(2) In these Regulations a reference to the civil defence functions of a local authority shall be construed as a reference to the civil defence functions for the time being falling to be discharged by that authority and a reference to the designated Minister shall, in relation to any such function, be construed as a reference to such Minister as may for the time being be designated for purposes which include that function by Order in Council under subsection (2) of section nine of the Act and if and in so far as no Minister has been designated for those purposes shall be construed as a reference to the Secretary of State.

(3) The Interpretation Act, 1889(a), shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

10.—(1) These Regulations may be cited as the Civil Defence (General) Regulations, 1949, and shall come into operation on the tenth day of August, 1949.

(2) These Regulations shall not apply to Scotland.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
27th July, 1949.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

Regulations 1 and 2 provide for the appointment of committees by local authorities and the delegation of civil defence functions to them. Regulation 3 provides for delegation to other local authorities or police authorities. Regulation 4 contains default powers. Regulation 5 deals with the construction of civil defence works by local authorities and Regulation 6 with the numbers of their civil defence workers and the amount of their civil defence equipment. Regulation 7 deals with the reception and treatment of civil defence equipment by a local authority and Regulation 8 with the expenses of county councils in relation to functions extending over part only of the county.

The Civil Defence Corps Regulations, 1949

1949 No. 1433

Made - - - -	*27th July*, 1949
Coming into Operation	*10th August*, 1949

In exercise of the powers conferred on me by section two of the Civil Defence Act, 1948(b), I hereby make the following Regulations:—

1. It shall be the function of every county council, every county borough council, the Common Council of the City of London, every metropolitan borough council, the council of the Isles of Scilly and every county district council specified in the Schedule to these Regulations to organise a division

(a) 52 & 53 Vict. c. 63. (b) 12, 13 & 14 Geo. 6. c. 5.

of the Civil Defence Corps, and the division so organised by each of the said authorities is hereafter in these Regulations referred to in relation to that authority as their division.

2.—(1) In organising their division of the Corps each of the local authorities mentioned in Regulation 1 shall comply with any directions given from time to time by the Secretary of State.

(2) Subject to any such directions, each of the said authorities shall organise their division of the Corps with a view to the members of that division taking such part in civil defence as may from time to time be assigned to members of the Corps by the Secretary of State and in particular and without prejudice to the generality of the foregoing with a view—

(*a*) to the members of their division assisting the authority in the performance, in accordance with the requirements of the designated Minister, of their civil defence functions, and

(*b*) to selected members of the division being made available to assist any authority (whether a local authority or not) having functions relating to the area or any part of the area of the authority first-mentioned in taking part, in accordance with the requirements of the designated Minister, in civil defence.

3. For the purpose of organising their division of the Corps it shall be the duty of each authority mentioned in Regulation 1 to make, in relation to their division, all payments which are from time to time necessary:

Provided that nothing in this Regulation shall prevent such an authority, where members of their division are assisting some other authority, from recovering from the last-mentioned authority any payments necessary in relation to such assistance.

4.—(1) Where—

(*a*) the organisation, or any part thereof, of any section of their division of the Corps is entrusted, subject to their control, by any local authorities mentioned in Regulation 1 to a person directly responsible to themselves or directly responsible to a committee appointed under Regulation 1 of the Civil Defence (General) Regulations, 1949(**a**), of that authority, and

(*b*) arrangements are made by the said local authority with the appropriate police authority and the chief officer of police of the force maintained by that authority for the chief officer of police or some other member of the force to be that person, then it is hereby recognised that taking part, under the orders of the chief officer of police, in organising the section is a form of civil defence appropriate to be undertaken by that force and by its members.

(2) In this Regulation the appropriate police authority, in relation to each local authority mentioned in Regulation 1, whose area is not wholly or partly comprised in the metropolitan police district, is the police authority of the police area which coincides with or comprises the area of the local authority in question and, in relation to such a local authority whose area is partly comprised in the said district, is the police authority of the police area which coincides with or comprises that part of the local authority's area not comprised in the said district.

