

SCHEDULE 14

Regulation 38

AMENDMENTS AND REVOCATIONS

PART 1

AMENDMENTS

Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989

1. The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989(1) are amended as follows.

Commencement Information

I1 Sch. 14 para. 1 in operation at 19.12.2016, see [reg. 1](#)

2. In regulation 2 (Interpretation)—

(a) after the definition of “the 2007 Regulations” insert—

““the 2016 Regulations” means the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016;”;

(b) at the end of the definition of “current safety case” insert “or regulation 2(1) of the 2016 Regulations;”.

Commencement Information

I2 Sch. 14 para. 2 in operation at 19.12.2016, see [reg. 1](#)

3. In regulation 18A(1)(a) (Safety representative entitlement to summary of current safety case), after “the 2007 Regulations” insert “or the 2016 Regulations”.

Commencement Information

I3 Sch. 14 para. 3 in operation at 19.12.2016, see [reg. 1](#)

4. In regulation 23(2)(c)(i) (Duties of installation operators and owners, and employers) for “the Offshore Installations (Safety Case) Regulations (Northern Ireland) 1993” substitute “the 2007 Regulations or the 2016 Regulations”.

Commencement Information

I4 Sch. 14 para. 4 in operation at 19.12.2016, see [reg. 1](#)

Commencement Information

I1 Sch. 14 para. 1 in operation at 19.12.2016, see [reg. 1](#)

(1) [S.I. 1989/971](#) as amended by [S.I. 1992/ 2885S.R.](#) 1995 No. 340 and [S.I. 2005/ 3117](#). There are other amendments not relevant to these Regulations

Changes to legislation: There are currently no known outstanding effects for the *The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14.* (See end of Document for details)

- I2 Sch. 14 para. 2 in operation at 19.12.2016, see [reg. 1](#)
- I3 Sch. 14 para. 3 in operation at 19.12.2016, see [reg. 1](#)
- I4 Sch. 14 para. 4 in operation at 19.12.2016, see [reg. 1](#)

Offshore Installations and Pipeline Works (First-Aid) Regulations (Northern Ireland) 1993

5. The Offshore Installations and Pipeline Works (First-Aid) Regulations (Northern Ireland) 1993(2) are amended as follows.

Commencement Information

- I5 Sch. 14 para. 5 in operation at 19.12.2016, see [reg. 1](#)

6. In regulation 2 (Interpretation)—
- in paragraph (b) of the definition of “person in control”—
- (i) for “section 33(3) of the Petroleum and Submarine Pipe-lines Act 1975” substitute “section 27(1) of the Petroleum Act 1998”; and
 - (ii) for “the said section 33(3)” substitute “that section”.

Commencement Information

- I6 Sch. 14 para. 6 in operation at 19.12.2016, see [reg. 1](#)

Commencement Information

- I5 Sch. 14 para. 5 in operation at 19.12.2016, see [reg. 1](#)
- I6 Sch. 14 para. 6 in operation at 19.12.2016, see [reg. 1](#)

Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995

7. The Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995(3) are amended as follows.

Commencement Information

- I7 Sch. 14 para. 7 in operation at 19.12.2016, see [reg. 1](#)

8. In regulation 2(1) (Interpretation)—
- (a) before the definition of “activity” insert—
 - ““the 2007 Regulations” means the Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007”;
 - ““the 2016 Regulations” means the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016”;

(2) [S.R. 1993 No. 323](#) as amended by, [S.R. 1995 No. 340](#) and [S.R. 1999 No. 150](#). There are other amendments not relevant to these Regulations

(3) [S.R. 1995 No. 340](#) as amended by, [S.R. 2007 No. 165](#) and [S.R. 2007 No. 247](#). There are other amendments not relevant to these Regulations

- (b) for the definition of “activity” substitute—
 - ““activity” has the meaning given by paragraph 1(1) of Schedule 1”;
- (c) in the definition of “apparatus or works” after “pipeline” insert “in paragraph 4(2) of Schedule 1”;
- (d) for the definition of “diving project” substitute—
 - ““diving project” has the meaning given in paragraph 1(1) of Schedule 1”;
- (e) after the definition of “duty holder” insert—
 - ““external waters” means the territorial sea and any area designated by order under section 1(7) of the Continental Shelf Act 1964;”;
- (f) after the definition of “installation manager” insert—
 - ““internal waters” means tidal waters and parts of the sea in, or adjacent to, Northern Ireland up to the landward limits of the territorial sea;”;
- (g) for the definition of “licensee” substitute—
 - ““licensee”—
 - (a) in relation to internal waters, means any person to whom a licence to search and bore for and get petroleum in respect of any area within internal waters is granted pursuant to section 3 of the Petroleum Act 1998; and
 - (b) in relation to external waters, means an offshore licensee as defined in regulation 2(1) of the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015;”;
- (h) for the definition of “operator” substitute—
 - ““operator”—
 - (a) in relation to internal waters—
 - (i) in relation to the dismantling of a fixed installation (within the meaning given in the 2007 Regulations), has the meaning given in regulation 11(4) of the 2007 Regulations; and
 - (ii) otherwise, has the meaning given in regulation 2(1) of the 2007 Regulations in relation to a production installation;
 - (b) in relation to external waters, has the meaning given in regulation 2(1) of the 2016 Regulations;”;
- (i) in the definition of “owner”, after “controls” insert “or is entitled to control”;
- (j) for the definitions of “pipeline” and “pipeline works” substitute—
 - ““pipeline” and “pipeline works” have the meanings given in paragraph 4(2) of Schedule 1”;
- (k) for the definition of “production installation” substitute—
 - ““production installation”—
 - (a) in relation to internal waters, has the meaning given in regulation 2(1) of the 2007 Regulations; and
 - (b) in relation to external waters, has the meaning given in regulation 2(1) of the 2016 Regulations;”;
- (l) for the definition of “relevant waters” substitute—
 - ““relevant waters” means internal waters and external waters;”.

Changes to legislation: There are currently no known outstanding effects for the *The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14. (See end of Document for details)*

Commencement Information

I8 Sch. 14 para. 8 in operation at 19.12.2016, see [reg. 1](#)

9.—(1) Regulation 3 (Meaning of “offshore installation”) is amended as follows.

(2) In paragraph (1)—

(a) after sub-paragraph (c) (but before the “or” immediately following it) insert—

“(ca) for undertaking activities that involve mechanically entering the pressure containment boundary of a well;”;

(b) in sub-paragraph (d) for “mainly” substitute “primarily”.

(3) For paragraph (2)(d) substitute—

“(d) a mobile structure which has ceased to be used for any of the purposes specified in paragraph (1), and has since been used for a purpose not so specified;

(da) a fixed structure which has ceased to be used for any of the purposes specified in paragraph (1), for so long as it is used for a purpose not so specified;”.

Commencement Information

I9 Sch. 14 para. 9 in operation at 19.12.2016, see [reg. 1](#)

10.—(1) Regulation 4 (Application) is amended as follows.

(2) At the start of paragraph (1) insert “Except for regulations 21F and 21G (which provide for their own application),” and after the words “territorial sea” insert “or a designated area”.

(3) After paragraph (3) insert—

“(4) Regulations 21A to 21E do not apply to an offshore installation—

(a) registered as a vessel (whether registered in the United Kingdom or elsewhere); or

(b) which is in transit to or from a station; or

(c) which is unmanned.”.

