

1993 No. 221

HEALTH AND SAFETY**Offshore Installations (Safety Case) Regulations
(Northern Ireland) 1993***Made**4th May 1993**Coming into operation—**The whole Regulations except
regulation 10 and Schedule 6
regulation 10 and Schedule 6**31st August 1993**30th November 1995*

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The Department of Economic Development, being the Department concerned(a), in exercise of the powers conferred on it by Articles 17(1) to (6) and 55(2) of, and paragraphs 1(1) and (2), 7(1), 8, 13, 14(1) and 15 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(b) (“the 1978 Order”) and Article 3(2) of the Offshore, and Pipelines, Safety (Northern Ireland) Order 1992(c) and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1) of the 1978 Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to the Department to be appropriate, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Offshore Installations (Safety Case) Regulations (Northern Ireland) 1993 and shall come into operation on 31st August 1993, except regulation 10 and Schedule 6 which shall come into operation on 30th November 1995.

Interpretation

2.—(1) In these Regulations—

“the 1971 Act” means the Mineral Workings (Offshore Installations) Act 1971(d);

“approves” means approves in writing;

“combined operation” shall be construed in accordance with paragraph (7);

“concession owner” in relation to a fixed installation means a person who would be a concession owner within the meaning of section 12(2) of the 1971 Act(e) if “or is to be” appeared after “there is” in the subsection;

(a) See Article 2(2) of S.I. 1978/1039 (N.I. 9)

(b) S.I. 1978/1039 (N.I. 9); the general purposes of Part II referred to in Article 17(1) were extended by Article 3(1) of the Offshore, and Pipelines, Safety (Northern Ireland) Order 1992 (S.I. 1992/1728 (N.I. 17))

(c) S.I. 1992/1728 (N.I. 17)

(d) 1971 c. 61

(e) Section 12(2) of the 1971 Act was substituted by the Oil and Gas (Enterprise) Act 1982 c. 23, section 37(1) and Schedule 3, paragraph 11(2)

“construction activity” in relation to an installation means—

- (a) the construction of the installation at the place where it is to be operated;
- (b) the dismantling or demolition of the installation at the place where it was operated; or
- (c) any activity on or in connection with the installation which involves the use of a heavy lift vessel;

“decommission” in relation to an installation means to take the installation or any plant thereon out of use with a view to the abandonment of the installation;

“the Department” means the Department of Economic Development;

“diving bell” means a diving bell within the meaning of regulation 2(1) of the Diving Operations at Work Regulations (Northern Ireland) 1983(a);

“fixed installation” means an installation other than a mobile installation;

“heavy lift vessel” means a vessel whose primary function is to—

- (a) lift an installation or part thereof, or
- (b) lift plant onto or off an installation;

“installation” means what would be an offshore installation within the meaning of section 1 of the 1971 Act(b) if in the definition of “controlled waters” in section 1(4) of that Act any reference—

- (a) to tidal waters and parts of the sea in or adjacent to the United Kingdom, or to the territorial sea adjacent to the United Kingdom, were a reference to tidal waters and parts of the sea in or adjacent to Northern Ireland, or to the territorial sea adjacent to Northern Ireland;
- (b) to waters in any area designated under section 1(7) of the Continental Shelf Act 1964(c) were omitted; and
- (c) to the sea in any designated area within the meaning of that Act were omitted;

“major accident” means—

- (a) a fire, explosion or the release of a dangerous substance involving death or serious personal injury to persons on the installation or engaged in an activity on or in connection with it;
- (b) any event involving major damage to the structure of the installation or plant affixed thereto or any loss in the stability of the installation;
- (c) the collision of a helicopter with the installation;
- (d) the failure of life support systems for diving operations in connection with the installation, the detachment of a diving bell used for such operations or the trapping of a diver in a diving bell or other subsea chamber used for such operations; or

(a) S.R. 1983 No. 209

(b) Section 1 of the 1971 Act was substituted by section 24 of the Oil and Gas (Enterprise) Act 1982 c. 23

(c) 1964 c. 29

- (e) any other event arising from a work activity involving death or serious personal injury to five or more persons on the installation or engaged in an activity in connection with it;
- “mobile installation” means an installation (other than a floating production platform) which can be moved from place to place without major dismantling or modification, whether or not it has its own motive power;
- “notified” means notified in writing;
- “operator” in relation to—
- (a) a fixed installation, means the person appointed by a concession owner to execute any function of organising or supervising any operation to be carried out by such installation or, where no such person has been appointed, the concession owner;
- (b) a mobile installation, means the person for whom the owner has agreed to carry out the operation concerned or, where there is no such agreement, the owner;
- “owner” in relation to—
- (a) a mobile installation, means the person who has registered the installation pursuant to regulations under section 2 of the 1971 Act or, if there is no such person, the person for the time being having the management of the installation, or of its main structure;
- (b) a pipe-line, means an “owner” within the meaning of section 33(3) of the Petroleum and Submarine Pipe-lines Act 1975(a);
- “pipe-line” has the same meaning as in section 26(1) of the Petroleum and Submarine Pipe-lines Act 1975;
- “quantitative risk assessment” means the identification of hazards and the evaluation of the extent of risk arising therefrom incorporating calculations based upon the frequency and magnitude of hazardous events;
- “relevant statutory provisions” means those relevant statutory provisions which apply to or in relation to installations or activities on or in connection with them;
- “relevant waters” means tidal waters and parts of the sea in or adjacent to Northern Ireland up to the seaward limits of territorial waters;
- “safety case” shall be construed in accordance with paragraph (2);
- “stand-by vessel” has the same meaning as in regulation 10 of the Offshore Installations (Emergency Procedures) Regulations 1976(b);
- “the transitional period” shall be construed in accordance with regulation 12(1).
- (2) Any reference in these Regulations to a safety case is, subject to regulation 7(3), a reference to a document containing the particulars specified in regulation 7 and the Schedule referred to in the provision pursuant to which

