

*This Statutory Instrument has been made for the avoidance of doubt with respect to the effect of S.I. 2009/515 and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**2009 No. 1595**

**HEALTH AND SAFETY**

**The Control of Major Accident Hazards  
(Amendment) Regulations 2009**

<i>Made</i>	- - - -	<i>29th June 2009</i>
<i>Laid before Parliament</i>		<i>30th June 2009</i>
<i>Coming into force</i>	- -	<i>1st July 2009</i>

The Secretary of State makes these Regulations —

- (a) in exercise of the powers conferred on him by sections 43(2), (4), (5) and (6) and 82(3)(a) of the Health and Safety at Work etc. Act 1974(1) (“the 1974 Act”); and
- (b) for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Executive under section 11(3)(2) of the 1974 Act.

**Citation and commencement**

1. These Regulations may be cited as the Control of Major Accident Hazards (Amendment) Regulations 2009 and shall come into force on 1st July 2009.

**Amendment to the Control of Major Accident Hazards Regulations 1999**

2. In so far as amendments made to regulation 22 of the Control of Major Accident Hazards Regulations 1999(3) by the Health and Safety (Fees) Regulations 2008(4) were revoked by the Health and Safety (Fees) Regulations 2009(5), those amendments, as amended by the Control of Major Accident Hazards (Amendment) Regulations 2008(6), are revived.

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(1) 1974 c.37; section 43(6) is amended by the Employment Protection Act 1975 (c. 71), section 116 and Schedule 15, paragraph 12 and S.I. 2002/794 and 2008/960.  
(2) Section 11(3) is amended by S.I. 2008/960.  
(3) S.I. 1999/743; amended by S.I. 1999/2597, 2000/1094, 2002/2469, 2005/1088, 2008/736 and 2008/1087.  
(4) S.I. 2008/736.  
(5) S.I. 2009/515.  
(6) S.I. 2008/1087.

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**Status:** This is the original version (as it was originally made).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

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Signed by the authority of the Secretary of State for Work and Pensions.

29th June 2009

*William D McKenzie*  
Parliamentary Under Secretary of State,  
Department for Work and Pensions

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations provide that to the extent the revocation of the Health and Safety Fees Regulations 2008 (S.I. 2008/736) by the Health and Safety (Fees) Regulations 2009 (S.I. 2009/515) revoked the amendments to regulation 22 of the Control of Major Accident Hazard Regulations 1999 (S.I. 1999/743) (“COMAH”) those amendments are revived. The revived provisions incorporate amendments made to them by the Control of Major Accident Hazards (Amendment) Regulations 2008 (S.I. 2008/1087).

2. The amendments to regulation 22 of COMAH provide for a power to recover the costs to the Health and Safety Executive from certain COMAH establishments in specified circumstances. This instrument is prepared for the avoidance of any doubt about the power of the Health and Safety Executive to recover those costs.

3. No Impact Assessment has been prepared for this instrument as the purpose of this instrument is to give certainty to the status of amendments to COMAH made in 2008.