Commencement Information

I10 Sch. 14 para. 10 in operation at 19.12.2016, see [reg. 1](#)

11. In regulation 5(1) (Notification concerning offshore installations) for “no later than” substitute “before”.

Commencement Information

I11 Sch. 14 para. 11 in operation at 19.12.2016, see [reg. 1](#)

12. In regulation 20(1) (Certificates of exemption) after “workers at work” insert “, and in particular, of [Directive 2013/30/EU](#) of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending [Directive 2004/35/EC](#)(4)”.

(4) O.J. No. L178, 28.06.13, p.66

Commencement Information

I12 Sch. 14 para. 12 in operation at 19.12.2016, see [reg. 1](#)

13. After regulation 21 insert—

“Obligation to notify death or loss of person

21A.—(1) Where any person—

- (a) dies on an offshore installation or is lost from such an installation; or
- (b) dies in or on a lifeboat, liferaft or other emergency survival craft belonging to an offshore installation or is lost from any of those places; or
- (c) otherwise dies or is lost in the neighbourhood of an offshore installation while engaged in any operation connected with the installation,

and the death or loss is not required to be registered under any regulations made under section 108 of the Merchant Shipping Act 1995⁽⁵⁾ (which relates to returns of births and deaths in ships), a return of death in the form set out in Schedule 3 shall be made in accordance with regulation 21B.

(2) In this regulation and regulations 21B and 21C ‘lost’ means lost in circumstances such that it is reasonable to believe that the person has died and ‘loss’ is to be construed accordingly.

Notification of death or loss to the Registrar General of Shipping and Seamen

21B.—(1) Where an obligation to make a return of death arises under regulation 21A, the manager of the relevant offshore installation shall—

- (a) complete and sign Part 1 of a form of a return of death (see Schedule 3); and
- (b) despatch the form to the duty holder as soon as is practicable and in any event within ten days of becoming aware of the death or loss to which the return relates.

(2) Where a duty holder receives a form of return of death from a manager, the duty holder shall within ten days of receipt complete Part 2 of the form and send the form duly signed (whether by or on behalf of the duty holder) to the Registrar General of Shipping and Seamen⁽⁶⁾.

(3) Without prejudice to the preceding provisions of this regulation or to regulation 21E, a return of death which is not made within the periods specified in this regulation for making it is not invalid by reason only that it is not made within those periods.

Notification of death or loss to other persons

21C. — Where a person dies or is lost in circumstances in which an obligation to make a return of death arises under regulation 21A, the duty holder of the relevant installation shall as soon as is practicable and in any event within 48 hours of first becoming aware of the death or loss—

- (a) if the duty holder was the employer of the dead or lost person, notify any person known to the duty holder to be, or nominated to the duty holder as, the next-of-kin of the dead or lost person; or

⁽⁵⁾ 1995 c. 21

⁽⁶⁾ The Registrar General of Shipping and Seamen is the officer so known who continues in existence under section 295(1) of the Merchant Shipping Act 1995

- (b) if the duty holder was not the employer of the dead or lost person, notify any person known to the duty holder to have been the employer of the dead or lost person at the time of death or loss.

Registration of death or loss

21D.—(1) When the Registrar General of Shipping and Seamen receives a return made pursuant to regulation 21B, the Registrar shall send a copy of that return, certified as being a true copy of that return (whether by the Registrar or a person authorised by the Registrar)—

- (a) where the deceased was immediately before death ordinarily resident in Scotland or Northern Ireland, to the Registrar General of Births, Deaths and Marriages for Scotland or the Registrar General for Northern Ireland, as the case may be; and
- (b) in any other case, to the Registrar General for England and Wales.

(2) If the Registrar General of Shipping and Seamen is satisfied that there is an error or omission in any return received pursuant to regulation 21B, the Registrar may, in accordance with evidence of the true state of affairs relating to the return, send corrected or supplementary particulars in respect of that evidence to the appropriate Registrar General.

(3) A Registrar General who receives a certified copy under paragraph (1) shall record the information contained in it in the marine register kept by that Registrar General, together with such additional information as appears to that Registrar General desirable for the purpose of ensuring the completeness and correctness of that register.

Mode of trial and penalties in relation to registration of death or loss

21E.—(1) In relation to an offence consisting of a contravention of the requirement imposed by regulation 21B(1) or (2) or 21C—

- (a) proceedings on indictment are excluded; and
- (b) the punishment which can be imposed is restricted to a fine not exceeding level 3 on the standard scale.

(2) It is a defence in any proceedings for an offence consisting of a contravention of a requirement imposed by regulations 21B(1) or (2) or 21C for the person charged to prove—

- (a) that the person exercised all due diligence to prevent the commission of the offence; and
- (b) that the relevant contravention was committed without the person's consent, connivance or wilful default.

Power of inspectors of offshore installations; duty to provide accommodation and subsistence for inspectors

21F.—(1) An inspector may exercise the powers in paragraph (2) for the purpose of carrying into effect the relevant statutory provisions within the field of responsibility of the enforcing authority that appointed the inspector.

(2) The powers are—

- (a) to require a duty holder, at any reasonable time, to convey to and from an offshore installation or vessel associated with offshore oil and gas operations—
 - (i) the inspector;
 - (ii) the equipment or materials of the inspector; and

- (iii) any article or substance of which the inspector has taken possession pursuant to Article 22 of the Health and Safety at Work (Northern Ireland) Order 1978;
 - (b) to inspect any operation or work in or on the bed of relevant waters and subsoil under or near an offshore installation; and
 - (c) to require the duty holder or manager of an offshore installation or the licensee concerned to assist the inspector in carrying out an inspection of the bed of relevant waters or subsoil under or near the offshore installation.
- (3) The duty holder shall provide an inspector with reasonable accommodation and means of subsistence while on an offshore installation for the purpose stated in paragraph (1).
- (4) In paragraphs (2)(a)(i) and (ii), and (3) a reference to an inspector includes a reference to a person acting under the direction of the competent authority who is not an inspector.
- (5) In relation to an offence consisting of a contravention of the requirement under paragraph (3)—
- (a) proceedings on indictment are excluded; and
 - (b) the punishment which can be imposed is restricted to a fine not exceeding level 3 on the standard scale.
- (6) In paragraph (2)(a) “offshore oil and gas operations” means all activities associated with an installation relating to exploration and production of petroleum, including the design, planning, construction, operation and decommissioning of the installation, but excluding the conveyance of petroleum from one coast to another.
- (7) This regulation applies—
- (a) in Northern Ireland;
 - (b) to the territorial sea adjacent to Northern Ireland up to the seaward limits of the territorial sea and to the waters in any area designated by order under section 1(7) of the Continental Shelf Act 1964; and
 - (c) to places above and below the territorial sea and waters in any area so designated.

Powers of inspectors in relation to pipelines

- 21G.—(1) Subject to paragraph (3), an inspector may exercise the powers in paragraph (2) for the purpose of—
- (a) securing the safety, health and welfare of persons engaged on pipeline works; and
 - (b) securing the proper construction and safe operation of pipelines and preventing damage to them.
- (2) The powers are—
- (a) to require the owner of a pipeline or the proposed owner of a proposed pipeline, at any reasonable time, to convey to and from premises in relevant waters used or intended to be used in connection with the pipeline or with pipeline works relating to a pipeline or proposed pipeline—
 - (i) the inspector;
 - (ii) the equipment or materials of the inspector; and
 - (iii) any article or substance of which the inspector has taken possession pursuant to Article 22 of the Health and Safety at Work (Northern Ireland) Order 1978;

Changes to legislation: There are currently no known outstanding effects for the *The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14. (See end of Document for details)*

(b) to require the owner of a pipeline or the proposed owner of a proposed pipeline to provide the inspector with reasonable accommodation and means of subsistence while on, or in transit to or from, premises in relevant waters used or intended to be used in connection with the pipeline or pipeline works relating to the pipeline or proposed pipeline.