5.—(1) Where any two or more of the authorities mentioned in Regulation 1 join in appointing a joint committee under paragraph (1) of Regulation 1 of the Civil Defence (General) Regulations, 1949(**a**), and

(**a**) S.I. 1949 No. 1432, p. 637 above.

authorise that committee under paragraph (2) of the last-mentioned Regulation to exercise all their functions under these Regulations on their behalf as their agent, the function conferred upon each of the appointing authorities by Regulation 1 of these Regulations shall be sufficiently discharged by their so joining with the other said authorities in organising one division of the Corps.

(2) Where under paragraph (1) two or more authorities join in organising one division of the Corps, references in these Regulations to their division in relation to a single local authority shall have the effect in relation to each of the authorities so joining as a reference to the division jointly organised.

6.—(1) In these Regulations the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Civil Defence Corps" means the Corps established by and under the warrant of the Secretary of State intituled the Civil Defence Corps Warrant, 1949, and any subsequent warrants of the Secretary of State amending it and from time to time in force;

"civil defence functions", in relation to any local authority, means the functions conferred upon that authority by or under the Civil Defence Act, 1948(a);

"designated Minister" means, in relation to any matter, such Minister as may for the time being be designated for purposes which include that matter by Order in Council under subsection (2) of section nine of the Civil Defence Act, 1948, and if and in so far as no Minister has been so designated means the Secretary of State;

"local authority" has the same meaning as in the said Act.

(2) In these Regulations any reference to organising a division of the Corps includes a reference to forming, maintaining, equipping and training that division.

7.—(1) These Regulations may be cited as the Civil Defence Corps Regulations, 1949.

(2) These regulations shall come into operation on the tenth day of August, 1949.

(3) These Regulations shall not apply to Scotland.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
27th July, 1949.

SCHEDULE

The Boroughs of Cambridge, Chesterfield, Luton and Swindon and the City of Peterborough.

(a) 12, 13 & 14 Geo. 6. c. 5.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Regulations 1 and 2 provide for the organisation, by the local authorities therein mentioned, of divisions of the Civil Defence Corps. Regulation 3 provides for expenses. Regulation 4 provides for the duties of police in taking part in organising a division of the Corps where the local authority make the arrangements therein described. Regulation 5 provides for the joint organisation of a division of the Corps by more than one local authority.

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(2) SCOTLAND

The Civil Defence (General) (Scotland) Regulations, 1949*

1949 No. 1416 (S. 98)

Made - - - - 27*th July*, 1949
Coming into Operation 10*th August*, 1949

In exercise of the powers conferred by subsection (1) of section two of the Civil Defence Act, 1948(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. A local authority may for the purpose of any civil defence function conferred on them under section two of the Act:—

(*a*) appoint a committee not more than one-third of the members of which may be persons not being members of the authority;

(*b*) join with any other such authority or authorities in appointing a joint committee (hereinafter referred to as a "joint civil defence committee") not more than one-third of the members of which may be persons not being members of any of the constituent authorities thereof.

Provided that a joint police committee, fire area joint committee or joint water board shall not exercise any power conferred on it by this regulation unless it has the consent of all its constituent authorities.

2.—(1) A local authority may authorise any of their committees or any joint committee or board of which they are one of the constituent authorities (whether, in the case of a committee or joint committee, it is appointed under these regulations or not) to exercise all or any of the civil defence functions conferred on them as aforesaid on their behalf as their agent:

Provided that a joint police committee, fire area joint committee, or joint water board shall not give any such authorisation unless it has the consent of all its constituent authorities.

(2) Nothing in this regulation shall permit a local authority to authorise any committee, joint committee, or joint board to exercise any power of levying, or issuing a requisition for, a rate or of borrowing money.

3. Any civil defence function of a local authority conferred on them as aforesaid may, notwithstanding any statutory provision which would otherwise require that function, or any question connected therewith, to be

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(a) 12, 13 & 14 Geo. 6. c. 5.

* These Regulations were approved by resolution of the House of Commons 26th July, 1949, and the House of Lords 14th July, 1949, in accordance with Section 8 (3) of the Civil Defence Act, 1948.