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## EXPLANATORY NOTE

*(This note is not part of the Order)*

1. This Order revokes and re-enacts with amendments the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 1995 (“the 1995 Order”), which applied sections 1 to 59 and 80 to 82 of the Health and Safety at Work etc. Act 1974 (“the prescribed provisions”) to certain premises and activities in the territorial sea adjacent to Great Britain and to areas designated under the Continental Shelf Act 1964. In addition to minor and drafting amendments, this Order makes the following changes of substance.

2. The application by article 4(1) of the prescribed provisions to certain premises or activities within the territorial sea or a designated area now extends to a “diving project” (defined in *article 2(1)*) involving the survey and preparation of the sea bed consequent on the removal of an offshore installation (*article 4(1)(c)*).

3. The definition in *article 4(2)* of “offshore installation” now includes a supplementary unit (defined in *article 2(1)*) connected to it, and all the connections.

4. The application by article 8 of the prescribed provisions to certain premises and activities within the territorial sea now includes (*article 8(1)(a)*) specified activities in relation to an “energy structure” (defined in *article 2(1)*), and (*article 8(1)(b)*) the transfer of people or goods to or from any structure mentioned in article 8(1)(a).

5. Article 8 does not now apply (as the Order which the 1995 Order replaced did not apply) to a case where articles 4 to 7 apply (*article 8(2)*).

6. A copy of the regulatory impact assessment prepared in respect of this Order can be obtained from the Health and Safety Executive, Economic Advisers Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. Copies have been placed in the library of each House of Parliament.