
STATUTORY INSTRUMENTS

1999 No. 743

The Control of Major Accident Hazards Regulations 1999

PART 2

GENERAL

General duty

4. Every operator shall take all measures necessary to prevent major accidents and limit their consequences to persons and the environment.

Major accident prevention policy

5.—(1) Every operator shall prepare and keep a document setting out his policy with respect to the prevention of major accidents (in these Regulations referred to as a “major accident prevention policy document”).

(2) The policy referred to in paragraph (1) shall be designed to guarantee a high level of protection for persons and the environment by appropriate means, structures and management systems.

(3) The major accident prevention policy document shall—

- (a) take account of the principles specified in paragraphs 1 and 2 of Schedule 2; and
- (b) include sufficient particulars to demonstrate that the operator has established a safety management system which takes account of the principles specified in paragraphs 3 and 4 of that Schedule.

(4) In the event of the modification of the establishment or installation, the process carried on there, or the nature or quantity of dangerous substances present there which could (in each case) have significant repercussions with respect to the prevention of major accidents, the operator shall review and where necessary revise the major accident prevention policy document.

(5) The operator shall implement the policy set out in his major accident prevention policy document.

(6) Subject to paragraph 1 of Part 1 of Schedule 4 and paragraph 1 of Part 2 of that Schedule, this regulation shall not apply to an establishment to which regulation 7 applies.

Notifications

6.—(1) Within a reasonable period of time prior to the start of construction of an establishment the operator of the establishment shall send to the competent authority a notification containing the information specified in Schedule 3.

(2) Within a reasonable period of time prior to the start of the operation of an establishment, or in the case of an existing establishment by 3rd February 2000, the operator of the establishment shall send to the competent authority a notification containing the information specified in Schedule 3, except that this paragraph shall not require the notification to contain information already contained in a notification sent pursuant to paragraph (1) if that information is still valid.

- (3) Paragraph (2) shall not apply to an existing establishment in respect of which a report has been sent to the Executive in accordance with regulation 7 of the 1984 Regulations.
- (4) The operator shall notify the competent authority forthwith in the event of—
- (a) there being any significant increase in the quantity of dangerous substances notified—
 - (i) under this regulation, or
 - (ii) in the report referred to in paragraph (3);
 - (b) there being any significant change in—
 - (i) the nature or physical form of the dangerous substances so notified,
 - (ii) the processes employing them, or
 - (iii) any other information notified to the competent authority in respect of the establishment;
 - (c) regulation 7 ceasing to apply to the establishment by virtue of a change in the quantity of dangerous substances present there; or
 - (d) permanent closure of an installation in the establishment.
- (5) This regulation shall not require the notification of any information which has been included in a safety report.