The Civil Defence (North of Scotland Hydro-Electric Board) Regulations, 1954

Made 2nd April, 1954

Coming into Operation 17th April, 1954

In exercise of the powers conferred on me by section six as read with the proviso to subsection (2) of section nine of the Civil Defence Act, 1948(a), as extended by the Civil Defence (Electricity Undertakings) Act, 1954(b), and of all other powers enabling me in that behalf, I hereby, with the consent of the Treasury, make the following Regulations, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament.

1.—(1) The Secretary of State may serve a notice in writing on the North of Scotland Board requiring them within the time specified in the notice—
   (a) to make
   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 North of Scotland Board fail to comply with the requirements of a notice served on them under the foregoing 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 North of Scotland 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.

(3) Paragraph (b) of subsection (2) of section thirty-six of the Civil Defence Act, 1939(c), 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far as it relates to measures to secure the due functioning of an undertaking in the event of hostile attack are hereby repealed in so far as they relate to the North of Scotland Board.

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 subsections provide for the payment of grants out of moneys provided by Parliament in respect of measures to secure the due functioning of public utility undertakings) are hereby brought again into force in relation to the North of Scotland Board subject to the substitution in subsection (1) for the words "one-half" of the words "fifty-two and three quarters per centum".

(a) 12 & 13 Geo. 6. c. 5. (b) 2 & 3 Eliz. 2. c. 19. (c) 2 & 3 Geo. 6. c. 31.
3. The following provisions of the Civil Defence Act, 1939, that is to say—
subsections (1) to (3) of section 62,
section 76,
section 77,
section 78,
section 79,
section 80 and
subsection (28) of section 91
are hereby brought into force in relation to notices, reports or other action
under these regulations.

4.—(1) In these regulations the expression "The North of Scotland Board"
means the North of Scotland Hydro-Electric
section (1) of section one of the Hydro-Electric Development (Scotland) Act,
1943(d).

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

5. These regulations may be cited as the Civil Defence (North of Scotland
Hydro-Electric Board) Regulations, 1954, and shall come into operation on
the fifteenth day after the date hereof.

James Stuart.
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh. 1,
30th March, 1954.

We consent.

Dennis Vasper,
Hendrie D. Oakshott,
Two of the Lords Commissioners of
Her Majesty's Treasury.

2nd April, 1954.

EXPLANATORY NOTE

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

These regulations, made under section six of the Civil Defence Act, 1948,
empower the Secretary of State to make grants to the North of Scotland
Board towards approved expenses incurred in securing the due functioning
of their undertakings in the event of hostile attack.

They also provide that the Board shall furnish the Secretary of State with
such information as he may require as to the measures they have taken, and
shall take such measures as he may specify, to secure the due functioning
of their undertakings in the event of hostile attack.

(d) 6 & 7 Geo. 6. c. 32. (e) 52 & 53 Vict. c. 63.

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