

SCOTTISH STATUTORY INSTRUMENTS

2005 No. 494

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

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005 and come into force on 14th November 2005. .

Commencement Information

II [Reg. 1](#) in force at 14.11.2005, see [reg. 1](#)

Interpretation

2.—(1) In these Regulations—

“the Act” means the Civil Contingencies Act 2004;

“body which deals with security matters” means any of—

- (a) the Security Service;
- (b) the Secret Intelligence Service;
- (c) the Government Communications Headquarters;
- (d) the [^{F1}Serious Organised Crime Agency];

“Category 1 responder” means a body or person listed in Part 1 or 2 of Schedule 1;

“Category 2 responder” means a general Category 2 responder or a Scottish Category 2 responder;

“community risk register” has the meaning given by regulation 12;

[^{F2}“co-ordination area” means any of the following areas comprising the local government areas (as defined by section 1 of, and Schedule 1 to, the Local Government etc. (Scotland) Act 1994 and as adjusted under section 17 of the Local Government (Scotland) Act 1973)—

- (a) [^{F3}Argyll and Bute, City of Glasgow, Dumbarton and Clydebank, Dumfries and Galloway, East Ayrshire, East Dunbartonshire, East Renfrewshire, Inverclyde, North Ayrshire, North Lanarkshire, Renfrewshire, South Ayrshire and South Lanarkshire;
- (b) City of Edinburgh, Clackmannan, East Lothian, Falkirk, Fife, Midlothian, Stirling, The Borders and West Lothian; or
- (c) Aberdeenshire, Angus, City of Aberdeen, City of Dundee, Highland, Moray, Orkney Islands, Perthshire and Kinross, Shetland Islands and Western Isles;]]

“emergency” has the meaning given by section 1(1);

“function” has the meaning given by section 18(1);

“general Category 1 responder” means a person or body listed in Part 1 of Schedule 1;

“general Category 2 responder” means—

- (a) body or person listed in paragraphs 19 to 22, 24, 25 28, 29 or 29A(1) of Part 3 of Schedule 1;
- (b) a body or person listed in paragraph 23 of Part 3 of Schedule 1 which is a relevant railway operator;
- (c) a body or person listed in paragraph 26 of Part 3 of Schedule 1 which is a relevant airport authority; and
- (d) a person or body listed in paragraph 27 of Part 3 of Schedule 1 which is a relevant harbour authority;

“non lead Category 1 responders” has the meaning given in regulation 6(3);

[^{F4}“Regional Resilience Partnership” has the meaning given by regulation 3(3);]

“relevant airport operator” means an airport operator, within the meaning of section 82(1) of the Airports Act 1986(2), which is responsible for an airport through which, in the most recent year for which data is available, at least 50,000 passengers or 10,000 tonnes of freight and mail were transported;

“relevant harbour authority” means a harbour authority, within the meaning of section 46(1) of the Aviation and Maritime Security Act 1990(3), which is responsible for a harbour through which the average annual maritime traffic, calculated by reference to the most recent three years for which data is available, is at least 1.5 million tonnes of cargo or 200,000 passengers;

“relevant railway operator” means a person who holds a licence under section 8 of the Railways Act 1993(4) (operation of railway assets) in so far the licence relates to activity in Great Britain and in so far as the licence held is—

- (a) a network licence (within the meaning of that Act);
- (b) a passenger licence (within the meaning of that Act);
- (c) a station licence (within the meaning of that Act); or
- (d) a non passenger licence (meaning a licence authorising a person to be the operator of a train being used on a network for a purpose other than carrying passengers), where such licence is held for the purpose of operating trains for the carriage of goods by railway and connected purposes,

except where such a licence is held only for the purpose of carrying out light maintenance activities (within the meaning of that Act);

“responder” means a Category 1 responder or a Category 2 responder;

“Scottish Category 1 responder” means a person or body listed in Part 2 of Schedule 1;

“Scottish Category 2 responder” means—

- (i) a body or person listed in paragraph 30 to 35 or paragraph 38 of Part 4 of Schedule 1;
- (ii) a body or person listed in paragraph 36 of Part 4 of Schedule 1 which is a relevant airport operator; and

(1) Paragraph 29A was inserted by S.I.2005/2043.

(2) 1986 c. 31.

(3) 1990 c. 31.

(4) 1993 c. 43.

(iii) a body or person listed in paragraph 37 of Part 4 of Schedule 1 which is a relevant harbour authority;

“Sensitive information” has the meaning given by regulation 39;

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...

“voluntary organisation” means a body (other than a Scottish public or local authority) whose activities are not carried on for profit.

(2) In these Regulations, unless otherwise specified, any reference to a section, Part or Schedule is a reference to that section or Part of, or Schedule to, the Act.

- F1** Words in [reg. 2\(1\)\(d\)](#) substituted (1.4.2006) by [The Serious Organised Crime and Police Act 2005 \(Consequential and Supplementary Amendments\) \(Scotland\) Order 2006 \(S.S.I. 2006/129\)](#), art. 1, [sch. para. 9](#)
- F2** Words in [reg. 2\(1\)](#) inserted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Modifications and Savings\) Order 2013 \(S.S.I. 2013/119\)](#), art. 1, [sch. 1 para. 27\(2\)](#)
- F3** Words in [reg. 2\(1\)](#) substituted (1.11.2013) by [The Civil Contingencies Act 2004 \(Contingency Planning\) \(Scotland\) Amendment Regulations 2013 \(S.S.I. 2013/247\)](#), regs. 1, [2\(2\)\(a\)](#)
- F4** Words in [reg. 2\(1\)](#) inserted (1.11.2013) by [The Civil Contingencies Act 2004 \(Contingency Planning\) \(Scotland\) Amendment Regulations 2013 \(S.S.I. 2013/247\)](#), regs. 1, [2\(2\)\(b\)](#)
- F5** Words in [reg. 2\(1\)](#) omitted (1.11.2013) by virtue of [The Civil Contingencies Act 2004 \(Contingency Planning\) \(Scotland\) Amendment Regulations 2013 \(S.S.I. 2013/247\)](#), regs. 1, [2\(2\)\(c\)](#)

Commencement Information

- I2** [Reg. 2](#) in force at 14.11.2005, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005, PART 1.