(a) 1975 c. 74

(b) S.I. 1976/1542

the safety case is prepared; and a safety case may contain such particulars by reference to the same particulars in an earlier safety case relating to the same installation and sent to the Department pursuant to these Regulations.

(3) Any provision of these Regulations requiring particulars to be included in a safety case which are also required to be included by virtue of a more general provision of the Regulations is without prejudice to the generality of the more general provision.

(4) Any reference in these Regulations to the Department accepting a safety case or revision is a reference to the Department notifying the person who sent the safety case or revision to the Department that it is satisfied with the case for health and safety made out in the safety case or in the revision, as appropriate.

(5) Any reference in these Regulations to operating an installation is a reference to carrying out from, by means of or on the installation an activity mentioned in section 1(2) of the 1971 Act.

(6) Any reference in these Regulations to the commencement of drilling of a well includes a reference to the recommencement of drilling after the well has been completed, suspended, or abandoned by plugging at the sea bed.

(7) For the purposes of these Regulations two or more installations shall be treated as engaged in a combined operation with each other if an activity carried out from, by means of or on one of the installations—

- (a) is carried out temporarily for a purpose related to the other installation; and
- (b) could affect the health or safety of persons on any of the installations or of persons engaged in an activity in connection with any of the installations.

(8) Any reference in these Regulations to an activity in connection with an installation is a reference to any of the following activities in connection with an offshore installation, whether carried on from the installation itself, on or from a vessel or in any other manner, that is to say, inspection, testing, loading, unloading, fuelling, provisioning, construction, reconstruction, alteration, repair, maintenance, cleaning, demolition, dismantling and diving operations and any activity which is immediately preparatory to any of the said activities.

(9) Where an operator or owner of an installation is succeeded by a new operator or owner, anything done in compliance with these Regulations by the first-mentioned operator or owner in relation to the installation shall, for the purpose of these Regulations, be treated as having been done by his successor.

Safety cases for fixed installations

3.—(1) The operator of a fixed installation which is to be established shall—

- (a) prepare a safety case containing the particulars specified in regulation 7 and Schedule 1; and
- (b) send the safety case to the Department,

at such time before completion of the design of the installation as will enable him to take account in the design of any matters relating to health and safety raised by the Department within 3 months of that time.

(2) The operator of a fixed installation shall ensure that it is not operated unless—

- (a) he has prepared a safety case containing the particulars specified in regulation 7 and Schedule 2;
- (b) he has sent the safety case to the Department at least 6 months before commencing the operation; and
- (c) the Department has accepted the safety case.

(3) For the purposes of paragraph (2) the operation of an installation shall be treated as commenced—

- (a) on the commencement of the first well drilling operation from the installation which may involve the release of hydrocarbons from beneath the sea-bed; or
- (b) when hydrocarbons are brought onto the installation for the first time through a pipe-line or well,

whichever is earlier.

(4) A safety case prepared pursuant to paragraph (2) may be prepared in relation to more than one fixed installation where the Department so approves, and where a safety case is to be so prepared in relation to installations with different operators it shall be sufficient compliance with paragraph (2)(a) and (b) if the operators prepare and agree the safety case containing the particulars referred to in that paragraph and one of them sends it to the Department in accordance with paragraph (2)(b).

Safety case for mobile installations

4. The owner of a mobile installation shall ensure that the installation is not moved in relevant waters with a view to its being operated there unless—

- (a) he has prepared a safety case containing the particulars specified in regulation 7 and Schedule 3;
- (b) he has sent the safety case to the Department at least 3 months before the movement of the installation in those waters with a view to its being operated there; and
- (c) the Department has accepted the safety case.

Safety case for combined operations

5.—(1) In preparing a safety case for an installation pursuant to regulation 3(2) or 4 or in making a revision thereof pursuant to regulation 8 account need not be taken of the fact that the installation is or is to be engaged in a combined operation with another installation.

