. [1983/1634](#)), and come into force on 1st August 1993. Subsections (1) to (4) of section 38 of the Local Government Act [1985 \(c. 51\)](#) are repealed by regulation 3 and Part I of the Schedule as a consequence. Part II of the Schedule lists regulations revoked as being no longer of practical utility or spent.

In non-metropolitan counties the principal civil defence functions remain with county councils, by virtue of regulation 4. Regulation 5 specifies the civil defence functions of district councils in non-

metropolitan counties. In the metropolitan counties and Greater London the principal functions are transferred from the metropolitan county fire and civil defence authorities and the London Fire and Civil Defence Authority to the councils of districts and London boroughs and the City of London (regulation 6). Regulation 7 provides for it to be the function of fire and civil defence authorities to carry out civil defence functions on behalf of any councils in their areas in pursuance of arrangements in that behalf under regulation 6(3) and, at the request of the designated Minister or a council, to assist councils in the carrying out of their civil defence functions. Regulation 8 requires 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 Civil Defence Act 1948 or, insofar as no Minister is so designated, the Secretary of State.