(3) Nothing in this regulation imposes, or confers power on an inspector to impose, any obligation on any person on a vessel registered outside the United Kingdom as a ship, aircraft or hovercraft when it is not engaged in operations for the purpose of laying or maintaining a pipeline.

(4) In any proceedings for an offence consisting of a contravention of a requirement imposed under this regulation, it is a defence for the person charged to prove that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(5) In relation to an offence consisting of a contravention of a requirement imposed under paragraph (2) by an inspector—

- (a) proceedings on indictment are excluded; and
- (b) the punishment which can be imposed is restricted to a fine not exceeding level 3 on the standard scale.

(6) In this regulation—

“owner”, in relation to a pipeline, means—

- (a) the person for the time being designated as the owner of the pipeline by an order made under section 27(1) of the Petroleum Act 1998; or
- (b) where no person has been so designated, the person by whom the pipeline is, or is to be, used;

“pipeline” and “pipeline works” have the meanings given in paragraph 4(2) of Schedule 1; and

“proposed owner”, in relation to a proposed pipeline, means—

- (a) the person for the time being designated as the proposed owner of the proposed pipeline by an order made under section 27(1) of the Petroleum Act 1998; or
- (b) where no person has been so designated, the person for whom the pipeline is to be constructed.

(7) This regulation applies—

- (a) in Northern Ireland;
- (b) to the territorial sea adjacent to Northern Ireland up to the seaward limits of the territorial sea and to the waters in any area designated by order under section 1(7) of the Continental Shelf Act 1964; and
- (c) to places above and below the territorial sea and waters in any area so designated.”

Commencement Information

I13 Sch. 14 para. 13 in operation at 19.12.2016, see [reg. 1](#)

14. For Schedule 1 substitute—

“SCHEDULE 1

Regulation 4(1)

PREMISES AND ACTIVITIES WITHIN THE
TERRITORIAL SEA OR A DESIGNATED AREA

Interpretation

1.—(1) In this Schedule—

“activity” includes a diving project and standing a vessel by;

“diving project” has the meaning assigned to it by regulation 2(1) of the Diving at Work Regulations (Northern Ireland) 2005(7) save that it includes an activity in which a person takes part as a diver wearing an atmospheric pressure suit and without breathing in air or other gas at a pressure greater than atmospheric pressure;

“offshore installation” shall be construed in accordance with paragraph 2(2) and (3);

“supplementary unit” means a fixed or floating structure, other than a vessel, for providing energy, information or substances to an offshore installation;

“vessel” includes a hovercraft and any floating structure which is capable of being navigated.

(2) For the purposes of this Schedule, any structures and devices on top of a well shall be treated as forming part of the well.

(3) Any reference in this Schedule to premises and activities includes a reference to any person, article or substance on those premises or engaged in, or, as the case may be, used or for use in connection with any such activity, but does not include a reference to an aircraft which is airborne.

Offshore installations

2.—(1) This paragraph shall apply within the territorial sea or a designated area to and in relation to—

(a) any offshore installation and any activity on it;

(b) any activity in connection with, or any activity immediately preparatory to an activity in connection with, an offshore installation, whether carried on from the installation itself, in or from a vessel or in any manner, other than an activity falling within sub-paragraph (4);

(c) a diving project involving—

(i) the survey and preparation of the sea bed for an offshore installation;

(ii) the survey and restoration of the sea bed consequent on the removal of an offshore installation.

(2) Subject to sub-paragraph (3), in this Schedule, “offshore installation” means a structure which is, or is to be, or has been, used while standing or stationed in water, or on the foreshore or other land intermittently covered with water—

(a) for the exploitation, or exploration with a view to exploitation, of mineral resources by means of a well;

(b) for undertaking activities falling within paragraph 6(2);

(c) for the conveyance of things by means of a pipe;

(d) for undertaking activities that involve mechanically entering the pressure containment boundary of a well; or

(7) [S.R. 2005 No. 45](#), as amended by [S.R. 2007 No. 247](#)

- (e) primarily for the provision of accommodation for persons who work on or from a structure falling within any of the provisions of heads (a) to (d),
together with any supplementary unit which is ordinarily connected to it, and all the connections.
- (3) Any reference in sub-paragraph (2) to a structure or supplementary unit does not include—
- (a) a structure which is connected with dry land by a permanent structure providing access at all times and for all purposes;
 - (b) a well;
 - (c) a mobile structure which has been taken out of use and is not yet being moved with a view to its being used for any of the purposes specified in sub-paragraph (2);
 - (d) any part of a pipeline; and
 - (e) a structure falling within paragraph 8(c).
- (4) Subject to sub-paragraph (5), the following activities fall within this paragraph—
- (a) transporting, towing or navigating an installation;
 - (b) any of the following activities carried on in or from a vessel—
 - (i) giving assistance in the event of an emergency;
 - (ii) training in relation to the giving of assistance in the event of an emergency;
 - (iii) testing equipment for use in giving assistance in the event of an emergency;
 - (iv) putting or maintaining a vessel on stand-by ready for an activity referred to in any of sub-heads (i) to (iii).
- (5) Sub-paragraph (4)(b) does not apply in respect of a vessel in or from which an activity is carried on in connection with, or any activity that is immediately preparatory to an activity in connection with, an offshore installation other than an activity falling within sub-paragraph 4(b).

Wells

- 3.—(1) Subject to sub-paragraph (2), this paragraph applies within the territorial sea or a designated area to and in relation to—
- (a) a well and any activity in connection with it; and
 - (b) an activity which is immediately preparatory to any activity in head (a).
- (2) Sub-paragraph (1) includes keeping a vessel on station for the purpose of working on a well but otherwise does not include navigation or an activity connected with navigation.

Pipelines

- 4.—(1) This paragraph applies within the territorial sea or a designated area to and in relation to—
- (a) any pipeline;
 - (b) any pipeline works;
 - (c) the following activities in connection with pipeline works—
 - (i) the loading, unloading, fuelling or provisioning of a vessel;
 - (ii) the loading, unloading, fuelling, repair and maintenance of an aircraft on a vessel, being in either case a vessel which is engaged in pipeline works; or
 - (iii) the moving, supporting, laying or retrieving of anchors attached to a pipe-laying vessel including the supervision of those activities and giving of instruction in connection with them.

(2) In this paragraph—

“pipeline” means a pipe or system of pipes for the conveyance of any thing, together with—

- (a) any apparatus for inducing or facilitating the flow of any thing through, or through part of, the pipe or system;
- (b) any apparatus for treating or cooling any thing which is to flow through, or through part of, the pipe or system;
- (c) valves, valve chambers and similar works which are annexed to, or incorporated in the course of, the pipe or system;
- (d) apparatus for supplying energy for the operation of any such apparatus or works as are mentioned in heads (a) to (c);
- (e) apparatus for the transmission of information for the operation of the pipe or system;
- (f) apparatus for the cathodic protection of the pipe or system; and
- (g) a structure used or to be used solely for the support of a part of the pipe or system;

but not including a pipeline of which no initial or terminal point is situated in the United Kingdom, within the territorial sea adjacent to the United Kingdom, or within a designated area;

“pipeline works” means—

- (a) assembling or placing a pipeline or length of pipeline including the provision of internal or external protection for it;
- (b) inspecting, testing, maintaining, adjusting, repairing, altering or renewing a pipeline or length of pipeline;
- (c) changing the position of or dismantling or removing a pipeline or length of pipeline;
- (d) opening the bed of the sea for the purposes of the works mentioned in heads (a) to (c), and tunnelling or boring for those purposes;
- (e) any activities incidental to the activities described in heads (a) to (d);
- (f) a diving project in connection with any of the works mentioned in heads (a) to (e) or for the purpose of determining whether a place is suitable as part of the site of a proposed pipeline and the carrying out of surveying operations for settling the route of a proposed pipeline.

