

SCHEDULE 14

TRANSITIONAL PROVISIONS AND SAVINGS

PART 2

Continued application of the 2005 regime in relation to external waters during the transitional period

Election to prepare a safety case under these Regulations

8.—(1) Subject to sub-paragraph (2), nothing in paragraph 3(b), 4(b) or 5(1) prevents a duty holder who would otherwise be or continue to be subject to the 2005 regime as a consequence of any of those provisions from preparing and sending a safety case to the competent authority under these Regulations.

(2) Sub-paragraph (1) does not apply if there is a current safety case for the installation.

(3) Where a duty holder elects in accordance with sub-paragraph (1) to prepare and send a safety case to the competent authority under these Regulations—

- (a) the 2005 regime ceases to apply to that operator in relation to that installation on the date on which the operator sends the safety case to the competent authority; and
- (b) these Regulations apply to that operator in relation to that installation on and after that date.