

1994 No. 44

HEALTH AND SAFETY**Control of Industrial Major Accident Hazards (Amendment) Regulations (Northern Ireland) 1994***Made* 10th February 1994*Coming into operation* 21st March 1994

The Department of Economic Development, being a Department designated by the European Communities (Designation) Order 1983(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to measures relating to the prevention and limitation of the effects of accidents arising from industrial activities involving dangerous substances, in exercise of the powers conferred on it by the said section 2(2) and being the Department concerned(c) in exercise of the powers conferred by Articles 17(1), (2), (3), (5) and (6), 40(2) and (4) and 55(2) of, and paragraphs 1(1) (2), 14(1) and 19 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(d) and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to it to be appropriate, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Control of Industrial Major Accident Hazards (Amendment) Regulations (Northern Ireland) 1994, and shall come into operation on 21st March 1994.

Interpretation

2.—(1) In these Regulations “the principal Regulations” means the Control of Industrial Major Accident Hazards Regulations (Northern Ireland) 1985(e).

(2) The Interpretation Act (Northern Ireland) 1954(f) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Revocation

3. Regulation 3(1)(f) of the principal Regulations is hereby revoked.

(a) S.I. 1983/603

(b) 1972 c. 68

(c) See Article 2(2) of S.I. 1978/1039 (N.I. 9)

(d) S.I. 1978/1039 (N.I. 9)

(e) S.R. 1985 No. 175, as amended by S.R. 1988 No. 388 and S.R. 1991 No. 141

(f) 1954 c. 33 (N.I.)

Application of the principal Regulations

4. Where an industrial activity becomes subject to regulations 7 to 12 of the principal Regulations in consequence of the revocation made by regulation 3 then, in relation to that activity, the principal Regulations shall have effect subject to the modifications specified in the Schedule.

Sealed with the Official Seal of the Department of Economic Development on 10th February 1994.

(L.S.)

Philip B. Strong

Assistant Secretary

**Modification to the Principal Regulations in their
Application to Additional Industrial Activities**

1. In regulation 6(2)(a)(i), the reference to the coming into operation of this regulation shall be construed as a reference to the coming into operation of these Regulations.

2. In regulations 7(2) and 10(3)(a), references to the coming into operation of the principal Regulations shall be construed as references to the coming into operation of these Regulations.

3. In each regulation or Schedule specified in Column 1 of the following Table, the date specified opposite thereto in Column 3 shall apply in substitution for the existing date referred to in that regulation or Schedule and specified in the corresponding entry opposite thereto in Column 2.

TABLE

<i>Column 1 Regulation or Schedule</i>	<i>Column 2 Existing date</i>	<i>Column 3 Substituted date</i>
Regulation 7(3)	8th July 1989	1st January 1997
Regulation 7(3)	1st January 1986	21st March 1994
Regulation 10(3)(b)	1st January 1986	21st March 1994
Regulation 11(3)	1st July 1986	21st September 1994
Regulation 12(4)	4th April 1992	21st December 1994
Schedule 7, paragraph 4	30th September 1985	20th March 1994

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Control of Industrial Major Accident Hazards Regulations (Northern Ireland) 1985 (“the principal Regulations”) by applying those Regulations to the industrial activities referred to in the following paragraph for the purpose of implementing in full in respect of Northern Ireland, Council Directive 82/501/EEC (O.J. No. L230, 5.8.82, p. 1) on the major accident hazards of certain industrial activities.

Regulation 3 amends regulation 3(1) of the principal Regulations by revoking sub-paragraph (f) which exempted from the application of the principal Regulations those industrial activities carried on at any site operated by a district council in accordance with Article 13(2) of the Pollution Control and Local Government (Northern Ireland) Order 1978 (S.I. 1978/1049 (N.I. 19)) or for which a licence issued in pursuance of Article 7 of that Order is in force.

Regulation 4 provides that where the industrial activities referred to in the previous paragraph become subject to certain provisions of the principal Regulations as a consequence of the amendment made by regulation 3, the principal Regulations shall be modified in relation to those activities in accordance with the Schedule to these Regulations.

The Schedule introduces new compliance dates and transitional provisions for the relevant industrial activities.