Mines

5.—(1) This paragraph applies to and in relation to a mine within the territorial sea, and any activity in connection with it, while it is being worked.

(2) In this paragraph “mine” has the same meaning as in the Mines Act (Northern Ireland) 1969⁽⁸⁾.

Gas Importation and Storage

6.—(1) Subject to sub-paragraph (3), this paragraph applies within the territorial sea to and in relation to any activities connected with or immediately preparatory to the activities set out in sub-paragraph (2).

(2) The activities are—

- (a) the unloading of gas to an installation or pipeline;

⁽⁸⁾ 1969 c. 6 (N.I.)

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- (b) the storage of gas, whether temporary or permanent, in or under the shore or bed of any water;
 - (c) the conversion of any natural feature for the purpose of storing gas, whether temporarily or permanently;
 - (d) the recovery of gas stored;
 - (e) exploration with a view to, or in connection with, the carrying on of activities within heads (a) to (d).
- (3) Sub-paragraph (1) does not apply to an activity falling within sub-paragraph (2) if the provisions of this Schedule apply to or in relation to that activity by virtue of paragraph 2(1).
- (4) In this paragraph—
- “gas” means any substance which is gaseous at a temperature of 15°C and a pressure of 101.325 kPa (1013.25 mb); and
 - “installation” includes any floating structure or device maintained on a station by whatever means.
- (5) For the purposes of sub-paragraphs (2) and (4), references to gas include any substance which consists wholly or mainly of gas.

Production of Energy from Water or Wind

- 7.—(1) This paragraph applies within the territorial sea to and in relation to any energy structure or activities connected with or preparatory to—
- (a) the exploitation of those areas for the production of energy from water or wind,
 - (b) the exploration of such areas with a view to, or in connection with, the production of energy from water or wind, or
 - (c) the operation of a cable for transmitting electricity from an energy structure.
- (2) In this paragraph “energy structure” means a fixed or floating structure or machine, other than a vessel, which is, or is to be, or has been, used for producing energy from water or wind.

Underground Coal Gasification

8. This paragraph applies within the territorial sea or a designated area to and in relation to—
- (a) underground coal gasification and any activity in connection with it;
 - (b) any activity which is immediately preparatory to any activity in sub-paragraph (a); and
 - (c) any fixed or floating structure which is, or is to be, or has been, used in connection with the carrying on of activities within sub-paragraphs (a) and (b).

Other activities

- 9.—(1) Subject to sub-paragraph (2), this paragraph applies within the territorial sea to and in relation to—
- (a) the construction, reconstruction, alteration, repair, maintenance, cleaning, use, operation, demolition and dismantling of any building, or other structure, not being in any case a vessel, or any preparation for any such activity;
 - (b) the transfer of people or goods between a vessel or aircraft and a structure (including a building) mentioned in head (a);
 - (c) the loading, unloading, fuelling or provisioning of a vessel;
 - (d) a diving project;

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- (e) the laying, installation, inspection, maintenance, operation, recovery or repair of a cable;
 - (f) the construction, reconstruction, finishing, refitting, repair, maintenance, cleaning or breaking up of a vessel except when carried out by the master or any officer or member of the crew of that vessel;
 - (g) the maintaining on a station of a vessel which would be an offshore installation were it not a structure to which paragraph 2(3)(c) applies;
 - (h) the transfer of people or goods between a vessel or aircraft and a structure mentioned in head (g).
- (2) This paragraph does not apply—
- (a) to a case where paragraph 2, 3, 4, 5, 6, 7 or 8 applies; or
 - (b) to vessels which are registered outside the United Kingdom and are on passage through the territorial sea.”

Commencement Information

I14 Sch. 14 para. 14 in operation at 19.12.2016, see [reg. 1](#)

15. After Schedule 2 insert—

“SCHEDULE 3

Regulation 21B

FORM TO NOTIFY THE DEATH OR LOSS OF A PERSON PURSUANT TO REGULATION 21B

Form to be completed in respect of the death or loss of a person pursuant to regulation 21B of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995

Part 1

1. Name or other designation of offshore installation

2. Date of death or loss

3. Place of death or loss(a)

4. Full name of deceased or person lost(b)

5. Sex of deceased or person lost

6. Capacity in which person deceased or lost was engaged or other reason for presence at the installation

7. Cause of death or loss(c)

I certify that the particulars entered above are true to the best of my knowledge and belief:
 Signature of installation manager providing information

Name of installation manager furnishing information(b)

Status of signatory

Date of signing

Part 2(d)

8. Date of birth of deceased or person lost

9. Usual place of residence of deceased or person lost

10. Nationality of deceased or person lost

11. Name and address of next-of-kin

12. Relationship of next-of-kin

I certify that the particulars entered above are true to the best of my knowledge and belief:
 Signature of duty holder furnishing information or person acting on behalf of duty holder

Name of duty holder furnishing information/on whose behalf information is furnished ..

Status of signatory

Date of signing

Changes to legislation: There are currently no known outstanding effects for the The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14. (See end of Document for details)

Notes

- (a) To be given by geographical co-ordinates.
- (b) Forename(s) in full, followed by surname, all in block capitals.
- (c) To be accompanied by the certificate of a registered medical practitioner who holds a licence to practise as to the cause of death or a statement of the reason why such a certificate is not available.
- (d) This part of the form to be completed so far as the information available to the duty holder permits.

Commencement Information

I15 Sch. 14 para. 15 in operation at 19.12.2016, see [reg. 1](#)

Commencement Information

- I7** Sch. 14 para. 7 in operation at 19.12.2016, see [reg. 1](#)
- I8** Sch. 14 para. 8 in operation at 19.12.2016, see [reg. 1](#)
- I9** Sch. 14 para. 9 in operation at 19.12.2016, see [reg. 1](#)
- I10** Sch. 14 para. 10 in operation at 19.12.2016, see [reg. 1](#)
- I11** Sch. 14 para. 11 in operation at 19.12.2016, see [reg. 1](#)
- I12** Sch. 14 para. 12 in operation at 19.12.2016, see [reg. 1](#)
- I13** Sch. 14 para. 13 in operation at 19.12.2016, see [reg. 1](#)
- I14** Sch. 14 para. 14 in operation at 19.12.2016, see [reg. 1](#)
- I15** Sch. 14 para. 15 in operation at 19.12.2016, see [reg. 1](#)

Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations (Northern Ireland) 1995

16. The Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations (Northern Ireland) 1995(9) are amended as follows.

Commencement Information

I16 Sch. 14 para. 16 in operation at 19.12.2016, see [reg. 1](#)

17. In regulation 2(1) (Interpretation)—

(a) after the definition of “the 1995 Regulations” insert—

““the 2007 Regulations” means the Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007;

“the 2016 Regulations” means the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016;”;

(9) S.R. 1995 No. 345, as amended by S.R. 1996 No. 228, S.R. 1999 No. 150, S.R. 2007 No. 165 and S.R. 2007 No. 247