(2) The operator of a fixed installation shall ensure that the installation is not engaged in a combined operation with a mobile installation, and the owner of a mobile installation shall ensure that the installation is not engaged in a combined operation with a fixed or mobile installation unless—

- (a) the operators of the installations so engaged and the owner of every mobile installation so engaged have prepared and (unless they are the same person) agreed a safety case containing the particulars specified in Schedule 4;
- (b) the safety case has been sent by an operator to the Department—
 - (i) in a case where a mobile installation is to carry out an operation on a well connected to a fixed installation (other than a well which is beneath or immediately adjacent to the installation), at least 4 weeks,
 - (ii) in any other case, 6 weeks,before the combined operation is commenced; and
- (c) the Department has accepted the safety case.

Safety case for decommissioning of fixed installations

6. The operator of a fixed installation shall ensure that the installation is not decommissioned unless—

- (a) he has prepared a safety case containing the particulars specified in regulation 7 and Schedule 5;
- (b) he has sent the safety case to the Department at least 6 months before the commencement of the decommissioning; and
- (c) the Department has accepted the safety case.

Management of health and safety and control of major accident hazards

7.—(1) An operator or owner who prepares a safety case pursuant to these Regulations (in this regulation referred to as “the duty holder”) shall, subject to paragraphs (2) and (3), include in the safety case sufficient particulars to demonstrate that—

- (a) his management system is adequate to ensure that the relevant statutory provisions will (in respect of matters within his control) be complied with in relation to the installation and any activity on or in connection with it;
- (b) he has established adequate arrangements for audit and for the making of reports thereof;
- (c) all hazards with the potential to cause a major accident have been identified; and
- (d) risks have been evaluated and measures have been, or will be, taken to reduce the risks to persons affected by those hazards to the lowest level that is reasonably practicable.

(2) Paragraph (1) shall only require the particulars in the safety case to demonstrate the matters referred to in that paragraph to the extent that it is reasonable to expect the duty holder to address them at the time of sending the safety case to the Department.

(3) Without prejudice to paragraphs 2 and 3 of Schedule 4, this regulation shall not apply to a safety case prepared pursuant to regulation 5(2).

- (4) In this regulation—

- (a) 'audit' means systematic assessment of the adequacy of the management system to achieve the purpose referred to in paragraph (1)(a) carried out by persons who are sufficiently independent of the system (but who may be employed by the duty holder) to ensure that such assessment is objective;
- (b) "management system" means the organisation and arrangements established by the duty holder for managing his undertaking.

Revision of safety cases

8.—(1) An operator or owner who has prepared a safety case pursuant to these Regulations shall revise its contents as often as may be appropriate; but nothing in this paragraph shall require the revision to be sent to the Department.

(2) Subject to paragraph (3), where a revision to be made under paragraph (1) (other than a revision of a safety case prepared pursuant to regulation 3(1)) will render the safety case materially different from the last version sent to the Department pursuant to these Regulations, the revision shall not be made unless—

(a) the safety case incorporating the proposed revision has been sent to the Department at least 3 months before that revision is proposed to be made; and

(b) the Department has accepted the revision,

and for the purposes of this paragraph in determining whether a revision will render the safety case materially different from the version referred to above, regard shall be had to the cumulative effect of that revision and any previous revisions made under paragraph (1) which were not required to be sent to the Department pursuant to this paragraph.

(3) Where a revision to which paragraph (2) applies—

(a) relates to the drilling of a well or the carrying out of any other operation on a well the period referred to in paragraph (2)(a) shall be 21 days;

(b) is of a safety case prepared pursuant to regulation 5(2) and does not relate to the matters referred to in sub-paragraph (a), the period referred to in paragraph (2)(a) shall be 6 weeks,

instead of 3 months.

(4) Where an operator or owner has prepared a safety case in respect of an installation in accordance with regulation 3(2) or 4 or made a revision thereof in accordance with this paragraph, a person shall not operate the installation beyond a period of 3 years from the date on which the last safety case or revision was accepted by the Department unless during that period—

(a) the operator or owner who prepared the safety case or made the revision has revised the contents of the safety case and sent that revision to the Department at least 3 months before that period has expired; and

(b) the Department has accepted the revision.

*Duty to conform with safety case***9.**—(1) Where—

- (a) an operator or owner has prepared a safety case pursuant to these Regulations (except regulation 3(1)) or made a revision thereof pursuant to regulation 8,
- (b) the safety case or revision describes any health or safety procedures or arrangements to be followed; and
- (c) the Department has accepted the safety case under the regulation concerned or in the case of a revision to which regulation 8(2) or (4) relates has accepted it under that regulation,

he shall ensure that those procedures and arrangements are followed.

(2) In criminal proceedings for a contravention of paragraph (1) it shall be a defence for the accused to prove that—

- (a) in the particular circumstances of the case it was not in the best interests of the health and safety of persons to follow the procedures or arrangements concerned and there was insufficient time to revise the safety case pursuant to regulation 8, or
- (b) the commission of the offence was due to a contravention by another person of regulation 13 and the accused had taken all reasonable precautions and exercised all due diligence to ensure that the procedures or arrangements were followed.

