

1976 No. 1060 (S. 88)
PETROLEUM
**The Sea Designation (Inner Sound of Raasay) (Scotland)
Regulations 1976**

Made - - - - - *5th July 1976*
Coming into Operation *19th July 1976*

In exercise of the powers conferred on him by sections 6(1) and 19(3) of the Offshore Petroleum Development (Scotland) Act 1975(a) and of all other powers enabling him in that behalf, and having consulted the harbour and pilotage authorities within the designated sea area, the Secretary of State hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Sea Designation (Inner Sound of Raasay) (Scotland) Regulations 1976 and shall come into operation on 19th July 1976.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires:—

“the Act” means the Offshore Petroleum Development (Scotland) Act 1975;

“the designated sea area” means the area of the sea declared to be a designated sea area by the Sea Designation (Inner Sound of Raasay) (Scotland) Order 1975(b);

“licensed operations” means relevant operations within the designated sea area in respect of which a licence has been granted by the Secretary of State under sections 4 and 5 of the Act;

“the Marine Adviser” means the person appointed by the Secretary of State to hold that appointment for the time being and includes the Marine Supervisor appointed by the Secretary of State and stationed at Kyle of Lochalsh and their authorised deputies and assistants;

“master” when used in relation to any vessel means any person having the command, charge or management of the vessel for the time being;

“platform” includes any installation under construction, assembly or testing for use in or under the sea in connection with exploration for or exploitation of offshore petroleum;

“relevant operations” means operations within the designated sea area for or in connection with the construction, assembly and testing of platforms and other installations for use in or under the sea in connection with exploration for or exploitation of offshore petroleum;

(a) 1975 c. 8.

(b) S.I. 1975/1409 (1975 II, p. 4762).

“vessel” means every description of vessel however propelled or moved and includes a hovercraft, any hydrofoil vessel or floating dock, anything constructed or used to carry or accommodate persons or goods by water, and a seaplane on or in the water, but does not include a platform.

(2) The Interpretation Act 1889(a) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) References in these regulations to any enactment are references to that enactment as amended by any subsequent enactment.

Control of vessels engaged in relevant operations

3. Before entering the designated sea area or departing from a base of operations within the designated sea area to a destination outwith the area the master of any vessel engaged in any purpose connected with the relevant operations shall obtain the written consent of the Secretary of State. Applications for such consent shall be made to the Marine Adviser at his office at Kyle of Lochalsh giving not less than 3 days notice. Consents may be subject to such special navigational directions and restrictions on the speed of vessels as the Secretary of State may determine. Before granting any such consent, the Secretary of State may require from the master of the vessel such information as the Secretary of State considers necessary for the regulation and protection of relevant operations in the designated sea area including, without prejudice to the foregoing generality, the name of the vessel, the port of registry, owner and agent, a general description of the activities of the vessel and the expected duration of stay in the designated sea area.

Temporary restrictions during movement of platforms

4. When platforms are being towed into and out of, or within, the designated sea area and in other exceptional circumstances, the Secretary of State may, for the safety of navigation, restrict entry into, departure from, or the movements of vessels or other platforms within the designated sea area or any part thereof for such period as he may determine. Prior notice of such restrictions will, except in case of emergency, be published once in Lloyds List or in a newspaper specialising in shipping news and in one or more local newspapers circulating in the locality and by a Notice to Mariners, a copy of which shall be available for inspection at the office of the Marine Adviser at Kyle of Lochalsh. In case of emergency the Secretary of State, through his Marine Adviser at Kyle of Lochalsh, shall give such more limited notice, if any, as may be practicable in the circumstances.

Prohibition against entering sites set aside for licensed operations

5. Where notice of the number and extent of the sites set aside for licensed operations within the designated sea area has been published once in Lloyds List or in a newspaper specialising in shipping news and in one or more local newspapers circulating in the locality and by a Notice to Mariners, a copy of which is available for inspection at the office of the Marine Adviser at Kyle of Lochalsh, no vessel shall enter the said sites without the consent of the Secretary of State and no person wearing or equipped with clothing or apparatus designed or adapted for diving or swimming underwater shall dive or swim underwater in the said sites without the consent of the Secretary of State. Applications for such consent shall be made to the Marine Adviser at his office at Kyle of Lochalsh:

Provided always that nothing in this regulation shall apply to or affect the licensed operations of the holder of a licence under section 4 of the Act in respect

(a) 1889 c. 63.

of the part of the designated sea area to which the licence relates or of the clients, agents, servants, suppliers and contractors of the holder of such a licence.

Wrecks and other obstructions

6. In the event of any vessel becoming wrecked, sunk, stranded, adrift or abandoned or losing an anchor, cable, propeller, or other object in the designated sea area, so as to cause an obstruction or danger to navigation, the owner or master shall take immediate steps to warn other shipping and shall as soon as practicable notify the Secretary of State through his Marine Adviser at Kyle of Lochalsh. The owner or master shall comply with any directions from the Secretary of State as to the marking of the obstruction if required to do so.

Savings

7. Nothing in these regulations shall affect—

- (a) the Collision Regulations (Ships and Seaplanes on the Water) and Signals of Distress (Ships) Order 1965(a), and
- (b) the British Underwater Test and Evaluation Centre Byelaws 1975(b).

Given under the Seal of the Secretary of State for Scotland.

(L.S.)
New St Andrew's House,
Edinburgh.
5th July 1976.

J. B. Fleming,
Under Secretary.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for the regulation and protection of offshore petroleum platform construction operations in the Inner Sound of Raasay designated sea area.

The Regulations provide—

- (a) for the control of vessels engaged in "relevant operations", as defined in Regulation 2, (Regulation 3);
- (b) for the movements of vessels and other platforms to be restricted when a platform is being towed into, out of, or within the designated sea area, and in other exceptional circumstances (Regulation 4);
- (c) for the control of entry to sites set aside for "licensed operations", as defined in Regulation 2, (Regulation 5), and
- (d) for the Secretary of State to be notified in the event of any danger or obstruction to navigation occurring in the area (Regulation 6).

(a) S.I. 1965/1525 (1965 II p. 4411).

(b) S.I. 1975/1268.

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