- (b) after the definition of “activity” insert—
““competent authority” means the Executive and the Secretary of State acting jointly;”;
- (c) after the definition of “explosion” insert—
““external emergency response plan” means the Search and Rescue Framework for the United Kingdom of Great Britain and Northern Ireland as published by the Secretary of State, as revised or re-issued from time to time;
“external waters” means the territorial sea adjacent to Northern Ireland and any area designated by order under section 1(7) of the Continental Shelf Act 1964;”;
- (d) after the definition of “installation” insert—
““internal waters” means tidal waters and parts of the sea in or adjacent to Northern Ireland up to the landward limits of the territorial sea;”;
- (e) for the definition of “licensee” substitute—
““licensee”—
(a) in relation to internal waters, means any person to whom a licence to search and bore for and get petroleum in respect of any area within internal waters is granted pursuant to section 3 of the Petroleum Act 1998; and
(b) in relation to external waters, means an offshore licensee as defined in regulation 2(1) of the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015;”;
- (f) for the definition of “major accident” substitute—
““major accident”—
(a) in relation to internal waters, has the meaning given in regulation 2(1) of the 2007 Regulations; and
(b) in relation to external waters, has the meaning given in regulation 2(1) of the 2016 Regulations;”;
- (g) for the definition of “operator” substitute—
““operator”—
(a) in relation to internal waters—
(i) in relation to the dismantling of a fixed installation (as a fixed installation is defined in the 2007 Regulations), has the meaning given in regulation 11(4) of the 2007 Regulations; and
(ii) otherwise, has the meaning given in regulation 2(1) of the 2007 Regulations in relation to a production installation; and
(b) in relation to external waters, has the meaning given in regulation 2(1) of the 2016 Regulations;”;
- (h) in the definition of “owner” after “controls” insert “or is entitled to control”;
- (i) for the definition of “production installation” substitute—
““production installation”—
(a) in relation to internal waters, has the meaning given in regulation 2(1) of the 2007 Regulations; and
(b) in relation to external waters, has the meaning given in regulation 2(1) of the 2016 Regulations;”.

Changes to legislation: There are currently no known outstanding effects for the The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14. (See end of Document for details)

Commencement Information

I17 Sch. 14 para. 17 in operation at 19.12.2016, see [reg. 1](#)

- 18.—(1) Regulation 3 (Application) is amended as follows.
- (2) In paragraph (1) after “territorial sea” insert “or a designated area”.
- (3) In paragraph (2) after “4 to 22” insert “and 22A to 22C”.

Commencement Information

I18 Sch. 14 para. 18 in operation at 19.12.2016, see [reg. 1](#)

19. In regulation 4(2) (General duty) after “regulations 6 to 21” insert “and 22A to 22C”.

Commencement Information

I19 Sch. 14 para. 19 in operation at 19.12.2016, see [reg. 1](#)

20. For regulation 5(3)(c) (Assessment) substitute—
- “(c) notify—
- (i) in the case of an installation in internal waters, the Executive;
- (ii) in the case of an installation in external waters, the competent authority, of such address.”

Commencement Information

I20 Sch. 14 para. 20 in operation at 19.12.2016, see [reg. 1](#)

- 21.—(1) Regulation 6 (Preparation for emergencies) is amended as follows.
- (2) In paragraph (1)—
- (i) at the end of sub-paragraph (d) insert “and”;
- (ii) after that sub-paragraph insert—
- “(e) in relation to external waters only, for coordinating the emergency response with the response planned pursuant to the external emergency response plan.”
- (3) In paragraph (2)(a) after “emergency” insert “, including how to co-ordinate with persons responding to an emergency who are not on the installation when the emergency begins”.

Commencement Information

I21 Sch. 14 para. 21 in operation at 19.12.2016, see [reg. 1](#)

22. In regulation 22(1) (Certificates of exemption) after “workers at work” insert “ or by [Directive 2013/30/EU](#) of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending [Directive 2004/35/EC](#)”.

Changes to legislation: There are currently no known outstanding effects for the The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14. (See end of Document for details)

Commencement Information

I22 Sch. 14 para. 22 in operation at 19.12.2016, see [reg. 1](#)

23. After regulation 22 insert—

“Inventory of equipment etc.

22A.—(1) This regulation applies only in relation to external waters.

(2) The duty holder shall prepare an inventory of available equipment, its ownership, location, transport to and mode of deployment at the installation and any person relevant to the performance of the duties in these Regulations (except the duties in regulations 5, 9, 10, 12, 13, 14, 18, 19 and 20).

(3) The inventory prepared under paragraph (2) shall identify measures in place to ensure equipment and procedures are maintained in operable condition.

(4) The duty holder shall ensure all equipment on the installation provided in compliance with paragraph (1) is made available at all times and made available as necessary to the Maritime and Coastguard Agency⁽¹⁰⁾.

Initiation and direction of emergency response and liaison with external response authority

22B.—(1) This regulation applies only in relation to external waters.

(2) The duty holder shall authorise one or more persons—

- (a) to initiate an emergency response;
- (b) to direct an emergency response; and
- (c) to liaise with the Maritime and Coastguard Agency.

Arrangements for early warning of major accidents

22C.—(1) This regulation applies only in relation to external waters.

(2) The duty holder shall make arrangements—

- (a) for providing early warning of a major accident to the Maritime and Coastguard Agency; and
- (b) for providing of more detailed information about such an accident as soon as it becomes available,

but nothing in this paragraph is to be taken as imposing a requirement which is imposed by regulation 4(3)(c) and paragraph 2(k) of Schedule 2 to the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 (Arrangements for early warning of major environmental incidents).”

Commencement Information

I23 Sch. 14 para. 23 in operation at 19.12.2016, see [reg. 1](#)

24. For Schedule 1 substitute—

⁽¹⁰⁾ The Maritime and Coastguard Agency is an executive agency of the Department for Transport

“SCHEDULE 1

Regulation 3(1)

PREMISES AND ACTIVITIES WITHIN THE
TERRITORIAL SEA OR A DESIGNATED AREA

Interpretation

1.—(1) In this Schedule—

“activity” includes a diving project and standing a vessel by;

“diving project” has the meaning assigned to it by regulation 2(1) of the Diving at Work Regulations (Northern Ireland) 2005(11) save that it includes an activity in which a person takes part as a diver wearing an atmospheric pressure suit and without breathing in air or other gas at a pressure greater than atmospheric pressure;

“offshore installation” shall be construed in accordance with paragraph 2(2) and (3);

“supplementary unit” means a fixed or floating structure, other than a vessel, for providing energy, information or substances to an offshore installation;

“vessel” includes a hovercraft and any floating structure which is capable of being navigated.

(2) For the purposes of this Schedule, any structures and devices on top of a well shall be treated as forming part of the well.

(3) Any reference in this Schedule to premises and activities includes a reference to any person, article or substance on those premises or engaged in, or, as the case may be, used or for use in connection with any such activity, but does not include a reference to an aircraft which is airborne.

Offshore installations

2.—(1) This paragraph shall apply within the territorial sea or a designated area to and in relation to—

(a) any offshore installation and any activity on it;

(b) any activity in connection with, or any activity immediately preparatory to an activity in connection with, an offshore installation, whether carried on from the installation itself, in or from a vessel or in any manner, other than an activity falling within sub-paragraph (4);

(c) a diving project involving—

(i) the survey and preparation of the sea bed for an offshore installation;

(ii) the survey and restoration of the sea bed consequent on the removal of an offshore installation.