Notification of well operations

10.—(1) The operator of a fixed installation shall ensure that the drilling of a well from the installation is not commenced unless at least 21 days before its commencement he has sent to the Department a notification containing the particulars specified in Schedule 6.

(2) The operator of a mobile installation shall ensure that the carrying out of any operation in relation to a well or proposed well from the installation (including the drilling of a well) is not commenced unless at least 21 days before its commencement he has sent to the Department a notification containing the particulars specified in Schedule 6.

(3) Paragraphs (1) and (2) shall not apply where the drilling or operation is commenced before 21st December 1995.

(4) Where there is a material change in any of the particulars notified pursuant to paragraph (1) or (2), the operator of the installation concerned shall notify the Department of that change as soon as is practicable thereafter.

Notification of construction activities

11.—(1) The operator of an installation shall ensure that the carrying out of any construction activity is not commenced unless at least 28 days before its commencement he has sent to the Department a notification containing the particulars specified in Schedule 7.

(2) Paragraph (1) shall not apply where the construction activity is commenced before 30th September 1993.

Transitional provisions

12.—(1) Where a relevant activity is taking place on 31st August 1993 or it takes place within 3 months after that date, it shall be sufficient compliance with regulation 3(2), 4, 5, or 6 if—

- (a) the safety case referred to in that regulation is sent to the Department within 3 months after that date, and
- (b) the Department accepts the safety case within 27 months after that date (“the transitional period”).

(2) The absence of acceptance by the Department of a safety case prepared pursuant to regulation 3(2), 4, 5 or 6 shall not prevent the carrying on of a relevant activity during the transitional period.

(3) Regulation 5(2) shall not apply if the engagement of the installation in the combined operation ceases and is not re-commenced during the transitional period.

(4) Where, on 31st August 1993, a mobile installation is being operated in relevant waters or is being maintained on a station in relevant waters with a view to its being operated there, the installation shall, for the purposes of regulation 4, be treated as being moved on that date in relevant waters with a view to its being operated there and paragraphs (1) to (3) shall apply accordingly.

(5) In this regulation “relevant activity” in relation to any provision means the activity prohibited by that provision.

Co-operation

13.—(1) Every person to whom this regulation applies shall co-operate with the operator and owner of an installation (in this regulation referred to as the first-mentioned installation) and with the operator and owner of an installation engaged in a combined operation with it, so far as is necessary to enable them to comply with the provisions of these Regulations.

(2) This regulation applies to—

- (a) the operator of the first-mentioned installation insofar as paragraph (1) requires him to co-operate with the owner of that installation and with the operator and owner of an installation engaged in a combined operation with it;
- (b) the owner of the first-mentioned installation insofar as paragraph (1) requires him to co-operate with the operator of that installation and with the operator and owner of an installation engaged in a combined operation with it;
- (c) any other employer of persons and a self-employed person carrying out an activity on the first-mentioned installation or in connection with it;
- (d) the operator and owner of an installation connected by a pipe-line to the first-mentioned installation;
- (e) the person in control of a stand-by vessel for the first-mentioned installation;

- (f) the person in control of a heavy lift vessel used in relation to the first-mentioned installation; and
- (g) the owner of a pipe-line connected to the first-mentioned installation.

Keeping of documents

14.—(1) An operator or owner who prepares a safety case pursuant to these Regulations shall—

- (a) ensure that when the safety case is sent to the Department it is notified of an address in Northern Ireland for the purposes of sub-paragraphs (b), (c) and (g);
- (b) keep a copy of the safety case and any revision thereof at the address referred to in sub-paragraph (a) and on the installation to which the safety case relates;
- (c) keep a copy of each audit report at the address referred to in sub-paragraph (a);
- (d) ensure that in respect of each audit report a written statement is made recording—
 - (i) the main findings of the report;
 - (ii) the recommendations in the report; and
 - (iii) the action proposed to implement those recommendations including the timescales involved;
- (e) keep a copy of the written statement referred to in sub-paragraph (d) on the installation to which it relates;
- (f) ensure that a record is made of any action taken in consequence of an audit report; and
- (g) keep a copy of the record referred to in sub-paragraph (f) at the address referred to in sub-paragraph (a) and on the installation to which it relates.

(2) The copy of the audit report, written statement, and record referred to in paragraph (1) shall be kept for a period of 3 years after they have been made, and the copy of the safety case and revision referred to in that paragraph shall be kept for so long as it is current.

(3) It shall be sufficient compliance with sub-paragraphs (b), (c), (e) and (g) of paragraph (1) for the information in the documents referred to in those sub-paragraphs to be kept at the place referred to therein on film or by electronic means provided that the information is capable of being reproduced as a written copy at that place and that it is secure from loss or unauthorised interference.

(4) In this regulation “audit report” means a report made pursuant to the arrangements referred to in regulation 7(1)(b).

Amendments to the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989

15. The Offshore Installations (Safety Representatives and Safety

Committees) Regulations 1989(a) shall be amended as specified in Schedule 8.

