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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 325**

**The Control of Major Accident Hazards  
Regulations (Northern Ireland) 2015**

**PART 6**

**FUNCTIONS OF THE COMPETENT AUTHORITY**

**Prohibition of operation**

**23.**—(1) The competent authority shall prohibit, by serving a notice on the operator, the operation or bringing into operation of any establishment, installation or storage facility, or any part of any establishment, installation or storage facility where the measures taken by the operator for the prevention and mitigation of major accidents are seriously deficient.

(2) The competent authority may prohibit, by serving a notice on the operator, the operation or bringing into operation of any establishment, installation or storage facility, or any part of any establishment, installation or storage facility if the operator has not submitted any notification, report or other information required by these Regulations within the specified time.

(3) A notice served under paragraph (1) or (2)—

- (a) shall give reasons;
- (b) shall specify the date when it is to take effect; and
- (c) may be withdrawn in writing by the competent authority.

(4) In considering whether, under paragraph (1), the measures taken by the operator for the prevention and mitigation of major accidents are seriously deficient, the competent authority shall, amongst other matters, take into account any serious failures by the operator to take the necessary actions identified by the competent authority in a communication sent to the operator under regulation 25(9)(a).

(5) The operator shall comply with any notice served under paragraph (1) or (2).

(6) Article 26 of the 1978 Order (Appeal against improvement or prohibition notice) and, [F1rule 102 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020] 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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**Textual Amendments**

- F1** Words in [reg. 23\(6\)](#) substituted (27.1.2020) by [The Industrial Tribunals and Fair Employment Tribunal \(Constitution and Rules of Procedure\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/3\)](#), [reg. 1\(2\)](#), [Sch. 4 Pt. 2 para. 12\(a\)](#) (with [reg. 18](#))

**Changes to legislation:**

There are currently no known outstanding effects for the The Control of Major Accident Hazards Regulations (Northern Ireland) 2015, Section 23.