(2) Subject to sub-paragraph (3), in this Schedule, “offshore installation” means a structure which is, or is to be, or has been, used while standing or stationed in water, or on the foreshore or other land intermittently covered with water—

(a) for the exploitation, or exploration with a view to exploitation, of mineral resources by means of a well;

(b) for undertaking activities falling within paragraph 6(2);

(c) for the conveyance of things by means of a pipe;

(d) for undertaking activities that involve mechanically entering the pressure containment boundary of a well; or

(11) S.R. 2005 No. 45, as amended by S.R. 2007 No. 247

- (e) primarily for the provision of accommodation for persons who work on or from a structure falling within any of the provisions of heads (a) to (d), together with any supplementary unit which is ordinarily connected to it, and all the connections.
- (3) Any reference in sub-paragraph (2) to a structure or supplementary unit does not include—
- (a) a structure which is connected with dry land by a permanent structure providing access at all times and for all purposes;
 - (b) a well;
 - (c) a mobile structure which has been taken out of use and is not yet being moved with a view to its being used for any of the purposes specified in sub-paragraph (2);
 - (d) any part of a pipeline; and
 - (e) a structure falling within paragraph 8(c).
- (4) Subject to sub-paragraph (5), the following activities fall within this paragraph—
- (a) transporting, towing or navigating an installation;
 - (b) any of the following activities carried on in or from a vessel—
 - (i) giving assistance in the event of an emergency;
 - (ii) training in relation to the giving of assistance in the event of an emergency;
 - (iii) testing equipment for use in giving assistance in the event of an emergency;
 - (iv) putting or maintaining a vessel on stand-by ready for an activity referred to in any of sub-heads (i) to (iii).
- (5) Sub-paragraph (4)(b) does not apply in respect of a vessel in or from which an activity is carried on in connection with, or any activity that is immediately preparatory to an activity in connection with, an offshore installation other than an activity falling within sub-paragraph 4(b).

Wells

- 3.—(1) Subject to sub-paragraph (2), this paragraph applies within the territorial sea or a designated area to and in relation to—
- (a) a well and any activity in connection with it; and
 - (b) an activity which is immediately preparatory to any activity in head (a).
- (2) Sub-paragraph (1) includes keeping a vessel on station for the purpose of working on a well but otherwise does not include navigation or an activity connected with navigation.

Pipelines

- 4.—(1) This paragraph applies within the territorial sea or a designated area to and in relation to—
- (a) any pipeline;
 - (b) any pipeline works;
 - (c) the following activities in connection with pipeline works—
 - (i) the loading, unloading, fuelling or provisioning of a vessel;
 - (ii) the loading, unloading, fuelling, repair and maintenance of an aircraft on a vessel, being in either case a vessel which is engaged in pipeline works; or
 - (iii) the moving, supporting, laying or retrieving of anchors attached to a pipe-laying vessel including the supervision of those activities and giving of instruction in connection with them.

(2) In this paragraph—

“pipeline” means a pipe or system of pipes for the conveyance of any thing, together with—

- (a) any apparatus for inducing or facilitating the flow of any thing through, or through part of, the pipe or system;
- (b) any apparatus for treating or cooling any thing which is to flow through, or through part of, the pipe or system;
- (c) valves, valve chambers and similar works which are annexed to, or incorporated in the course of, the pipe or system;
- (d) apparatus for supplying energy for the operation of any such apparatus or works as are mentioned in heads (a) to (c);
- (e) apparatus for the transmission of information for the operation of the pipe or system;
- (f) apparatus for the cathodic protection of the pipe or system; and
- (g) a structure used or to be used solely for the support of a part of the pipe or system;

but not including a pipeline of which no initial or terminal point is situated in the United Kingdom, within the territorial sea adjacent to the United Kingdom, or within a designated area;

“pipeline works” means—

- (a) assembling or placing a pipeline or length of pipeline including the provision of internal or external protection for it;
- (b) inspecting, testing, maintaining, adjusting, repairing, altering or renewing a pipeline or length of pipeline;
- (c) changing the position of or dismantling or removing a pipeline or length of pipeline;
- (d) opening the bed of the sea for the purposes of the works mentioned in heads (a) to (c), and tunnelling or boring for those purposes;
- (e) any activities incidental to the activities described in heads (a) to (d);
- (f) a diving project in connection with any of the works mentioned in heads (a) to (e) or for the purpose of determining whether a place is suitable as part of the site of a proposed pipeline and the carrying out of surveying operations for settling the route of a proposed pipeline.

Mines

5.—(1) This paragraph applies to and in relation to a mine within the territorial sea, and any activity in connection with it, while it is being worked.

(2) In this paragraph “mine” has the same meaning as in the Mines Act (Northern Ireland) 1969⁽¹²⁾.

Gas Importation and Storage

6.—(1) Subject to sub-paragraph (3), this paragraph applies within the territorial sea to and in relation to any activities connected with or immediately preparatory to the activities set out in sub-paragraph (2).

(2) The activities are—

- (a) the unloading of gas to an installation or pipeline;

⁽¹²⁾ 1969 c. 6 (N.I.)

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- (b) the storage of gas, whether temporary or permanent, in or under the shore or bed of any water;
 - (c) the conversion of any natural feature for the purpose of storing gas, whether temporarily or permanently;
 - (d) the recovery of gas stored;
 - (e) exploration with a view to, or in connection with, the carrying on of activities within heads (a) to (d).
- (3) Sub-paragraph (1) does not apply to an activity falling within sub-paragraph (2) if the provisions of this Schedule apply to or in relation to that activity by virtue of paragraph 2(1).
- (4) In this paragraph—
- “gas” means any substance which is gaseous at a temperature of 15°C and a pressure of 101.325 kPa (1013.25 mb); and
 - “installation” includes any floating structure or device maintained on a station by whatever means.
- (5) For the purposes of sub-paragraphs (2) and (4), references to gas include any substance which consists wholly or mainly of gas.

Production of Energy from Water or Wind

- 7.—(1) This paragraph applies within the territorial sea to and in relation to any energy structure or activities connected with or preparatory to—
- (a) the exploitation of those areas for the production of energy from water or wind,
 - (b) the exploration of such areas with a view to, or in connection with, the production of energy from water or wind, or
 - (c) the operation of a cable for transmitting electricity from an energy structure.
- (2) In this paragraph “energy structure” means a fixed or floating structure or machine, other than a vessel, which is, or is to be, or has been, used for producing energy from water or wind.

Underground Coal Gasification

8. This paragraph applies within the territorial sea or a designated area to and in relation to—
- (a) underground coal gasification and any activity in connection with it;
 - (b) any activity which is immediately preparatory to any activity in sub-paragraph (a); and
 - (c) any fixed or floating structure which is, or is to be, or has been, used in connection with the carrying on of activities within sub-paragraphs (a) and (b).

Other activities

- 9.—(1) Subject to sub-paragraph (2), this paragraph applies within the territorial sea to and in relation to—
- (a) the construction, reconstruction, alteration, repair, maintenance, cleaning, use, operation, demolition and dismantling of any building, or other structure, not being in any case a vessel, or any preparation for any such activity;
 - (b) the transfer of people or goods between a vessel or aircraft and a structure (including a building) mentioned in head (a);
 - (c) the loading, unloading, fuelling or provisioning of a vessel;
 - (d) a diving project;

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- (e) the laying, installation, inspection, maintenance, operation, recovery or repair of a cable;
 - (f) the construction, reconstruction, finishing, refitting, repair, maintenance, cleaning or breaking up of a vessel except when carried out by the master or any officer or member of the crew of that vessel;
 - (g) the maintaining on a station of a vessel which would be an offshore installation were it not a structure to which paragraph 2(3)(c) applies;
 - (h) the transfer of people or goods between a vessel or aircraft and a structure mentioned in head (g).
- (2) This paragraph does not apply—
- (a) to a case where paragraph 2, 3, 4, 5, 6, 7 or 8 applies; or
 - (b) to vessels which are registered outside the United Kingdom and are on passage through the territorial sea.”

