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STATUTORY INSTRUMENTS

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**2015 No. 483**

**The Control of Major Accident Hazards Regulations 2015**

**PART 3**

**SAFETY REPORTS FOR UPPER TIER ESTABLISHMENTS**

**Requirements relating to the preparation of safety reports**

- 9.—(1) A safety report prepared by an operator must—
- (a) contain as a minimum the data and information specified in Schedule 3; and
  - (b) identify the organisations involved in preparing it.
- (2) An operator must send a safety report to the competent authority—
- (a) where the establishment is a new establishment, within a reasonable period of time prior to—
    - (i) the start of construction of the establishment;
    - (ii) the start of operation of the establishment;
    - (iii) any modifications leading to a change in the inventory of dangerous substances at the establishment;
  - (b) where the establishment is an existing establishment—
    - (i) in any case where a review of the safety report (within the meaning of regulation 2(1) of the 1999 Regulations) would, had those Regulations not been revoked by these Regulations, have been required to be carried out by the operator before 1st June 2016, no later than five years after the relevant date;
    - (ii) in any other case, on or before 1st June 2016;
  - (c) where the establishment is an other establishment, within two years beginning on the date on which the establishment, or site of operation, first becomes an other establishment.
- (3) An operator is not required to include in a safety report any information previously sent to the competent authority under paragraph (2), if that information remains valid.
- (4) Where an operator had, immediately before 1st June 2015, sent to the competent authority a safety report in relation to an establishment under regulation 7 or 8 of the 1999 Regulations (“the original report”), that operator may comply with paragraph (2)(b) by sending to the competent authority only those parts of the original report that are revised to ensure compliance with regulation 8, this regulation and Schedule 3, and the original report (and its revised parts) is to be treated as a safety report sent under paragraph (2)(b).
- (5) The competent authority may specify in writing the format of revisions to be provided under paragraph (4).
- (6) Where—
- (a) an operator had, immediately before 1st June 2015, sent to the competent authority a safety report in relation to an establishment under regulation 7 or 8 of the 1999 Regulations;

(b) the information contained within that report remains materially unchanged; and  
(c) it complies with the requirements of regulation 8, this regulation and Schedule 3,  
the operator is not required to send to the competent authority a further safety report under paragraph (2)(b).

(7) Subject to regulation 23 (prohibition of operation), an operator must not—

- (a) where paragraph (2)(a)(i) applies, start construction of an establishment;
- (b) where paragraph (2)(a)(ii) applies, start operation of an establishment;
- (c) where paragraph (2)(a)(iii) applies, make any modifications leading to a change in the inventory of dangerous substances at an establishment,

until it has received from the competent authority the conclusions of the competent authority's examination of the safety report under regulation 22.

(8) For the purposes of paragraph (2)(b) "relevant date", in relation to a safety report within the meaning of regulation 2(1) of the 1999 Regulations, means—

- (a) the date on which the safety report was last sent to the competent authority under regulation 7, or, 8(1) of those Regulations; or
- (b) the date on which it was last notified under regulation 8(2) or (4) of those Regulations, whichever is later.