## (2) SCOTLAND

# The Civil Defence (Evacuation and Care of the Homeless) (Scotland) Regulations, 1949*

## 1949 No. 2140 (S. 148)

*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(**a**), 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 (Evacuation and Care of the Homeless) (Scotland) Regulations, 1949, and shall come into operation on the 22nd day of November, 1949.

(2) In these regulations the expression "local authority" means a county council or town council.

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

**2.** It shall be the duty of every local authority at the request and in accordance with the directions of the Secretary of State—

(*a*) to make plans for transferring members of the civil population from one area to another in the event of hostile action or a threat of hostile action, and for the accommodation and, so far as may be necessary, the maintenance of the persons so transferred, and for the temporary accommodation and, so far as may be necessary, the maintenance of persons who owing to hostile action or a threat of hostile action are made homeless or leave their homes or are refugees or persons repatriated from abroad, until such time as such persons can return to their homes, or can be billeted or otherwise rehoused, as the case may require, and for the prevention or mitigation of loss or damage to moveable property in their homes of persons who are made homeless by hostile action or of persons whose homes after they have left them on account of hostile action or a threat of hostile action are damaged by hostile action; and in particular and without prejudice to the generality of the foregoing provision—

(i) to determine what buildings and land should be used for the purpose of such accommodation and maintenance as aforesaid, to determine what adaptations of any such buildings will be required in that event and to take steps to ensure that any such buildings and land as are not under the control of the local authority will be placed at their disposal;

(ii) to supply the Secretary of State with an estimate of their requirements in respect of beds, bedding, furnishing and other materials and equipment for the purpose of putting such plans as aforesaid into operation, and an estimate of the extent to which their existing stocks thereof need to be supplemented for the purpose of meeting their estimated requirements;

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

* 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.

(iii) to provide, in such premises under their control as are reasonably available or can reasonably be made available for the purpose, for the storage and preservation of material and equipment acquired by the Secretary of State with a view to facilitating the carrying out of such plans as aforesaid;

(iv) to train an appropriate number of suitable members of their staff and also members of the Civil Defence Corps whose services are made available for the purpose in the administration generally of services to be provided by the local authority in the carrying out of such plans as aforesaid and in particular in the management of accommodation of the type or types intended for use for the purposes aforesaid; and

(v) to carry out such plans as aforesaid; and

(*b*) to make and carry out plans for the provision of premises or the extension of existing premises at which in the event of hostile action or a threat of hostile action information concerning the services available within the area of the local authority provided either by the authority, other local or public authorities, Government Departments or voluntary organisations may be readily obtained by the public and at which in any special emergency services provided by Government Departments or local or public authorities may be made available to the public.

**3.**—(1) Where the services of members or units of the Civil Defence Corps are made available by their divisional authority to a local authority to enable that local authority to perform any of the functions conferred on them by Regulation 2 of these regulations, the function of the divisional authority in relation to such members or units shall by virtue hereof be transferred to and become a function of the local authority and shall, subject to such directions as may be given to the authority from time to time by the Secretary of State, be performed by them accordingly; and it shall be a duty of the local authority to make all payments necessary in connection with exercise of the function hereby conferred on them:

Provided that nothing in this regulation shall apply in relation to any case where it is agreed between a divisional authority and a local authority that the services of the members or units are being made available temporarily.

(2) For the purposes of this regulation the expression "divisional authority" in relation to particular members or units of the Civil Defence Corps means the authority responsible under Regulation 1 of the Civil Defence Corps (Scotland) Regulations, 1949(**a**), for the organisation of the division to which such members or units belong.

**4.** Section 56 of the Civil Defence Act, 1939(**b**), is hereby repealed.

Dated this 18th day of November, 1949.

*Arthur Woodburn,*
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

(a) S.I. 1949 No. 1417, p. 645 above.

(b) 2 & 3 Geo. 6. c. 31.