Commencement Information

I24 Sch. 14 para. 24 in operation at 19.12.2016, see [reg. 1](#)

Commencement Information

I16 Sch. 14 para. 16 in operation at 19.12.2016, see [reg. 1](#)
I17 Sch. 14 para. 17 in operation at 19.12.2016, see [reg. 1](#)
I18 Sch. 14 para. 18 in operation at 19.12.2016, see [reg. 1](#)
I19 Sch. 14 para. 19 in operation at 19.12.2016, see [reg. 1](#)
I20 Sch. 14 para. 20 in operation at 19.12.2016, see [reg. 1](#)
I21 Sch. 14 para. 21 in operation at 19.12.2016, see [reg. 1](#)
I22 Sch. 14 para. 22 in operation at 19.12.2016, see [reg. 1](#)
I23 Sch. 14 para. 23 in operation at 19.12.2016, see [reg. 1](#)
I24 Sch. 14 para. 24 in operation at 19.12.2016, see [reg. 1](#)

Offshore Installations and Wells (Design and Construction, etc.) Regulations (Northern Ireland) 1996

25. The Offshore Installations and Wells (Design and Construction, etc.) Regulations (Northern Ireland) 1996(13) are amended as follows.

Commencement Information

I25 Sch. 14 para. 25 in operation at 19.12.2016, see [reg. 1](#)

26. In regulation 2(1) (Interpretation)—
- (a) after the definition of “the 1995 Regulations” insert—
““ the 2016 Regulations” means the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016;”;
 - (b) after the definition of “activity” insert—

(13) S.R. 1996 No. 228, as amended by S.R. 1999 No. 150, S.R. 2005 No. 397, S.R. 2007 No. 165, S.R. 2007 No. 247 and revoked in part by S.R. 1998 No. 47 and S.R. 2006 No. 1

Changes to legislation: There are currently no known outstanding effects for the *The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14.* (See end of Document for details)

- ““designated area” has the same meaning as in regulation 2(1) of the 1995 Regulations;”;
- (c) after the definition of “the Executive” insert—
- ““external waters” means the territorial sea adjacent to Northern Ireland and any area designated by order under section 1(7) of the Continental Shelf Act 1964;”;
- (d) for the definition of “licensee” substitute—
- ““licensee”—
- (a) in relation to a well in Northern Ireland and any activity in relation to that well, means any person to whom a licence to search and bore for and get petroleum is granted pursuant to section 3 of the Petroleum Act 1998; and
- (b) in relation to a well in external waters and any activity in relation to that well, means an offshore licensee as defined in regulation 2(1) of the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015;”;
- (e) in the definition of “safety case” after “the 2007 Regulations” insert “or regulation 2(2) of the 2016 Regulations”;
- (f) for the definition of “well operator” substitute—
- ““well operator”—
- (a) in relation to a well in Northern Ireland, means the person appointed by the licensee for the well to execute the function of organising and supervising all operations to be carried out by means of such well or, where no such person has been appointed, the licensee; and
- (b) in relation to a well in external waters, has the meaning given in regulation 2 of the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015;”.

Commencement Information

I26 Sch. 14 para. 26 in operation at 19.12.2016, see [reg. 1](#)

27. In regulation 3 (Application)

- (a) in paragraph (1) after “territorial sea” insert “or a designated area” and after “Regulations” insert “except for regulation 18;”;
- (b) in paragraph (3) after “comprise” insert “the” and after “sea” insert “or a designated area”.

Commencement Information

I27 Sch. 14 para. 27 in operation at 19.12.2016, see [reg. 1](#)

28. In regulation 9 (Reporting of danger to an installation)—

- (a) in paragraph (1) omit “within 10 days”; and
- (b) after paragraph (2) insert—
- “(3) The report shall be made—
- (a) where the installation is in external waters, within 10 working days after the appearance of evidence of the significant threat; and
- (b) in any other case, within 10 days after the appearance of that evidence.

Changes to legislation: There are currently no known outstanding effects for the The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14. (See end of Document for details)

(4) In paragraph (3) “working days” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(14) in Northern Ireland.”

Commencement Information

I28 Sch. 14 para. 28 in operation at 19.12.2016, see [reg. 1](#)

29. In regulation 12 (Additional requirements)—
- (a) in paragraph (1) omit “Subject to paragraph (3),”; and
 - (b) omit paragraph (3).

Commencement Information

I29 Sch. 14 para. 29 in operation at 19.12.2016, see [reg. 1](#)

30. In regulation 13(2) (General duty) after “regulations 14 to 19 and 21,” insert “and regulations 11 and 12 of the 2016 Regulations (examination of wells in external waters)”.

Commencement Information

I30 Sch. 14 para. 30 in operation at 19.12.2016, see [reg. 1](#)

31. In regulation 18 (Arrangements for examination) omit paragraphs (5), (6) and (8).

Commencement Information

I31 Sch. 14 para. 31 in operation at 19.12.2016, see [reg. 1](#)

32. In regulation 23(1) (Certificates of exemption) after “safety and health of workers at work” insert “or under [Directive 2013/30/EU](#) of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending [Directive 2004/35/EC](#)”.

Commencement Information

I32 Sch. 14 para. 32 in operation at 19.12.2016, see [reg. 1](#)

33. Omit regulation 24 (Transitional provision).

Commencement Information

I33 Sch. 14 para. 33 in operation at 19.12.2016, see [reg. 1](#)

Commencement Information

I25 Sch. 14 para. 25 in operation at 19.12.2016, see [reg. 1](#)

I26 Sch. 14 para. 26 in operation at 19.12.2016, see [reg. 1](#)

Changes to legislation: There are currently no known outstanding effects for the *The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14.* (See end of Document for details)

I27	Sch. 14 para. 27 in operation at 19.12.2016, see reg. 1
I28	Sch. 14 para. 28 in operation at 19.12.2016, see reg. 1
I29	Sch. 14 para. 29 in operation at 19.12.2016, see reg. 1
I30	Sch. 14 para. 30 in operation at 19.12.2016, see reg. 1
I31	Sch. 14 para. 31 in operation at 19.12.2016, see reg. 1
I32	Sch. 14 para. 32 in operation at 19.12.2016, see reg. 1
I33	Sch. 14 para. 33 in operation at 19.12.2016, see reg. 1

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997

34.—(1) The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997⁽¹⁵⁾ are amended as follows.

(2) In regulation 2(1) (Interpretation)—

(a) after the definition of “the Executive” insert —

““external waters” means the territorial sea adjacent to Northern Ireland and any area designated by order under section 1(7) of the Continental Shelf Act 1964;”;

(b) after the definition of “factory” insert —

““internal waters” means tidal waters and parts of the sea in or adjacent to Northern Ireland up to the landward limits of the territorial sea;”;

(c) in the definition of “responsible person” subparagraph (vi)—

(i) substitute “relevant waters” with “internal waters”; and

(ii) after “the Petroleum Act 1998)” insert “and in relation to external waters, means an offshore licensee as defined in regulation 2(1) of the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015”.

(3) In regulation 3 (notification and reporting of injuries and dangerous occurrences)—

(a) in paragraph (1)(ii), after “10 days” insert “or, in the case of an incident falling within paragraph (3), within 10 working days of the incident”; and

(b) after paragraph (2) insert—

“(3) A reportable incident falls within this paragraph if it relates to a dangerous occurrence of a class specified in—

(a) paragraph 13 of Part 1 of Schedule 2 in relation to an offshore workplace; or

(b) Part 5 of that Schedule.