Exemptions

16.—(1) Subject to paragraph (2), the Department may, by a certificate in writing, exempt any person, installation or class of persons or installations from any requirement or prohibition imposed by these Regulations and any such exemption may be granted subject to conditions and with or without limit of time and may be revoked by a certificate in writing at any time.

(2) Without prejudice to the generality of paragraph (1), where any requirement or prohibition in these Regulations makes reference to—

- (a) either a time or period for sending a safety case or notification to the Department, the Department may, subject to paragraph (3) and in the particular case, specify a later time or shorten the period,
- (b) a period beyond which something shall not be done, the Department may, subject to paragraph (3) and in the particular case, lengthen the period,

and the exercise of such a power shall have effect as an exemption granted by the Department subject to the condition that the requirement or prohibition is observed with the later time or shorter or longer period substituted for that referred to in it.

(3) The Department shall not grant any such exemption unless, having regard to the circumstances of the case, and in particular to—

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any statutory provision which apply to the case,

it is satisfied that the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

Sealed with the Official Seal of the Department of Economic Development on 4th May 1993.

(L.S.)

Philip B. Strong

Assistant Secretary

Particulars to be included in a safety case for the design of a fixed installation

1. The name and address of the operator of the installation.
2. A general description of the means by which the management system of the operator, referred to in regulation 7, will ensure that the structure and plant of the installation will be designed, selected, constructed and commissioned in a way which will reduce risks to health and safety to the lowest level that is reasonably practicable.
3. A description, with scale diagrams, of—
 - (a) the main and secondary structure of the installation;
 - (b) its plant;
 - (c) the layout and configuration of its plant;
 - (d) the connections to be made to any pipe-line or installation; and
 - (e) any wells to be connected to the installation.
4. A scale plan of the intended location of the installation and of anything to be connected to it, and particulars of—
 - (a) the meteorological and oceanographic conditions to which the installation may foreseeably be subjected; and
 - (b) the properties of the sea-bed and subsoil at its location.
5. Particulars of the types of operation, and activities in connection with an operation, which the installation is to be capable of performing.
6. The maximum number of persons—
 - (a) expected to be on the installation at any time; and
 - (b) for whom accommodation is to be provided.
7. Particulars of the plant and arrangements for the control of operations on a well, including those to—
 - (a) control the pressure in a well;
 - (b) prevent the uncontrolled release of hazardous substances; and
 - (c) minimise the effects of damage to subsea equipment by drilling equipment.
8. A description of any pipe-line with the potential to cause a major accident, including—
 - (a) the fluid which it conveys;
 - (b) its dimensions and layout;
 - (c) its contained volume at declared maximum allowable operating pressure; and
 - (d) any apparatus and works intended to secure safety.
9. Particulars of plant and arrangements for—
 - (a) the detection of the presence of toxic or flammable gas; and
 - (b) the detection, prevention or mitigation of fires.

10. A description of the arrangements to be made for protecting persons on the installation from hazards of explosion, fire, heat, smoke, toxic gas or fumes during any period while they may need to remain on the installation following an incident which is beyond immediate control and for enabling such persons to be evacuated from the installation where necessary, including the provision for—

- (a) temporary refuge;
- (b) routes from locations where persons may be present to temporary refuge and for egress therefrom to points from where the installation may be evacuated;
- (c) means of evacuation at those points; and
- (d) facilities within temporary refuge for the monitoring and control of the incident and for organising evacuation.

11. A statement of performance standards which have been established in relation to the arrangements referred to in paragraph 10 (including performance standards which have been established for structures and plant provided pursuant to such arrangements), and a statement of the minimum period for which the arrangements as a whole are intended to be effective following an incident referred to in that paragraph.

12. A demonstration, by reference to the results of suitable and sufficient quantitative risk assessment, that the measures taken or to be taken in relation to the hazards referred to in paragraph 10, including the arrangements mentioned in that paragraph, will reduce risks to the health and safety of persons to the lowest level that is reasonably practicable.

13. Particulars of the intended methods of design and construction, and of the principal codes of practice to be observed in relation to them.

14. A description of—

- (a) the principal features of the design of the installation, and the arrangements and procedures for its completion; and
- (b) the arrangements and procedures for the construction and commissioning of the installation,

which are intended to ensure that risks from a major accident will be at the lowest level that is reasonably practicable.

