
STATUTORY INSTRUMENTS

1973 No. 1842

**The Offshore Installations (Inspectors
and Casualties) Regulations 1973**

PART I

INSPECTION OF OFFSHORE INSTALLATIONS

Functions and powers of inspectors

2.—(1) For the purpose of ensuring that the provisions of the Act and of regulations thereunder are complied with, of investigating a casualty and generally assisting the Secretary of State in the execution of the Act, an inspector, at any time—

- (a) may board an offshore installation and obtain access to all parts of it;
- (b) may inspect an offshore installation and any equipment;
- (c) may inspect the sea bed and subsoil under or near an offshore installation;
- (d) may inspect and take copies from any certificate of insurance issued under regulations made under paragraph 4(2)(b) or (3) of the Schedule to the Act or any copy thereof so required to be maintained on an offshore installation, from any installation logbook or other record required to be maintained under regulations⁽¹⁾ made under paragraph 11 of that Schedule or from any other document relating to the operation or safety of an offshore installation or of any equipment;
- (e) may test any equipment;
- (f) where a casualty has occurred or is apprehended, may dismantle any equipment or test to destruction or take possession of any equipment;
- (g) may require the owner or manager or any person on board or near to an offshore installation to do or to refrain from doing any act as appears to the inspector to be necessary or expedient for the purpose of averting a casualty (whether the danger is immediate or not), or minimising the consequences of a casualty.

(2) An inspector shall permit the owner or manager or any person nominated by the owner or manager to be present when any inspection, test or dismantlement is carried out under this Regulation.

(3) A requirement under paragraph (1)(g) above shall cease to have effect at the expiration of 3 days after the date on which it is given, unless the Secretary of State by notice given to the owner of the offshore installation extends its operation (with or without variation) for a further period or periods;

Provided that, before giving notice extending the operation of the requirement, the Secretary of State shall consult with the owner of the installation and shall consider any representations made by him.

⁽¹⁾ See S.I. 1972/1542 (1972 III, p. 4532).

- 3.—(1) In connection with any of his functions under Regulation 2 an inspector—
- (a) may make such requirements of any person (including the owner and manager of the installation) as appear to the inspector to be required for the performance of those functions whether by himself or any other person acting at the direction of the Secretary of State:
Provided that before making a requirement in connection with any of paragraphs (1)(e), (f) or (g) of that Regulation, the inspector shall consult with the owner or manager with a view to maintaining safety and to minimising interference with the operation of the installation;
 - (b) may require any person to produce to the inspector any article to which this Regulation applies and which is in his possession or custody;
 - (c) may make notes, take measurements, make drawings and take photographs of an offshore installation and of any article to which this Regulation applies;
 - (d) may require the owner or manager of the installation to furnish to him any article to which this Regulation applies (other than a document) or, in the case of any article on any vessel, may so require the master, captain or person in charge of the vessel;
 - (e) may require the owner or manager of an offshore installation or any person employed on or in connection with the installation or equipment to carry out or to assist in carrying out any inspection, test or dismantlement of the offshore installation or of any equipment;
 - (f) may require the owner or manager of an offshore installation or the concession owner concerned to assist him in carrying out an inspection of the sea bed or subsoil under or near the installation; and
 - (g) may require the owner or manager to provide at any reasonable time conveyance to or from the installation of the inspector, any other person acting at the direction of the Secretary of State, any equipment required by the inspector for testing and any article of which he has taken possession pursuant to these Regulations.

(2) This Regulation applies to articles of the following descriptions, that is to say, any equipment or part thereof, a specimen of any material or substance (including a natural substance) on or near an offshore installation and any document of a description referred to in Regulation 2(1)(d).

4.—(1) An inspector may require an owner or a manager of an offshore installation or any other person to furnish to him or to a person acting at the direction of the Secretary of State such information as he may reasonably demand in exercise of the inspector's functions under Regulation 2.

(2) Information required to be furnished under paragraph (1) may, and if so required by the inspector shall, be furnished in writing, and if furnished orally may be so furnished in the presence of any person whom the person furnishing the information reasonably desires to be present and, if practicable and that person so wishes, in the presence of the manager of the installation.

Duties of owners of offshore installations and others

5.—(1) The owner or manager of an offshore installation shall provide an inspector and any other person acting at the direction of the Secretary of State with reasonable accommodation and means of subsistence while on board an offshore installation for the purposes of these Regulations.

(2) The owner or manager of an offshore installation and any other person, in relation to any offshore installation in any area in respect of which he is the concession owner, shall afford generally or so cause to be afforded to an inspector and any other person acting at the direction of the Secretary of State all such facilities and assistance (including the carrying out of any procedures by way of demonstration) as an inspector or such other person may reasonably require in performing the functions of an inspector under these Regulations: and an inspector or such other person may require accordingly.

Disclosure of information

6. A person acting at the direction of the Secretary of State (not being a person holding office under Her Majesty) shall not disclose to any other person any information obtained or received by him while acting at such direction—

- (a) by virtue of these Regulations other than Regulation 4(1), without the consent of the owner; or
- (b) by virtue of Regulation 4(1), without the consent of the person who furnished the information; or
- (c) under any provision of these Regulations, without the consent of the Secretary of State.

Offences under Part I

7.—(1) Any person—

- (a) who fails to comply with any requirement made of him under this Part of these Regulations; or
- (b) who obstructs any other person in the performance of his functions, powers or duties under, or in complying with any requirement made of that person under, this Part of these Regulations; or
- (c) who, without permission granted by an inspector or other person acting at the direction of the Secretary of State, removes, conceals or tampers with any article of which possession has been taken by an inspector or such a person;

shall be guilty of an offence.

(2) An owner or manager who fails to provide accommodation and means of subsistence pursuant to Regulation 5(1) shall be guilty of an offence.

(3) An owner, manager or concession owner who fails to afford or cause to be afforded facilities and assistance pursuant to Regulation 5(2) shall be guilty of an offence.

(4) A person acting at the direction of the Secretary of State who discloses any information in contravention of Regulation 6 shall be guilty of an offence.

8.—(1) It shall be a defence to a charge—

- (a) under Regulation 7(1)(a) relating to failure to comply with a requirement made under Regulation 5(2); or
- (b) under Regulation 7(3) relating to failure to afford facilities or assistance under Regulation 5(2);

to show that the person charged, being the manager of the offshore installation to which the charge relates, was acting, in respect of the facts alleged, under and in accordance with the provisions of subsections (4) or (6) of section 5 of the Act (which confers powers on the manager of an offshore installation).

(2) The fine which may be imposed under Regulation 7(2) shall not exceed £100 and proceedings on indictment thereunder shall be excluded.

(3) The variation or revocation of any requirement given or made under any provision of these Regulations shall not affect liability for any offence committed before the variation or revocation takes effect.