

## EMERGENCY PLANNING LEGISLATION

The **Civil Contingencies Act 2004** is an Act of Parliament that establishes a coherent framework for emergency planning and response ranging from local to national level and it:

- replaces former Civil Defence and Emergency Powers legislation of the 20<sup>th</sup> century and repeals the **Civil Defence Act 1948**. Previous legislation enacted during or after the Second World War provided for civil protection in terms of civil defence, which was defined as “measures other than actual combat for affording defence against a hostile attack by a foreign power”
- establishes a new definition for “emergency” which is broadly defined. It includes war and attack by a foreign power, as defined under the previous legislation, as well as terrorism posing a serious threat to the security of the UK and events threatening serious damage to human welfare or environment
- broadens the number of local bodies which have duties in the event of an emergency. Previous legislation only related to local authorities, police authorities and certain fire authorities and had not been amended significantly over a number of years. The old legislation was not deemed able to cope in the event of domestic threats to services such as the fuel protests of 2000 or natural threats such as mass flooding in 2000 and the outbreak of foot and mouth disease in 2001
- directs that there be a Local Resilience Forum formed in a “police area” which is an area where there is a “territorial police force” responsible for policing. The Local Resilience Forum allows all responders to consult and collaborate information to aid planning and response
- defines obligations of certain organisations to prepare for various emergencies – assessing risk, planning response, exercising plans. Local authorities must also provide business continuity advice to local businesses. The Act includes a legal obligation to co-operate and share information between emergency services (category 1 responders) and non-emergency services (category 2 responders) such as electricity and gas suppliers, water companies, Highways England, Network Rail, airport operators, health authorities and voluntary agencies
- provides for Temporary Emergency Regulations for a duration of up to 30 days unless Parliament votes to extend them. The only primary legislation which may not be amended by emergency regulations is the Human Rights Act 1998 and the Civil Contingencies Act itself.