
EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 1989 and re-enacts its provisions with modifications. The main changes of substance are the application of the provisions of the Health and Safety at Work etc. Act 1974 (“the Act”) which are referred to below to wells and to pipelines.

The Order applies sections 1 to 59 and 80 to 82 of the Act outside Great Britain (article 3) and—

- (a) within territorial waters adjacent to Great Britain and areas designated under the Continental Shelf Act 1964, to offshore installations and activities on them; to most activities in connection with them; and to certain diving activities (article 4);
- (b) within the same waters and areas, to wells; to most activities in connection with them; and to activities immediately preparatory to such activities (article 5);
- (c) within the same waters and areas to pipelines; to pipeline works; and to certain activities in connection with such works (article 6);
- (d) to the working of a mine and to work for the purpose of or in connection with the working of any part of a mine, within such waters or extending beyond them (article 7); and
- (e) within such waters to various activities including certain construction and similar activities (article 8).

Article 9 contains provisions relating to legal proceedings.

Article 10 provides that the relevant sections of the Act apply to individuals, whether or not they are British subjects, and to bodies corporate, whether or not incorporated under the law of any part of the United Kingdom.

Article 11 makes it clear that (with one exception) this Order does not limit or prejudice the effect of other enactments in territorial waters or elsewhere.