# The Civil Defence (Demolition and Repair Services) (Scotland) Regulations, 1950*

## 1950 No. 1298 (S. 95)

*Made* - - - - 28*th July*, 1950
*Coming into Operation* 8*th August*, 1950

In exercise of the powers conferred on me by section two 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 (Demolition and Repair Services) (Scotland) Regulations, 1950, and shall come into operation on the fourteenth day after the day on which the draft thereof was approved by Parliament.

(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 setting up an organisation having as its objects—

(i) the execution of urgent repairs to premises which by reason of damage by hostile action become unfit for use, being dwelling houses or premises providing goods or services essential to the life of the community, not being factories, workshops or warehouses;

(ii) the demolition and clearance of property damaged by hostile action;

(iii) the doing of any work on any land in connection with any of the purposes aforesaid, that is to say, the doing of any work on, over, or below the surface of the land, and, in particular, the filling up or repairing of craters or holes, the making of any erection or excavation, the placing of any thing, and the maintenance, removal, demolition, pulling down, destruction or rendering useless of any thing, on, over or below that surface, and the sorting, storage and disposal of any thing removed from the land; and

(iv) 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;

(*b*) to make arrangements to secure that any land required for storage purposes, the disposal of debris or other purposes incidental to the discharge of functions under these regulations will be available as and when needed;

(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 Lords 24th July, 1950, and the House of Commons, 25th July, 1950, in accordance with section 8(3) of the Civil Defence Act, 1948.

(*c*) to make arrangements for mutual aid schemes with neighbouring local authorities with a view to making available for the joint purposes under these regulations of the local authority and the other local authorities concerned the officers and servants of those authorities, and the vehicles, machinery and plant and other equipment of those authorities which are appropriate for those purposes ;

(*d*) to make arrangements for the keeping of records of land and buildings damaged by hostile action, and of works carried out in connection with the discharge of functions under these regulations ;

(*e*) to make arrangements for an officer to take charge of the making of such plans and arrangements as aforesaid, of the setting up of such organisation as aforesaid and of the carrying out by the organisation of such plans and arrangements as aforesaid ;

(*f*) to make arrangements for the training of 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 performance of duties in connection with the discharge of functions under these regulations ; and

(*g*) to set up such organisation as aforesaid and to arrange for that organisation to carry out the objects of its establishment and to carry out such arrangements as aforesaid.

**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 the 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.

Dated this 28th day of July, 1950.

*Hector McNeil,*
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

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