
STATUTORY INSTRUMENTS

1994 No. 118

HEALTH AND SAFETY

The Control of Industrial Major Accident Hazards (Amendment) Regulations 1994

<i>Made</i>	- - - -	<i>24th January 1994</i>
<i>Laid before Parliament</i>		<i>31st January 1994</i>
<i>Coming into force</i>	- -	<i>28th February 1994</i>

The Secretary of State, being the designated Minister⁽¹⁾ for the purposes of Section 2(2) of the European Communities Act 1972⁽²⁾ 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 him by the said section 2 and by sections 15(1) and (2) and 82(3)(a) of, and paragraphs 1(1)(b) and (c) and (2), 15(1) and 20 of Schedule 3 to, the Health and Safety at Work etc. Act 1974⁽³⁾ (“the 1974 Act”) and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Control of Industrial Major Accident Hazards (Amendment) Regulations 1994, and shall come into force on 28th February 1994.

Interpretation

2. In these Regulations “the principal Regulations” means the Control of Industrial Major Accident Hazards Regulations 1984⁽⁴⁾.

Amendment to the principal Regulations

3. Sub-paragraph (e) of paragraph (1) of regulation 3 of the principal Regulations is revoked.

(1) [S.I. 1983/603](#).

(2) [1972 c. 68](#).

(3) [1974 c. 37](#); sections 15(1) and 50(3) were amended by the Employment Protection Act [1975 \(c. 71\)](#), Schedule 15, paragraphs 6 and 16(3) respectively.

(4) [S.I.1984/1902](#), relevant amending instruments are [S.I.1988/1462](#) and [1990/2325](#).

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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 amendment made by regulation 3 above, then, in relation to that activity, the principal Regulations shall have effect subject to the modifications specified in the Schedule to these Regulations.

Signed by order of the Secretary of State.

24th January 1994

Michael Forsyth
Minister of State,
Department of Employment

THE SCHEDULE

Regulation 4

MODIFICATIONS 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 force 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 force of these Regulations.

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

Column 1 Regulation or Schedule	Column 2 Existing date	Column 3 Modified date
Regulation 7(3)	8th July 1989	1st January 1997
Regulation 7(3)	1st April 1985	31st May 1994
Regulation 10(3)(b)	1st April 1985	31st May 1994
Regulation 11(3)	1st October 1985	31st August 1994
Regulation 12(5)	31st December 1991	30th November 1994
Schedule 7 paragraph 4	7th January 1985	27th February 1994

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Control of Industrial Major Accident Hazards Regulations 1984 (“the principal Regulations”) by applying those regulations to the industrial activities referred to in paragraph 2 below for the purpose of implementing in full in respect of Great Britain Council Directive No.82/501/EEC (OJ No. L 230, 5.8.82, p.1) on the major accident hazards of certain industrial activities.

2. Regulation 3 amends regulation 3(1) of the principal Regulations by revoking subparagraph (e) which exempted from the application of the principal Regulations those industrial activities carried on at any site operated by a disposal authority in accordance with section 11(2) of the Control of Pollution Act 1974 (c. 40) or for which a licence issued in pursuance of section 5 of that Act is in force.

3. Regulation 4 provides that where the industrial activities referred to in paragraph 2 above 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.

4. The Schedule introduces new compliance dates and transitional provisions for the industrial activities referred to in paragraph 2 above.

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