
STATUTORY INSTRUMENTS

1989 No. 971

**The Offshore Installations (Safety Representatives
and Safety Committees) Regulations 1989**

INSTALLATION OWNERS, INSTALLATION MANAGERS AND EMPLOYERS

Duties of installation owners and installation managers

23. In respect of every offshore installation served by a safety committee it shall be the duty of the installation owner and of the installation manager—

- (a) to facilitate the exercise by the committee of its functions and by the safety representatives of their functions and powers in respect of the installation under these Regulations, and for that purpose to make available the necessary accommodation, facilities for communication and office equipment supplies; and
- (b) to consult safety representatives with a view to the making and maintenance of arrangements which will enable them and the workforce to co-operate effectively in promoting and developing measures to ensure the health and safety of persons working on or from the installation, and in checking the effectiveness of such arrangements.

Information

24. It shall be the duty of the installation owner, the installation manager and any employer of members of the workforce each to make available to safety representatives the information relating to occupational health and safety within his knowledge as may be necessary to enable the safety representatives to fulfil their functions except—

- (a) any information the disclosure of which would be against the interests of national security, or
- (b) any information which cannot be disclosed without contravening a prohibition imposed by or under an enactment, or
- (c) any information relating specifically to an individual, unless he has consented to its being disclosed, or
- (d) any information the disclosure of which would, for reasons other than its effect on occupational health and safety, cause substantial injury to the undertaking of any of the parties on whom the duty is imposed or, where the information has been supplied to any of the parties by some other person, to the undertaking of that other person, or
- (e) any information obtained by the employer for the purpose of bringing, prosecuting or defending any legal proceedings.

Documents etc.

25.—(1) It shall be the duty of the installation owner, installation manager, and any employer of members of the workforce on the offshore installation, to make available to safety representatives and safety committees any documents which safety representatives and safety committees are entitled to see under regulation 18 above.

(2) It shall be the duty of the installation owner to ensure that at least one copy of these Regulations is readily available on the installation for inspection by the workforce.

Time off

26.—(1) It shall be the duty of the employer of a safety representative to permit him to take such time off from his work on the offshore installation without loss of pay during his working hours as is necessary—

- (a) for the purpose of performing his functions as a safety representative, and
- (b) to undertake training in accordance with regulation 27 below.

(2) Where a safety representative is permitted to take time off in accordance with paragraph (1) above, his employer shall pay him—

- (a) where the safety representative's remuneration for the work he would ordinarily have been doing during that time does not vary with the amount of work done, as if he had worked at that work for the whole of that time;
- (b) where the safety representative's remuneration for that work varies with the amount of work done, an amount calculated by reference to the average hourly earnings for that work (ascertained in accordance with paragraph (3) below).

(3) The average hourly earnings referred to in paragraph 2(b) above are the average hourly earnings of the safety representative concerned or, if no fair estimate can be made of those earnings, the average hourly earnings for work of that description of persons in comparable employment with the same employer or, if there are no such persons, a figure of average hourly earnings which is reasonable in the circumstances.

(4) Any payment to a safety representative by an employer in respect of a period of time off—

- (a) if it is a payment under any contractual obligation, shall go towards discharging the employer's liability in respect of the same period under paragraph (2) above;
- (b) if it is a payment under paragraph (2) above, shall go towards discharging any liability of the employer to pay contractual remuneration in respect of the same period.

Training

27. It shall be the duty of the employer of a safety representative to ensure that he is provided with such training in aspects of the functions of a safety representative as may be reasonable in all the circumstances and the employer shall meet any reasonable costs associated with such training including travel and subsistence costs.