Particulars to be included in a safety case for the operation of a fixed installation

1. The name and address of the operator of the installation.
2. A description, with scale diagrams, of—
 - (a) the main and secondary structure of the installation and its materials;
 - (b) its plant;
 - (c) the layout and configuration of its plant;
 - (d) the connections to be made to any pipe-line or installation; and
 - (e) any wells to be connected to the installation.
3. A scale plan of the location of the installation and of anything connected to it, and particulars of—
 - (a) the meteorological and oceanographic conditions to which the installation may foreseeably be subjected; and
 - (b) the properties of the sea-bed and subsoil at its location.
4. Particulars of the types of operation, and activities in connection with an operation, which the installation is capable of performing.
5. The maximum number of persons—
 - (a) expected to be on the installation at any time; and
 - (b) for whom accommodation is to be provided.
6. Particulars of the plant and arrangements for the control of operations on a well, including those to—
 - (a) control the pressure in a well;
 - (b) prevent the uncontrolled release of hazardous substances; and
 - (c) minimise the effects of damage to subsea equipment by drilling equipment.
7. A description of any pipe-line with the potential to cause a major accident, including—
 - (a) the fluid which it conveys;
 - (b) its dimensions and layout;
 - (c) its contained volume at declared maximum allowable operating pressure; and
 - (d) any apparatus and works intended to secure safety.
8. Particulars of plant and arrangements for—
 - (a) the detection of the presence of toxic or flammable gas; and
 - (b) the detection, prevention or mitigation of fires.
9. A description of the arrangements made or to be made for protecting persons on the installation from hazards of explosion, fire, heat, smoke, toxic gas or fumes during any period while they may need to remain on the installation following an incident which is beyond immediate control and for enabling such persons to be evacuated from the installation where necessary, including the provision for—

- (a) temporary refuge;
 - (b) routes from locations where persons may be present to temporary refuge and for egress therefrom to points from where the installation may be evacuated;
 - (c) means of evacuation at those points; and
 - (d) facilities within temporary refuge for the monitoring and control of the incident and for organising evacuation.
10. A statement of performance standards which have been established in relation to the arrangements referred to in paragraph 9 (including performance standards which have been established for structures and plant provided pursuant to such arrangements), and a statement of the minimum period for which the arrangements as a whole are intended to be effective following an incident referred to in that paragraph.
11. A demonstration, by reference to the results of suitable and sufficient quantitative risk assessment, that the measures taken or to be taken in relation to the hazards referred to in paragraph 9, including the arrangements mentioned in that paragraph, will reduce risks to the health and safety of persons to the lowest level that is reasonably practicable.
12. Particulars of the main requirements in the specification for the design of the installation and its plant, including any limits for safe operation or use specified therein.
13. Sufficient particulars to demonstrate that the design of the installation, its plant and the pipe-lines connected to it is such that the risks from a major accident are at the lowest level that is reasonably practicable.
14. Particulars concerning any remedial work to be carried out to the installation or the plant referred to in the preceding paragraphs, and the time by which it will be done.

Particulars to be included in a safety case for a mobile installation

1. The name of the owner of the installation.
2. A description, with scale diagrams, of—
 - (a) the main and secondary structure of the installation and its materials;
 - (b) its plant; and
 - (c) the layout and configuration of its plant.
3. Particulars of the types of operation, and activities in connection with an operation, which the installation is capable of performing.
4. The maximum number of persons—
 - (a) expected to be on the installation at any time; and
 - (b) for whom accommodation is to be provided.
5. Particulars of the plant and arrangements for the control of operations on a well, including those to—
 - (a) control the pressure in a well;
 - (b) prevent the uncontrolled release of hazardous substances; and
 - (c) minimise the effects of damage to subsea equipment by drilling equipment.
6. Particulars of plant and arrangements for—
 - (a) the detection of the presence of toxic or flammable gas; and
 - (b) the detection, prevention or mitigation of fires.
7. A description of the arrangements made or to be made for protecting persons on the installation from hazards of explosion, fire, heat, smoke, toxic gas or fumes during any period while they may need to remain on the installation following an incident which is beyond immediate control and for enabling such persons to be evacuated from the installation where necessary, including the provision for—
 - (a) temporary refuge;
 - (b) routes from locations where persons may be present to temporary refuge and for egress therefrom to points from where the installation may be evacuated;
 - (c) means of evacuation at those points; and
 - (d) facilities within temporary refuge for the monitoring and control of the incident and for organising evacuation.
8. A statement of performance standards which have been established in relation to the arrangements referred to in paragraph 7 (including performance standards which have been established for structures and plant provided pursuant to such arrangements), and a statement of the minimum period for which the arrangements as a whole are intended to be effective following an incident referred to in that paragraph.
9. A demonstration, by reference to the results of suitable and sufficient quantitative risk assessment, that the measures taken or to be taken in relation to the hazards referred to in paragraph 7, including the arrangements mentioned in that

paragraph, will reduce risks to the health and safety of persons to the lowest level that is reasonably practicable.

10. Particulars of the main requirements in the specification for the design of the installation and its plant, including any limits for safe operation and use specified therein.

11. Particulars of—

- (a) the limits of the environmental conditions beyond which the installation cannot safely be stationed or operated;
- (b) the properties of the sea-bed and subsoil which are necessary for the safe stationing and operation of the installation; and
- (c) the locations in which the installation may be stationed and operated safely.

12. Sufficient particulars to demonstrate that the design of the installation and its plant is such that the risks from a major accident are at the lowest level that is reasonably practicable.

13. Particulars concerning any remedial work to be carried out to the installation or the plant referred to in the preceding paragraphs, and the time by which it will be done.

