10. WATER SUPPLIES

(1) *England.* | (2) *Scotland*, p. 671.

(1) ENGLAND

The Civil Defence (Water Supplies) Regulations, 1949

1949 No. 2150

Made - - - - 21*st November,* 1949

Coming into Operation 22*nd November,* 1949

M.H. 109475.

Whereas by an Order in Council dated the twenty-eighth day of July, 1949(**a**), and made under subsection (2) of section 9 of the Civil Defence Act, 1948(**b**), the Minister of Health has been designated the Minister for certain purposes of the said Act, including the purpose of making regulations under sections 2 and 6 thereof in relation to the maintenance of water supplies, other than supplies for the purpose of fire fighting;

Now therefore the Minister of Health, in exercise of the powers conferred on him by the said sections, and of all other powers enabling him in that behalf, hereby makes the following regulations in the terms of a draft duly approved by resolution of each House of Parliament:—

1.—(1) These regulations may be cited as the Civil Defence (Water Supplies) Regulations, 1949, and shall come into operation on the twenty-second day of November, 1949.

(2) The Interpretation Act, 1889(**c**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(3) In these regulations, the following expressions have the meanings hereby assigned to them—

"the Minister" means the Minister of Health; and

"statutory water undertakers" has the same meaning as in section 1 of the Water Act, 1948(**d**), and includes also persons who, though not authorised by or under any enactment to do so, are engaged in supplying water to the public.

2. It shall be the duty of all statutory water undertakers—

(*a*) to supply the Minister within such time as he may specify with such information as he may require regarding the measures they have taken or are taking or proposing to take to secure the due functioning of their undertaking in the event of hostile action, by way of—

(i) planning such control centres and stores for the dispersal of stocks, and such additional works for the purpose of by-passing vulnerable points or supplementing existing supplies of water, as may seem necessary in areas likely to be subject to hostile attack;

(ii) the provision and maintenance of an adequate number of vehicles, and adequate stocks of materials, plant and equipment for such repairs and works as may be required in consequence of damage by hostile action to mains, plant, equipment or other works, and for ensuring emergency supplies of water until the repairs or other works are completed;

(**a**) S.I. 1949 No. 1438, p. 652 above. (**b**) 12, 13 & 14 Geo. 6. c. 5. (**c**) 52 & 53 Vict. c. 63. (**d**) 11 & 12 Geo. 6. c. 22.

(iii) planning protective measures for works and plant;
(iv) training employees, and also members of the Civil Defence Corps whose services are made available for the purpose, in the repair of damage to mains, plant and other works; and
(v) arranging mutual aid schemes with neighbouring statutory water undertakers to operate in the event of hostile action or a threat of hostile action; and

(*b*) to take within such time as the Minister may specify such measures with respect to any of the matters mentioned in the preceding provisions of this regulation as the Minister may direct.

3. If any statutory water undertakers fail to comply with any requirement of the last preceding regulation, they shall be liable on summary conviction to a fine not exceeding one hundred pounds, and, if the failure in respect of which they were so convicted continues after the conviction, they shall be liable on summary conviction, to a fine not exceeding ten pounds for each day on which the failure so continues:

Provided that if any undertakers are convicted for failing to comply with a direction given by the Minister under paragraph (*b*) of the last preceding regulation, the court by which they are convicted may give a reasonable period from the date of conviction for compliance by the undertakers with the requirements of the direction, and, where a court has fixed such a period, the said daily penalty shall not be recoverable in respect of any day before the expiration thereof.

4. Sections 36 to 39 of the Civil Defence Act, 1939(**a**), in so far as they relate to statutory water undertakers, are hereby repealed.

Given under the official seal of the Minister of Health this twenty-first day of November, nineteen hundred and forty-nine.

(L.S.) *Aneurin Bevan,*
Minister of Health.

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(2) SCOTLAND

The Civil Defence (Water Supplies) (Scotland) Regulations, 1949*

1949 No. 2137 (S. 145)

Made - - - - 18*th November,* 1949
Coming into Operation 22*nd November,* 1949

In exercise of the powers conferred on me by sections two and six as read along with the proviso to subsection (2) of section nine of the Civil Defence Act, 1948(**b**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1.—(1) These regulations which shall apply to Scotland only may be cited as the Civil Defence (Water Supplies) (Scotland) Regulations, 1949, and shall come into operation on the 22nd day of November, 1949.

(**a**) 2 & 3 Geo. 6. c. 31. (**b**) 12, 13 & 14 Geo. 6. c. 5.

* A draft of these Regulations was approved by resolution of the House of Commons 2nd November, 1949, and the House of Lords 15th November, 1949, in accordance with section 8 (3) of the Civil Defence Act, 1948.