
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 93

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

Part I

Introduction

Application

3.—(1) These Regulations shall apply to an establishment where a dangerous substance listed in column 1 of Parts II or III of Schedule 1 is present in a quantity equal to or exceeding the quantity listed in the entry for that substance in column 2 of those Parts, except that regulations 7 to 14 shall apply only to an establishment where such a dangerous substance is present in a quantity equal to or exceeding the quantity listed in the entry for that substance in column 3 of those Parts.

(2) The reference in paragraph (1) to the presence of dangerous substances shall not include the presence of dangerous substances in the following activities—

- (a) the transport of those substances and their intermediate temporary storage by road, rail, inland waterways, sea or air, including their loading and unloading and transport to and from another means of transport at docks, wharves and marshalling yards; or
- (b) the transport of those substances in a pipeline or pumping station.

(3) These Regulations shall not apply to—

- (a) an establishment which is under the control of—
 - (i) the Secretary of State for the purposes of the Ministry of Defence,
 - (ii) a headquarters or an organisation designated for the purposes of the International Headquarters and Defence Organisations Act 1964(1) or the service authorities of a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(2);
- (b) substances which create a hazard from ionising radiation if present on a site for which a nuclear site licence has been granted or is required for the purposes of section 1 of the Nuclear Installations Act 1965(3);
- (c) the activities of the extractive industries concerned with exploration for, and the exploitation of, minerals in mines and quarries or by means of boreholes;
- (d) waste land-fill sites.

(4) Where, by reason of any change in—

- (a) the classification of a substance (as referred to in Note 1 of Part III of Schedule 1), or

(1) 1964 c. 5

(2) 1952 c. 67

(3) 1965 c. 57; section 1 was amended by S.I. 1974/2056 and S.I. 1990/1918

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) knowledge of what dangerous substances may be generated during the loss of control of an industrial chemical process;

the area of land on which the substance is present becomes an establishment after the coming into operation of these Regulations (in this paragraph referred to as “a new entrant establishment”), any requirement imposed by these Regulations on an operator which is to be performed by him before an establishment starts to operate shall apply to the operator of the new entrant establishment as if that requirement had to be performed within 12 months after the change in classification takes effect or the change in knowledge occurs.