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STATUTORY INSTRUMENTS

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**2005 No. 2042**

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

**PART 3**

**Duty to assess risk of emergency occurring**

**Guidance and assessments issued by Minister *etc.* as to likelihood and impact**

- 14.**—(1) A Minister of the Crown may issue to a general Category 1 responder guidance as to –
- (a) the likelihood of a particular emergency or an emergency of a particular kind occurring; or
  - (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 United Kingdom, the environment of a place in the United Kingdom or the security of the United Kingdom.
- (2) A Minister of the Crown may issue to a general Category 1 responder an assessment of the matter specified in sub-paragraph (a) or (b) of paragraph (1).
- (3) A Minister of the Crown shall consult the Assembly before issuing to a general Category 1 responder which has functions which are exercisable in Wales guidance under paragraph (1) or an assessment under paragraph (2) which relates to the exercise of such functions in Wales.
- (4) The Assembly may, with the consent of a Minister of the Crown, issue to a general Category 1 responder which has functions which are exercisable in Wales guidance as to –
- (a) the likelihood of a particular emergency or an emergency of a particular kind occurring; or
  - (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 Wales, the environment of a place in Wales or the security of the United Kingdom.
- (5) The Assembly may, with the consent of the Minister of the Crown, issue to a general Category 1 responder which has functions which are exercisable in Wales an assessment of the matter specified in sub-paragraph (a) or (b) of paragraph (3).
- (6) The Office of the First Minister and Deputy First Minister may issue to a general Category 1 responder which has functions which are exercisable in Northern Ireland guidance as to –
- (a) the likelihood of a particular emergency or an emergency of a particular kind occurring; or
  - (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 Northern Ireland, the environment of a place in Northern Ireland or the security of the United Kingdom.
- (7) The Office of the First Minister and Deputy First Minister may issue to a general Category 1 responder which has functions which are exercisable in Northern Ireland an assessment of the matter specified in sub-paragraph (a) or (b) of paragraph (5).
- (8) The Scottish Ministers may issue to a general Category 1 responder which has functions which are exercisable in Scotland guidance as to –

- (a) the likelihood of a particular emergency or an emergency of a particular kind occurring; or
- (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.

(9) The Scottish Ministers may issue to a general Category 1 responder which has functions which are exercisable in Scotland an assessment of the matter specified in sub-paragraph (a) or (b) of paragraph (7).

(10) In performing its duty under section 2(1)(a), a general Category 1 responder must –

- (a) take into account any guidance issued to it under paragraph (1), (4), (6) or (8); and
- (b) adopt any assessment issued to it under paragraph (2), (5), (7) or (9).

(11) Any guidance issued under paragraph (1), (4), (6) or (8) or assessment issued under paragraph (2), (5), (7) or (9) must be in writing.