And Whereas it is provided by subsection (2) of section nine of the Act of 1948 that an Order in Council made under that subsection may be varied by a subsequent Order in Council:

Now, therefore, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. In the Schedule to the Order of 1952 for the words "The taking of measures, otherwise than in relation to lighting, for securing the maintenance of the road system, including its extension or adaptation to the requirements of traffic." there shall be substituted the words "The taking of measures, otherwise than in relation to lighting, for securing the maintenance of the road system in England and Wales, including its extension or adaptation to the requirements of traffic.".

2. This Order may be cited as the Civil Defence (Designation of the Minister of Transport and Civil Aviation) (Amendment) Order, 1956, and shall come into operation on the first day of April, 1956.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order amends the Civil Defence (Designation of the Minister of Transport) Order, 1952, under which the Minister of Transport and Civil Aviation is, for the purposes of the Civil Defence Act, 1948, designated Minister in respect of Great Britain in relation to all the functions specified in the Schedule to that Order, including the taking of measures under that Act for the maintenance of the road system. The Minister's functions relating to roads, other than this civil defence function, have as regards Scotland been transferred to the Secretary of State by the Transfer of Functions (Roads, Bridges and Ferries) Order, 1955 (S.I. 1955/1955). Under the present Order, the designation of the Minister of Transport and Civil Aviation for civil defence purposes is restricted, in relation to roads, to the maintenance of the road system in England and Wales. The taking of measures under the Civil Defence Act, 1948, for the maintenance of the road system in Scotland will, by virtue of section 9(2) of that Act, become the function of the Secretary of State.

1956 No. 480

The Civil Defence (Fire Services) (Water) Regulations, 1956

Made - - - -	*28th March,* 1956
Coming into Operation	*11th April,* 1956

In exercise of the powers conferred on me by sections two and six of the Civil Defence Act, 1948(**a**), I hereby make the following Regulations, a draft of which has been laid before Parliament and approved by resolution of each House of Parliament:—

PART I

FUNCTIONS OF FIRE AUTHORITIES

1. It shall be the function of every fire authority to make plans for the taking of all reasonable measures to secure an adequate supply of water

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

for extinguishing fires caused by hostile attack and to take such steps as may be practicable—

(*a*) to maintain such existing facilities for the supply of water as are mentioned in paragraph (1) of Regulation 2 of these Regulations;

(*b*) to secure that such supplies of water as are from time to time available for use in extinguishing fires caused by hostile attack are readily accessible for that purpose;

(*c*) to secure that such works as are mentioned in paragraph (2) of Regulation 2 of these Regulations are capable of being readily adapted for the holding of water for use in extinguishing fires caused by hostile attack.

2.—(1) The facilities referred to in paragraph (*a*) of the preceding Regulation are reservoirs (including static tanks, dams or other works constructed to hold water), pumps and pipes which—

(*a*) were constructed or installed for use in extinguishing fires caused by hostile attack and are, in the opinion of the fire authority, still suitable for that purpose; or

(*b*) were not constructed or installed for that purpose but are, in the opinion of the fire authority, suitable therefor and are in danger of being filled in or demolished or otherwise becoming unserviceable.

(2) The works referred to in paragraph (*c*) of the preceding Regulation are works (including buildings, structures and underground works) which with minor alterations or modifications would be capable of being readily adapted for the purpose mentioned in that paragraph.

3. In carrying out the functions conferred on them by these Regulations a fire authority shall comply with any directions given from time to time by the Secretary of State.

4. Paragraph (*c*) of Regulation 2 of the Civil Defence (Fire Services) Regulations, 1949(**a**), is hereby revoked.

PART II

REVIVAL AND AMENDMENT OF CERTAIN PROVISIONS OF THE CIVIL DEFENCE ACT, 1939

5. The provisions of section fifty-eight of the Civil Defence Act, 1939(**b**) (which relates to schemes for securing supplies of water for extinguishing fires caused by hostile attack), to the extent that their operation is suspended under section two of the Civil Defence (Suspension of Powers) Act, 1945(**c**), and paragraph 7 of the Schedule thereto, are hereby brought again into force.

6. Subsection (3) of the said section fifty-eight (which relates to grant) is hereby repealed.

7. In subsection (7) of the said section fifty-eight (which applies certain provisions as to compulsory acquisition) for the reference to section five of the Air-Raid Precautions Act, 1937(**d**), there shall be substituted a reference to subsection (1) of section four of the Civil Defence Act, 1948.

8. Subsection (1) of section ninety of the Civil Defence Act, 1939 (which contains provisions as to interpretation), shall have effect in relation to

(**a**) S.I. 1949/2120 (1949 I, p. 658).
(**b**) 2 & 3 Geo. 6. c. 31.
(**c**) 9 & 10 Geo. 6. c. 12.
(**d**) 1 & 2 Geo. 6. c. 6.

the said section fifty-eight as if for the definition of the expression "fire authority" there were substituted the following definition:—

"'fire authority' means an authority which for the time being is constituted a fire authority by the Fire Services Act, 1947(a), or any combination scheme made thereunder;".

PART III

GENERAL

9. In these Regulations the expression "fire authority" means an authority which for the time being is constituted a fire authority by the Fire Services Act, 1947, or any combination scheme made thereunder.

10. The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

11.—(1) These Regulations may be cited as the Civil Defence (Fire Services) (Water) Regulations, 1956, and shall come into operation on the fourteenth day after the day on which they are made.

(2) These Regulations shall not apply to Scotland.

G. Lloyd-George,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
28th March, 1956.

EXPLANATORY NOTE

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

Under paragraph (*c*) of Regulation 2 of the Civil Defence (Fire Services) Regulations, 1949, fire authorities are required to make plans for the taking of all reasonable measures to ensure that an adequate supply of water will be available for civil defence fire-fighting purposes. Part I of the present Regulations reproduces paragraph (*c*) (which is revoked by Regulation 4) in terms which add to the existing planning function a new function whereby fire authorities are required to take such steps as may be practicable:— (i) to maintain certain existing facilities for the supply of water, (ii) to secure ready access to such supplies of water as are from time to time available for civil defence fire-fighting purposes, and (iii) to secure that certain works are capable of being readily adapted for holding water for those purposes.

Part II revives and amends the provisions of section 58 of the Civil Defence Act, 1939, which provides for the operation, after approval by the Secretary of State, of schemes made by fire authorities for securing supplies of water for civil defence fire-fighting purposes. Regulation 6 repeals subsection (3) of section 58 which provided for the payment of grants in respect of works executed under such schemes and completed or in progress or preparation before the end of September, 1939.

(a) 10 & 11 Geo. 6. c. 41. (b) 52 & 53 Vict. c. 63.