Particulars to be included in a safety case for combined operations

1. The names and addresses of the operators and owners preparing the safety case.

2. Particulars which, were it not for regulation 5(1), would be contained in the safety cases prepared for the installations pursuant to regulation 3(2) or 4 or in a revision thereof pursuant to regulation 8.

3. Sufficient particulars to demonstrate that the management systems referred to in those safety cases pursuant to regulation 7 will be co-ordinated so as to reduce the risks from a major accident to the lowest level that is reasonably practicable.

4. Particulars of any plant installed solely for the purpose of permitting the installations to engage in the combined operation.

5. A demonstration that any limits for the safe operation or use of plant which are contained in the specifications for the design of the installations or their plant will not be exceeded while the installations are engaged in the combined operation.

6. A programme of work for the combined operation.

7. The date when the installations will cease to be engaged in the combined operation.

Particulars to be included in a safety case for the decommissioning of a fixed installation

1. The name and address of the operator of the installation.
2. A description, with scale diagrams, of—
 - (a) the main and secondary structure of the installation and its materials;
 - (b) its plant;
 - (c) the layout and configuration of its plant;
 - (d) the connections made to any pipe-line or installation; and
 - (e) any wells connected to the installation.
3. A scale plan of the location of the installation and of anything connected to it, and particulars of—
 - (a) the meteorological and oceanographic conditions to which the installation may foreseeably be subjected; and
 - (b) the properties of the sea-bed and subsoil at its location.
4. Particulars of the operations which were being carried out, including activities on- and in connection with the installation relating to each operation.
5. The maximum number of persons at work on the installation during decommissioning.
6. Particulars of the plant and arrangements for the control of the operations on a well, including those to—
 - (a) control the pressure in a well;
 - (b) prevent the uncontrolled release of hazardous substances; and
 - (c) minimise the effects of damage to subsea equipment by drilling equipment.
7. A description of any pipe-line with the potential to cause a major accident, including—
 - (a) the fluid which it conveys;
 - (b) its dimensions and layout;
 - (c) its contained volume at declared maximum allowable operating pressure; and
 - (d) any apparatus and works intended to secure safety.
8. Particulars of plant and arrangements for—
 - (a) the detection of the presence of toxic or flammable gas;
 - (b) the detection, prevention or mitigation of fires; and
 - (c) the protection of persons from the consequences of the presence of such toxic or flammable gas or fires.
9. Particulars of escape routes, embarkation points and means of evacuation to enable the full and safe evacuation and rescue of persons to take place in an emergency.

10. Sufficient particulars to demonstrate that the proposed arrangements, methods and procedures for—

- (a) dealing, by way of abandonment or otherwise, with any wells to which the installation is connected;
 - (b) decommissioning the installation and connected pipe-lines; and
 - (c) demolishing or dismantling the installation and connected pipe-lines,
- take adequate account of the design and method of construction of the installation and its plant, and reduce risks from a major accident to the lowest level that is reasonably practicable.

Particulars to be included in notification of well operations

1. The name and address of the operator of the installation.
2. Particulars of the fluids to be used to control the pressure of the well.
3. Particulars of any plant, not described in the current safety case for the installation, which is to be used in connection with the operations on the well.
4. Particulars of the type of well, its number, and slot number, and the name of any field development of which it may be part.
5. Particulars, with scale diagrams, of—
 - (a) the location of the top of the well;
 - (b) the directional path of the well-bore;
 - (c) its terminal depth and location; and
 - (d) its position, and that of nearby wells, relative to each other.
6. A description of the operations on the well or, in the case of a fixed installation, of the operations involved in the drilling of the well, and a programme of works which includes—
 - (a) the dates on which the operations are expected to commence and finish; and
 - (b) the intended operational state of the well at the end of the operations.
7. A description of—
 - (a) any activities on or in connection with the installation, during operations on the well described pursuant to paragraph 6, which will involve any hazards with the potential to cause a major accident; and
 - (b) any hazards referred to in sub-paragraph (a).
8. In the case of a well which is to be drilled—
 - (a) particulars of the geological strata and formations, and of fluids within them, through which it will pass, and of any hazards with the potential to cause a major accident which they may contain;
 - (b) the procedures for effectively monitoring the direction of the well-bore, and for minimising the likelihood and effects of intersecting nearby wells; and
 - (c) a description of the design of the well, including the limits on its safe operation and use.
9. In the case of an existing well—
 - (a) a diagram of the well;
 - (b) a summary of earlier operations in relation to it;
 - (c) the purposes for which it has been used;
 - (d) its current operational state;
 - (e) its state of repair;
 - (f) the physical conditions within it; and
 - (g) its production capacity.

10. Where operations in relation to a well are to be carried out from a mobile installation, particulars of—

- (a) the meteorological and oceanographic conditions to which the installation may foreseeably be subjected;
- (b) the depth of water; and
- (c) the properties of the sea-bed and subsoil,

at the location at which the operations will be carried out.

