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STATUTORY INSTRUMENTS

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**2005 No. 2042**

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

**PART 6**

Arrangements for warning and provision of information and advice to the public

**Duty to have regard to emergency plans**

**28.** In performing its duty under section 2(1)(g) (duty to maintain arrangements to warn, inform and advise the public if an emergency occurs or is likely to occur), a general Category 1 responder must have regard to any relevant plan which it maintains under section 2(1)(d).

**Generic and specific arrangements to warn etc.**

- 29.** In performing its duty under section 2(1)(g), a general Category 1 responder –
- (a) may maintain arrangements which relate to a particular emergency or an emergency of a particular kind;
  - (b) may maintain arrangements which relate to more than one emergency or more than one kind of emergency.

**Alarming the public unnecessarily**

**30.** In performing its duty under section 2(1)(g), a general Category 1 responder must have regard to the importance of not alarming the public unnecessarily.

**Training and exercises**

- 31.** The arrangements maintained by a general Category 1 responder under section 2(1)(g) must include provision for –
- (a) the carrying out of exercises for the purpose of ensuring that the arrangements are effective; and
  - (b) the provision of training of –
    - (i) an appropriate number of suitable staff of the general Category 1 responder; and
    - (ii) such other persons as that general Category 1 responder considers appropriate;for the purpose of ensuring that the arrangements are effective.

**Identification of Category 1 responder with lead responsibility for warning, informing and advising**

**32.**—(1) Paragraph (2) applies if more than one Category 1 responder which has functions which are exercisable in a particular local resilience area is subject to a duty under section 2(1)(g) in relation to a particular emergency or an emergency of a particular kind.

(2) If this paragraph applies, each general Category 1 responder which has functions which are exercisable in that local resilience area and which is subject to that duty must co-operate with the other Category 1 responders which have functions which are exercisable in that local resilience area and which are subject to that duty for the purpose of identifying which of them will be the Category 1 responder with lead responsibility for warning the public and for providing information and advice to the public if the emergency to which that duty relates, or an emergency of the kind to which that duty relates, is likely to occur or has occurred.

- (3) In performing their duty under paragraph (2), general Category 1 responders –
- (a) may identify a particular Category 1 responder as the Category 1 responder with lead responsibility for warning the public and providing information and advice to the public in relation to a particular emergency or an emergency of a particular kind before that emergency or an emergency of that kind is likely to occur or has occurred;
  - (b) may adopt a procedure by virtue of which the Category 1 responder with lead responsibility for warning the public and providing information and advice to the public may be identified when a particular emergency or an emergency of a particular kind is likely to occur or has occurred; and
  - (c) may adopt a procedure by virtue of which the identity of the Category 1 responder with lead responsibility for warning the public and providing information and advice to the public (whether identified by virtue of arrangements of the kind specified in sub-paragraph (a) or (b)) may be changed when an emergency is likely to occur or has occurred.

**Arrangements to be maintained by general Category 1 responder with lead responsibility**

- 33.**—(1) Paragraph (2) applies to a general Category 1 responder which –
- (a) has been, pursuant to regulation 32 or an analogous provision in regulations made by the Scottish Ministers under Part 1, identified as the Category 1 responder with lead responsibility for warning the public and providing advice and information in a particular local resilience area if a particular emergency or an emergency of a particular kind is likely to occur or has occurred; or
  - (b) is likely to be identified as the Category 1 responder with lead responsibility for that activity by virtue of procedures adopted pursuant to regulation 32(2)(b) or (c) or an analogous provision in regulations made by the Scottish Ministers under Part 1.

(2) A general Category 1 responder to which this paragraph applies must ensure so far as reasonably practicable that the arrangements maintained under section 2(1)(g) in relation to a particular emergency or an emergency of a particular kind in relation to which it has the lead responsibility for warning the public and providing advice and information ensure that –

- (a) it is able to contact the other Category 1 responders which have functions which are exercisable in that local resilience area and which are subject to a duty under section 2(1)(g) in relation to that emergency or an emergency of that particular kind;
- (b) it informs those Category 1 responders of the actions it is taking, and action that it proposes to take, to warn the public and to provide information and advice to the public;
- (c) it is able to collaborate with those Category 1 responders in warning the public and providing information and advice to the public.

### **Arrangements to be maintained by other general Category 1 responders**

**34.** The arrangements maintained by a general Category 1 responder under section 2(1)(g) in relation to a particular emergency or an emergency of a particular kind in relation to which it is not the Category 1 responder with lead responsibility for warning the public and providing advice and information must provide for that general Category 1 responder –

- (a) to consult the Category 1 responder with lead responsibility for warning the public and providing advice and information to the public in that local resilience area in relation to that emergency or an emergency of that particular kind on a regular basis;
- (b) to inform the Category 1 responder referred to in paragraph (a) of the actions that it is taking and action that it proposes to take to warn the public, and to provide information and advice to the public.

### **Advice etc. provided by other responders and other bodies**

**35.—(1)** In performing its duty under section 2(1)(g), general Category 1 responders –

- (a) must have regard to the arrangements maintained by each of the following persons to warn the public, and to provide information and advice to the public, if an emergency is likely to occur or has occurred –
  - (i) other Category 1 responders;
  - (ii) Category 2 responders;
  - (iii) the Meteorological Office;
  - (iv) the Secretary of State;
  - (v) the Food Standards Agency; and
- (b) need not maintain arrangements to warn the public, and to provide information and advice to the public, which would unnecessarily duplicate the information, warning and advice which is likely to be provided by those persons under those arrangements.

(2) For the purposes of paragraph (1), it is immaterial whether the person specified in paragraph (1)(a) maintains arrangements to warn the public, and to provide information and advice to the public, if an emergency is likely to occur or has occurred by virtue of section 2(1)(g), a duty under another enactment or otherwise.