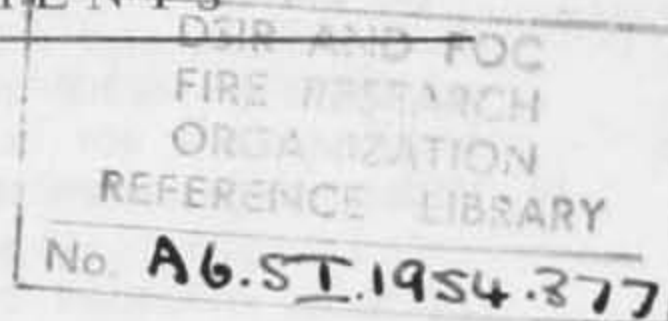


1954 No. 377

CIVIL DEFENCE



The Civil Defence (Electricity Undertakings) Regulations, 1954

Made - - - - - 24th March, 1954
 Coming into Operation 28th March, 1954

Whereas by the Civil Defence (Designation of the Minister of Fuel and Power) Order, 1953(a), it is ordered that the Minister of Fuel and Power be the designated Minister in relation to the provision of supply of coal, gas and electricity (other than the production and supply of electricity in the North of Scotland District), petroleum and other sources of fuel and power (including hydraulic power) and coal and petroleum products for purposes which include the making of regulations under section six of the Civil Defence Act, 1948(b):

Now, therefore, the Minister of Fuel and Power, in exercise of the powers conferred upon him by section six of the Civil Defence Act, 1948, as extended by the Civil Defence (Electricity Undertakings) Act, 1954(c), and of all other powers him enabling, with the consent of the Treasury, hereby makes the following regulations in the terms of a draft duly approved by resolution of each House of Parliament:—

- 1.—(1) The Minister may serve a notice in writing on the Central Authority or any Area Board requiring them within the time specified in the notice—
- (a) to make a report stating what measures they have taken or are taking or proposing to take to secure the due functioning of their undertaking in the event of hostile attack, or
 - (b) to take such measures as may be so specified to secure the due functioning of their undertaking in the event of hostile attack.

(2) If the Central Authority or any Area Board fail to comply with the requirements of a notice served on them under the last preceding paragraph 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 the Authority or any Board are convicted in respect of a breach of sub-paragraph (b) of that paragraph the Court by which they are convicted may fix a reasonable period from the date of conviction for compliance with the requirements of the notice, 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.

(a) S.I. 1953/1196. (b) 12, 13 & 14 Geo. 6. c. 5. (c) 2 & 3 Eliz. 2. c. 19.

(3) Paragraph (b) of subsection (2) of section thirty-six of the Civil Defence Act, 1939(d), and section thirty-seven of that Act so far as it relates to measures to secure the due functioning of an undertaking in the event of hostile attack are hereby repealed in so far as they relate to electricity undertakings otherwise than in the North of Scotland District.

2. Subsections (1) and (2) of section thirty-nine of the Civil Defence Act, 1939, as amended by the Civil Defence (Electricity Undertakings) Act, 1954, (which provide for the payment of grants out of monies provided by Parliament in respect of measures to secure due functioning of public utility undertakings) are hereby brought again into force in relation to the Central Authority and Area Boards subject to the substitution in subsection (1) for the words "one half" of the words "fifty-two and three quarters per centum".

3.—(1) Section seventy-nine and subsection (28) of section ninety-one of the Civil Defence Act, 1939, are brought into force in relation to notices, reports or other action under these regulations.

(2) The following provisions of the Civil Defence Act, 1939, that is to say—

Section 62, subsections (1) to (3)
Section 76
Section 77
Section 78
Section 80

shall apply in relation to notices, reports or other action under these regulations but as if references to the Minister therein were references to the Minister of Fuel and Power.

4.—(1) In these regulations, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them—

"Central Authority" and "Area Board" have the meanings respectively assigned to them in section one of the Electricity Act, 1947(e);

"the Minister" means the Minister of Fuel and Power;

"the North of Scotland District" means the area defined in the Second Schedule to the Hydro-Electric Development (Scotland) Act, 1943(f) as amended by section fifty-seven of the Electricity Act, 1947, and the Fourth Schedule thereto or, if an order varying the boundaries of that District is made under section four of the last-mentioned Act, that District as so varied.

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

5. These regulations shall come into operation on the fourth day after the date hereof, and may be cited as the Civil Defence (Electricity Undertakings) Regulations, 1954.

Dated this twenty-fourth day of March, nineteen hundred and fifty-four.

Geoffrey Lloyd,
Minister of Fuel and Power.

We consent.

Hendrie D. Oakshott,
Edward Heath,
Two of the Lords Commissioners of
Her Majesty's Treasury.

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

(e) 10 & 11 Geo. 6. c. 54.
(g) 52 & 53 Vict. c. 63.

(f) 6 & 7 Geo. 6. c. 32.

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations, made under section 6 of the Civil Defence Act, 1948, empower the Minister of Fuel and Power to make grants to the British Electricity Authority and Area Electricity Boards towards approved expenses incurred in securing the due functioning of their undertakings in the event of hostile attack.

They also provide that the British Electricity Authority and Area Electricity Boards shall furnish the Minister with such information as he may require as to the measures they have taken, and shall take such measures as the Minister may specify, to secure the due functioning of their undertakings in the event of hostile attack.

STATUTORY INSTRUMENTS

1954 No. 377

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The Civil Defence (Electricity Undertakings)
Regulations, 1954

LONDON :

PRINTED AND PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

1954

Price 3*d.* net

PRINTED IN GREAT BRITAIN