
STATUTORY INSTRUMENTS

1999 No. 743

The Control of Major Accident Hazards Regulations 1999

PART 5

PROVISION OF INFORMATION BY OPERATOR

Provision of information to the public

14.—(1) The operator of an establishment shall—

- (a) ensure that persons who are likely to be in an area referred to in paragraph (2) are supplied, without their having to request it, with information on safety measures at the establishment and on the requisite behaviour in the event of a major accident at the establishment;
- (b) make that information available to the public.

(2) An area referred to in paragraph (1) is an area notified to the operator by the competent authority as being an area in which, in the opinion of the competent authority, persons are liable to be affected by a major accident occurring at the establishment.

(3) The information referred to in paragraph (1) shall contain at least the information specified in Schedule 6.

(4) In preparing the information required to be supplied in accordance with paragraph (1), the operator shall consult the local authority in whose area the establishment is situated and such other persons who appear to him to be appropriate, but the operator shall remain responsible for the accuracy, completeness and form of the information so supplied.

(5) Without prejudice to his duty under paragraph (1), the operator shall endeavour to enter into an agreement with the local authority in whose area the establishment is situated for that local authority to disseminate the information required to be supplied in accordance with that paragraph to the persons mentioned in it.

(6) The operator shall review and where necessary revise the information referred to in paragraph (1)—

- (a) at intervals not exceeding 3 years; or
- (b) in the event of a modification referred to in regulations 5(4) or 8(4).

(7) The operator shall ensure that the information referred to in paragraph (1) is supplied in accordance with that paragraph within a reasonable period of time after the off-site emergency plan has been prepared for the establishment and that the information is so supplied again—

- (a) at intervals not exceeding 5 years; or
- (b) if it is revised pursuant to paragraph (6).

Provision of information to competent authority

15.—(1) Every operator of an establishment shall, when requested to do so by the competent authority provide sufficient information to the authority to demonstrate that he has taken all measures

necessary to comply with these Regulations, and the information shall be so provided within such period as the competent authority specifies in the request.

(2) Without prejudice to the generality of paragraph (1), the operator shall when requested to do so by the competent authority, provide the authority with any information necessary to enable the authority—

- (a) fully to assess the possibility of a major accident and to determine the scope of possible increased probability or aggravation of a major accident;
- (b) to take substances into account which, due to their physical form, particular conditions or location, may require additional consideration; or
- (c) to perform its functions of obtaining or collecting information under regulation 19(4);

and the information shall be so provided within such period as the competent authority specifies in the request.

(3) Where a major accident has occurred at an establishment the operator shall forthwith inform the competent authority of that accident.

(4) Where the operator has notified a major accident to the Executive in accordance with the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995⁽¹⁾, he shall be deemed to have complied with the requirement to inform the competent authority of that accident under paragraph (3).

(5) Anything required to be sent by an operator of an establishment to the competent authority pursuant to these Regulations shall be sent to the authority at an office of the Executive.

Provision of information to other establishments

16.—(1) The competent authority shall, using the information received from operators in notifications sent pursuant to regulation 6 and in safety reports, designate groups of establishments where the likelihood or consequences of a major accident may be increased because of the location and proximity of establishments in the group and the dangerous substances present there.

(2) The competent authority shall notify each operator of an establishment in a group designated pursuant to paragraph (1) of the names and addresses of other establishments within the same group.

(3) The operator of any establishment in a group designated pursuant to paragraph (1) shall—

- (a) pass appropriate information about the establishment to other establishments in the group to enable them to take account of the nature and extent of the overall hazard of a major accident in their major accident prevention policy documents, safety reports and on-site emergency plans; and
- (b) co-operate with those other establishments to enable them to carry out any obligations they have under regulations 10(3), (5), and 14(1).

(1) S.I.1995/3163.