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## STATUTORY RULES OF NORTHERN IRELAND

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### 2000 No. 93

## Control of Major Accident Hazards Regulations (Northern Ireland) 2000

### Part VI

#### Functions of Competent Authority

##### Prohibition of use

**18.—**(1) The competent authority shall prohibit the operation or bringing into operation of any establishment or installation or any part thereof where the measures taken by the operator for the prevention and mitigation of major accidents are seriously deficient.

(2) The competent authority may prohibit the operation or bringing into operation of any establishment or installation or any part thereof if the operator has failed to submit any notification, safety report or other information required by or under these Regulations within the time so required.

(3) Where the competent authority proposes to prohibit an operation or the bringing into operation of an establishment or installation or any part thereof pursuant to this regulation, it shall serve on the operator a notice giving reasons for the prohibition and specifying the date when it is to take effect, and any such notice may be withdrawn in writing by the competent authority.

(4) A notice served pursuant to paragraph (3) may specify measures which, if taken, would cause the competent authority to withdraw the notice.

(5) Where a notice has been served on an operator in accordance with paragraph 3 the operator shall comply with it (including any such notice as modified on appeal).

(6) Article 26 of the 1978 Order (appeal against improvement or prohibition notice) and regulation 6(5) of, and Schedule 4 to, the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 1996<sup>(1)</sup> shall apply in relation to a notice served under this regulation as they apply in relation to a prohibition notice served under Article 24 of that Order.

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<sup>(1)</sup> S.R. 1996 No. 173 as amended by S.R. 1996 No. 466