

Transposition Note

Directive 2003/105/EC of the European Parliament and of the Council (OJ No L345, 31.12.03, p.97) amending Council Directive 96/82/EC (OJ No L10, 14.1.97, p13) on the control of major-accident hazards involving dangerous substances (“the principal Directive”)

Article	Objectives	Implementation	Responsibility
1	Amends the principal Directive, which is aimed at the prevention of major accidents which involve dangerous substances, and the limitation of their consequences to people and to the environment. Reference in this column to an Article or Annex is to an Article or Annex to the principal Directive	Save where indicated below, by the Control of Major Accident Hazards (Amendment) Regulations 2005. They amend the Control of Major Accident Hazards Regulations 1999/743 (“the principal Regulations”), which gave effect to provisions of the principal Directive.	The Secretary of State, by the amending Regulations, save where stated below
1.1	Modifies the list of exclusions in Article 4	Regulation 4 modifies the exclusions in regulation 3(3) of the principal Regulations, save in relation to (Article 1.1(f)) the offshore exploration etc. of minerals: no modification is necessary because the principal Regulations do not apply offshore	
1.2 (a) (b)	Introduces into Article 6 a time limit for notification where an establishment comes within scope; and a notification requirement where an establishment or installation is modified	Regulation 6(1) and (3) amends regulation 6 of the principal Regulations	
1.3	Introduces a time limit for drawing up	Regulation 5 amends regulation 5(1) of the principal Regulations	

Article	Objectives	Implementation	Responsibility
	the major accident prevention policy, where an establishment comes within scope		
1.4	Makes a drafting change to Article 8.2	Already catered for by regulation 16 of the principal Regulations	
1.5 (a) (b),(c) (d)	Amends Article 9 (safety report) by requiring the safety report to name organisations drawing it up; modifying the time limit for an establishment which comes within scope, and a consequential drafting change; inviting the European Commission to review certain guidance	Regulation 17(3) amends Part 2 of Schedule 4 to the principal Regulations Regulation 7 amends regulation 7 of the principal Regulations No action required	
1.6 (a) (b) (c)	Amends Article 11 (emergency plans) by introducing a time limit for drawing up an emergency plan, and for supplying information to the competent authorities, where an establishment comes within scope; by modifying the requirement for consultation over the internal and external emergency plan; and by adding a requirement relating to enhanced co-operation	Regulation 9 amends regulation 9(2), which is applied by regulation 10(4), of the principal Regulations Regulation 10 amends regulation 9(3)(a), and regulation 12 amends regulation 11(1), of the principal Regulations Given effect by procedures under regulation 10 of the principal Regulations	

