
STATUTORY INSTRUMENTS

1999 No. 743

The Control of Major Accident Hazards Regulations 1999

PART 7

**AMENDMENTS, REVOCATIONS, SAVINGS
AND TRANSITIONAL PROVISIONS**

Amendments

23.—(1) The Petroleum (Consolidation) Act 1928(1) shall be amended by the insertion, after section 25, of the following section—

“**25A.** The provisions of this Act shall not apply in respect of—

- (a) any establishment to which the Control of Major Accident Hazards Regulations 1999 [S.I. 1999/743] apply by virtue of regulation 3 of those Regulations; and
- (b) any site in respect of which notification of an activity is required pursuant to regulation 3 of the Notification of Installations Handling Hazardous Substances Regulations 1982 [S.I. 1982/1357].”

(2) The Petroleum-Spirit (Motor Vehicles etc) Regulations 1929(2) shall be amended by the insertion, after regulation 15, of the following regulation—

“Disapplication

15A. The provisions of these Regulations shall not apply in respect of—

- (a) any establishment to which the Control of Major Accident Hazards Regulations 1999 [S.I. 1999/743] apply by virtue of regulation 3 of those Regulations; and
- (b) any site in respect of which notification of an activity is required pursuant to regulation 3 of the Notification of Installations Handling Hazardous Substances Regulations 1982 [S.I. 1982/1357].”

(3) The Petroleum-Spirit (Plastic Containers) Regulations 1982(3) shall be amended by the insertion, after regulation 7, of the following regulation—

“Disapplication

8. The provisions of these Regulations shall not apply in respect of—

- (a) any establishment to which the Control of Major Accident Hazards Regulations 1999 [S.I. 1999/743] apply by virtue of regulation 3 of those Regulations; and

(1) 1928 c. 32.
(2) S.I. 1929/952; amended by S.I. 1979/427 and S.I. 1982/630.
(3) S.I. 1982/630.

- (b) any site in respect of which notification of an activity is required pursuant to regulation 3 of the Notification of Installations Handling Hazardous Substances Regulations 1982 [S.I. [1982/1357](#)].”

Revocation and savings

24.—(1) The 1984 Regulations, the Control of Industrial Major Accident Hazards (Amendment) Regulations 1988⁽⁴⁾, the Control of Industrial Major Accident Hazards (Amendment) Regulations 1990⁽⁵⁾, and the Control of Industrial Major Accident Hazards (Amendment) Regulations 1994⁽⁶⁾, are hereby revoked.

(2) Regulations 8(1) and (3), 9, 13 and 14 of the 1984 Regulations shall apply to a CIMAH report while the industrial activity to which it relates continues and until the time referred to in paragraph (4), as if those Regulations had not been revoked.

(3) Where a CIMAH report relates to more than one industrial activity, the references in paragraph (2) to the CIMAH report are references to each part which relates to an industrial activity.

(4) The time referred to in paragraph (2) is when a safety report has been sent to the competent authority relating to the industrial activity concerned.

(5) An on-site emergency plan prepared pursuant to regulation 10 of the 1984 Regulations and an off-site emergency plan prepared pursuant to regulation 11 of those Regulations shall, while the industrial activity to which it relates continues and until the time referred to in paragraph (6), be kept up to date in accordance with the 1984 Regulations as if they had not been revoked; and during that period regulations 13 to 15 of the 1984 Regulations shall apply in relation to that emergency plan as if those regulations had not been revoked.

(6) The time referred to in paragraph (5) is when an on-site emergency plan or off-site emergency plan, as the case may be, has been prepared pursuant to regulations 9 or 10 of these Regulations relating to the establishment at which the industrial activity is carried on.

(7) Information supplied in accordance with regulation 12 of the 1984 Regulations, shall, while the industrial activity to which it relates continues and until the time referred to in paragraph (8), be updated, supplied again and made available in accordance with that regulation as if it had not been revoked.

(8) The time referred to in paragraph (7) is when information relating to the establishment at which the industrial activity is carried on has been supplied in accordance with regulation 14(1) of these Regulations.

(9) Paragraphs (2) to (8) shall only apply in relation to an industrial activity at an establishment to which regulations 7 to 14 apply.

Transitional provision

25. Where a report or off-site emergency plan referred to in regulation 24 is required to be kept up to date by virtue of that regulation, the references in paragraph 3 of Schedule 6 to the notification referred to in regulation 6 and to the safety report shall be construed as a reference to a report referred to in regulation 24, and the reference in paragraph 10 of that Schedule to the off-site emergency plan shall be construed as a reference to the off-site emergency plan so referred to.

(4) S.I. [1988/1462](#).

(5) S.I. [1990/2325](#).

(6) S.I. [1994/118](#).