
STATUTORY INSTRUMENTS

1999 No. 981

The Planning (Control of Major-Accident Hazards) Regulations 1999

Amendment of the Act

2.—(1) The Act shall be amended as follows.

(2) In section 4 (requirement of hazardous substances consent)—

(a) after subsection (2)(a) insert—

“(aa) on, over or under other land which is controlled by the same person and which, in all the circumstances (including in particular the purposes for which the land and the land mentioned in paragraph (a) is used) forms with the land so mentioned a single establishment;”;

(b) in subsection (2)(b) for the word “it” substitute “the land mentioned in paragraph (a)”;

(c) in subsection (2)(c) for the word “it” substitute “the land mentioned in paragraph (a)”;

(d) after subsection (2) insert—

“(2A) A quantity of a substance which falls within more than one paragraph of subsection (2) shall only be counted once.”;

(e) for subsection (3) substitute—

“(3) The temporary presence of a hazardous substance while it is being transported from one place to another is not to be taken into account unless—

(a) it is unloaded; or

(b) it is present on, over or under land in respect of which there is a hazardous substances consent for any substance, or in respect of which (not taking into account the quantity of the substance being transported) there is required to be such a consent for any substance.”.