
STATUTORY INSTRUMENTS

2015 No. 627

The Planning (Hazardous Substances) Regulations 2015

PART 1

General

Interpretation

2.—(1) In these Regulations—

“the 1992 Regulations” means the Planning (Hazardous Substances) Regulations 1992 ^{M1};

“the Act” means the Planning (Hazardous Substances) Act 1990;

“COMAH competent authority” means the control of major accident hazards competent authority which is—

(a) in relation to a nuclear site, the Office of Nuclear Regulation and the Environment Agency acting jointly,

(b) otherwise, the Health and Safety Executive and the Environment Agency acting jointly;

“commencement date” means the date these Regulations come into force;

“the Directive” means Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances [^{F1}as it had effect immediately before exit day]^{M2}; and

[^{F2}“the EIA Directive” means [Directive 2011/92/EU](#) of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment as it had effect immediately before exit day;]

[^{F2}“major accident” has the meaning given in regulation 2 of the Control of Major Accident Hazards Regulations 2015;]

“nuclear site” has the same meaning as in section 112(1) of the Energy Act 2013 ^{M3}.

(2) In these Regulations—

(a) a reference to a section is a reference to that section of the Act, unless there is a contrary indication; and

(b) a reference to a numbered form is a reference to the correspondingly numbered form in Schedule 3 to these Regulations.

(3) Parts 1 to 3 of Schedule 1 to these Regulations (hazardous substances and controlled quantities) are to be construed in accordance with the notes in Part 4 of that Schedule and a reference in that Schedule to a note is a reference to a note in Part 4 of that Schedule.

(4) References to sections of the principal Act ^{M4} mentioned in regulations 15, 17, 18 and 19 (enforcement) are, in those sections and these Regulations, to be construed as references to those sections as modified by these Regulations in relation to hazardous substances control.

(5) References in these Regulations to Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures (“the CLP Regulation”) are references to that Regulation as amended from time to time.

Textual Amendments

- F1** Words in [reg. 2\(1\)](#) inserted (31.12.2020) by [The Planning \(Hazardous Substances and Miscellaneous Amendments\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1234\)](#), regs. 1, [7\(a\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in [reg. 2\(1\)](#) inserted (31.12.2020) by [The Planning \(Hazardous Substances and Miscellaneous Amendments\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1234\)](#), regs. 1, [7\(b\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** [S.I. 1992/656](#); relevant amendments were made by section 76(7) of the [Utilities Act 2000 \(c.27\)](#) and by [S.I. 1999/981](#), [S.I. 2006/1282](#), [S.I. 2006/1283](#), [S.I. 2009/1901](#), [S.I. 2010/1050](#) and [S.I. 2014/162](#).
- M2** [O.J. L 197, 24.7.2012, p. 1.](#)
- M3** [2013 c. 32.](#)
- M4** [Section 39\(1\)](#) of the Act defines “principal Act” as the [Town and Country Planning Act 1990 \(c.8\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Planning (Hazardous Substances) Regulations 2015, Section 2.