(4) For the purposes of—

(a) paragraph (1)(ii), “working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of Northern Ireland; and

(b) paragraph (3), “offshore workplace” has the meaning given in regulation 2(1).”.

Commencement Information

I34 Sch. 14 para. 34 in operation at 19.12.2016, see [reg. 1](#)

⁽¹⁵⁾ S.R. 1997 No. 455, as amended by S.R. 1998 No. 375, S.R. 1999 No. 150, S.R. 2000 No. 375, S.R. 2001 No. 436, S.R. 2004 No. 196, S.R. 2005 No. 45, S.R. 2006 No. 173, S.R. 2006 No. 205, S.R. 2006 No. 425, S.R. 2007 No. 247, S.R. 2010 No. 160 and revoked in part by S.R. 2006 No. 425

Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007

35. The Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007(16) are amended as follows.

Commencement Information

I35 Sch. 14 para. 35 in operation at 19.12.2016, see [reg. 1](#)

36.—(1) Subject to paragraph (2), for “relevant waters” substitute “internal waters” in each place occurring.

(2) Paragraph (1) does not apply to—

- (a) the definition of “relevant waters” in regulation 2(1);
- (b) Schedule 10.

(3) Subject to paragraph (4), for “sea-bed” substitute “bed of internal waters” in each place occurring.

(4) Paragraph (3) does not apply to Schedule 10.

Commencement Information

I36 Sch. 14 para. 36 in operation at 19.12.2016, see [reg. 1](#)

37.—(1) Regulation 2 (Interpretation) is amended as follows.

(2) In paragraph (1)—

(a) after the definition of “installation” insert—

““internal waters” means tidal waters and parts of the sea in or adjacent to Northern Ireland up to the landward limits of the territorial sea;”;

(b) omit the definition of “relevant waters”.

Commencement Information

I37 Sch. 14 para. 37 in operation at 19.12.2016, see [reg. 1](#)

38. In regulation 4 (Application) omit paragraph (1).

Commencement Information

I38 Sch. 14 para. 38 in operation at 19.12.2016, see [reg. 1](#)

39. In regulation 6(2) (Design and relocation notifications for production installation) after “new location” insert “within internal waters”.

Commencement Information

I39 Sch. 14 para. 39 in operation at 19.12.2016, see [reg. 1](#)

Changes to legislation: There are currently no known outstanding effects for the *The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14.* (See end of Document for details)

40. In regulation 7(1) (Safety case for production installation) in the opening words after “operated” insert “within internal waters”.

Commencement Information

I40 Sch. 14 para. 40 in operation at 19.12.2016, see [reg. 1](#)

41. In regulation 14(3)(c) (Revision of safety case) after “location” insert “within internal waters”.

Commencement Information

I41 Sch. 14 para. 41 in operation at 19.12.2016, see [reg. 1](#)

42. In paragraph 10 of Schedule 2 (Particulars to be included in a design notification etc.) after “location” insert “within internal waters”.

Commencement Information

I42 Sch. 14 para. 42 in operation at 19.12.2016, see [reg. 1](#)

Commencement Information

I35 Sch. 14 para. 35 in operation at 19.12.2016, see [reg. 1](#)
I36 Sch. 14 para. 36 in operation at 19.12.2016, see [reg. 1](#)
I37 Sch. 14 para. 37 in operation at 19.12.2016, see [reg. 1](#)
I38 Sch. 14 para. 38 in operation at 19.12.2016, see [reg. 1](#)
I39 Sch. 14 para. 39 in operation at 19.12.2016, see [reg. 1](#)
I40 Sch. 14 para. 40 in operation at 19.12.2016, see [reg. 1](#)
I41 Sch. 14 para. 41 in operation at 19.12.2016, see [reg. 1](#)
I42 Sch. 14 para. 42 in operation at 19.12.2016, see [reg. 1](#)

Health and Safety (Fees) Regulations (Northern Ireland) 2012

43.—(1) The Health and Safety (Fees) Regulations (Northern Ireland) 2012⁽¹⁷⁾ are amended as follows.

(2) In regulation 9 (Fees payable in respect of offshore installations)—

(a) in paragraph (2) after “2007 Regulations” insert “or the 2016 Regulations”.

(b) for paragraph (3) substitute—

“(3) In this regulation, regulation 11 and Schedule 7—

“the 2007 Regulations” means the Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007 and “the 2016 Regulations” means the Offshore Installations (Offshore Safety Directive) (Safety Case etc) Regulations (Northern Ireland) 2016;

“installation”, “current safety case”, “safety case” and “owner”, in a case concerning the 2007 Regulations have the same meanings as in those Regulations or in a

⁽¹⁷⁾ S.R. 2012 No. 255, as amended by S.R. 2014 No. 280

case concerning the 2016 Regulations, have the same meanings as in the 2016 Regulations;

“operator”—

- (a) in a case concerning the 2007 Regulations has the meaning—
 - (i) in the case of the dismantling of a fixed installation under regulation 11 of those Regulations, given in regulation 11(4) of those Regulations;
 - (ii) in any other case, given in regulation 2(1) of those Regulations in relation to a production installation;
- (b) in a case concerning the 2016 Regulations, has the meaning given in those Regulations; and

“competent authority” has the meaning given in the 2016 Regulations.”

(3) In Schedule 7 (Fees payable in respect of offshore installations) after the final entry in the Table insert—

“Assessing a design notification (sent to the competent authority pursuant to regulation 15(1) or 19(1) of the 2016 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator or owner who sent the design notification to the competent authority pursuant to that provision
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Assessing a relocation notification (sent to the competent authority pursuant to regulation 15(3) of the 2016 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator who sent the relocation notification to the competent authority pursuant to that provision
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Assessing a safety case or a revision to a current safety case (sent to the competent authority pursuant to any provision of the 2016 Regulations) for the purpose of deciding whether to accept that safety case or revision and accepting any such safety case or revision	The operator or owner who sent the safety case or revision to the competent authority pursuant to that provision
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Providing advice with respect to the preparation of a safety case or a revision to a current safety case which is proposed to be sent to the competent authority pursuant to any provision of the 2016 Regulations	The operator or owner who has requested that advice
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Assessing whether to grant an exemption pursuant to regulation 35 of the 2016 Regulations and granting any such exemption	The operator or owner who has requested the exemption”
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Commencement Information

I43 Sch. 14 para. 43 in operation at 19.12.2016, see [reg. 1](#)

Changes to legislation: There are currently no known outstanding effects for the The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14. (See end of Document for details)

PART 2

REVOCATIONS OF REGULATIONS

Commencement Information

I44 Sch. 14 Pt. 2 in operation at 19.12.2016, see [reg. 1](#)

(1)	(2)	(3)
<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
The Offshore Safety (Repeals and Modifications) Regulations (Northern Ireland) 1993	S.R. 1993 No. 384	Regulation 4(5); regulation 5(2); and in Schedule, all entries except those relating to the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989.
The Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995	S.R. 1995 No. 340	Schedule 2, Part II, paragraphs 1, 2, 11, 18 and 19.
The Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations (Northern Ireland) 1995	S.R. 1995 No. 345	In regulation 6(1)(c) the word “and”
The Offshore Installations and Wells (Design and Construction, etc.) Regulations (Northern Ireland) 1996	S.R. 1996 No. 228	Regulation 12(3); regulation 18(5), (6) and (8); and regulation 24
The Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007	S.R. 2007 No. 247	Schedule 1, in full. Schedule 10, paragraph (2)(a) (iv) and (vii), paragraph 3(a) (v), (viii); and paragraph 5(a) (vi); and regulation 27

Changes to legislation:

There are currently no known outstanding effects for the The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016, SCHEDULE 14.