1956 No. 463 (S. 23)

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

Made - - - - 24*th March*, 1956
Coming into Operation 7*th April*, 1956

In exercise of the powers conferred on me by sections 2 and 6 of the Civil Defence Act, 1948(a), I hereby make the following regulations, a draft of which has been laid before Parliament and has been 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 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 (iii) of Regulation 4 of the Civil Defence (Fire Services) (Scotland) Regulations, 1949(b), is hereby revoked.

PART II

Revival and amendment of certain provisions of the Civil Defence Act, 1939

5. The provisions of section 58 of the Civil Defence Act, 1939(c) (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 2 of the Civil Defence (Suspension of Powers) Act, 1945(d), and paragraph 7 of the Schedule thereto, are hereby brought again into force.

(a) 12, 13 & 14 Geo. 6. c. 5.
(b) S.I. 1949/2167 (1949 I, p. 659).
(c) 2 & 3 Geo. 6. c. 31.
(d) 9 & 10 Geo. 6. c. 12.

6. Subsection (3) of the said section 58 (which relates to grant) is hereby repealed.

7. In subsection (7) of the said section 58 (which as read with subsection (21) of section 91 of the said Act of 1939, applies certain provisions as to compulsory acquisition) for the reference to subsection (9) of section 13 of the Air-Raid Precautions Act, 1937(**a**), there shall be substituted a reference to subsection (1) as read with subsection (6) of section 4 of the Civil Defence Act, 1948.

8. Subsection (1) of section 90 and subsection (30) of section 91 of the said Act of 1939 (which contain provisions as to interpretation) shall have effect in relation to the said section 58 as if for the definition of the expression "fire authority" there were substituted the following definition:—

"'fire authority' means an authority (including a fire area joint committee) for the time being administering a fire brigade under the Fire Services Act, 1947."

PART III

General

9. In these regulations the expression "fire authority" means an authority (including a fire area joint committee) for the time being administering a fire brigade under the Fire Services Act, 1947(**b**).

10. The Interpretation Act, 1889(**c**), 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) (Scotland) Regulations, 1956, and shall come into operation on the fourteenth day after the day on which they are made.

(2) These regulations shall apply to Scotland only.

Dated this 24th day of March, 1956.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

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

Under paragraph (iii) of Regulation 4 of the Civil Defence (Fire Services) (Scotland) 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 (iii) (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

(a) 1 & 2 Geo. 6. c. 6. (b) 10 & 11 Geo. 6. c. 41. (c) 52 & 53 Vict. c. 63.

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 these 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.

1956 No. 469

The Civil Defence (Shelter) (Maintenance) Regulations, 1956

Made - - - -	*27th March,* 1956
Coming into Operation	*10th April,* 1956

In exercise of the powers conferred on me by section two 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:—

1. It shall be the function of every county council other than the London County Council, of every county borough council, of the council of the Isles of Scilly and of the council of every county district specified in the Schedule to these Regulations to take such steps as may be practicable to maintain such existing civil defence shelter as was used or provided for use as public civil defence shelter.

2. It shall be the function of every county borough council, the council of the Isles of Scilly and every county district council to take such steps as may be practicable to maintain such existing civil defence shelter as was used or provided for use as residential civil defence shelter.

3.—(1) It shall be the function of the Common Council of the City of London and of every metropolitan borough council to take such steps as may be practicable to maintain such existing civil defence shelter (not being such shelter provided by the London County Council as is referred to in the following paragraph) as was used or provided for use as public or residential civil defence shelter.

(2) It shall be the function of the London County Council to take such steps as may be practicable to maintain such existing civil defence shelter provided by them as was used or provided for use as residential civil defence shelter by occupants of blocks of tenement buildings owned by the Council in the county of London.

4. In relation to civil defence shelter comprising the whole or any part of a building or other structure strengthened or adapted with a view to its

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