11. Where operations in relation to a well are to be carried out from a mobile installation, sufficient particulars to demonstrate that the arrangements and procedures of the operator and owner of the installation for managing the operations are co-ordinated to reduce risks from a major accident to the lowest level that is reasonably practicable.

Particulars to be included in notification of construction activities

1. The name and address of the operator of the installation.
2. The location at which the construction activity is to take place.
3. The name of any installation or heavy lift vessel to be involved in the construction activity (including one providing accommodation for persons engaged in the activity).
4. The dates on which the construction activity is expected to commence and finish.
5. A description of the nature of the construction activity and of the hazards with the potential to cause a major accident which it involves.
6. Particulars of the proposed programme of work.
7. The name of an individual who will be able to make arrangements to facilitate any inspection by an inspector of the construction activity, and details of how that person can be contacted.

Amendments to the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989

The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989(a) shall be amended in accordance with paragraphs 1 to 5.

1. After regulation 17(5) add—

“(5A) A safety representative may receive information given under Article 30(8) of the Health and Safety at Work (Northern Ireland) Order 1978 by an inspector appointed under Article 21 of that Order.”.

2. In regulation 18 after “A safety representative shall” add “subject to regulation 18A(2)(a) below” and at the end of the regulation add “or a safety case or revision to which regulation 18A below applies”.

3. After regulation 18 add—

“18A.—(1) A safety representative shall be entitled—

(a) to be supplied, by or on behalf of the installation manager, with a written summary of the main features of a safety case or revision thereof relating to the offshore installation and prepared pursuant to the Offshore Installations (Safety Case) Regulations (Northern Ireland) 1993, such summary to include any particulars concerning remedial work and the time by which it will be done;

(b) to see a copy of that safety case or revision;

(c) to be supplied, by or on behalf of the installation manager, with copies of such parts of that safety case or revision thereof as the safety representative needs for the purpose of performing any of his functions in circumstances where his entitlement under sub-paragraphs (a) and (b) is insufficient for that purpose.

(2) The references in—

(a) regulation 18 to seeing a document, where the statutory provision concerned allows the information in the document to be kept on film or in electronic form and it is so kept;

(b) regulation 18A(1)(b) to seeing a safety case or revision, where the information in it is kept on film or in electronic form on the installation, are references to having appropriate facilities to enable him to read that information.”.

4. In regulation 23 after paragraph (b) insert—

“(c) without prejudice to paragraph (b) above, to consult safety representatives on the preparation of a safety case relating to the installation under the Offshore Installations (Safety Case) Regulations (Northern Ireland) 1993.”.

5. In regulation 25(1) for “regulation 18 above” substitute “regulation 18 or 18A and to provide the facilities to which a safety representative is entitled under those regulations.”

(This note is not part of the Regulations.)

These Regulations provide for the preparation of safety cases for offshore installations and for the notification of specified activities to the Department of Economic Development ('the Department').

A safety case is defined in the Regulations as a document containing specified information relating to the management of health and safety and the control of major accident hazards and containing the particulars specified in the Schedule referred to in the provision of the Regulations under which it is prepared (*regulations 2(2) and 7*).

The Regulations—

- (a) require the operator of a fixed installation to prepare and send to the Department a safety case before the completion of the design of such an installation (*regulation 3(1) and Schedule 1*);
- (b) prohibit the operation of a fixed installation unless a safety case has been sent to and accepted by the Department (*regulation 3(2) and Schedule 2*);
- (c) prohibit the movement of a mobile installation in relevant waters (as defined in *regulation 2(1)*) with a view to its being operated there unless the owner has prepared a safety case which has been sent to and accepted by the Department (*regulation 4 and Schedule 3*);
- (d) prohibit the engagement of an installation in a combined operation with another unless a safety case has been prepared, sent to and accepted by the Department (*regulation 5 and Schedule 4*);
- (e) prohibit the operator of a fixed installation from decommissioning it unless a safety case has been prepared, sent to and accepted by the Department (*regulation 6 and Schedule 5*);
- (f) require that where certain revisions proposed to be made will render the safety case materially different from the last revision sent to the Department, the revision shall not be made unless certain conditions have been satisfied. A person shall not operate an installation beyond a period of 3 years from the date on which the last safety case or revision was accepted by the Department unless certain conditions are satisfied (*regulation 8*);
- (g) require any procedures or arrangements in safety cases to be followed and provide for specified defences for contravention of the requirement (*regulation 9*);
- (h) require certain operations in relation to wells or proposed wells commenced on or after 21st December 1995 to be notified to the Department, such notifications to contain specified particulars (*regulation 10 and Schedule 6*);
- (i) require certain construction activities to be notified to the Department, such notifications to contain specified particulars (*regulation 11 and Schedule 7*);

- (j) contain transitional provisions in respect of activities in existence or commenced within a specified time of the coming into operation of the Regulations (*regulation 12*);
- (k) impose requirements on specified persons to co-operate with the operator and owner of an offshore installation to enable such an operator and owner to comply with the provisions of the Regulations (*regulation 13*);
- (l) impose requirements with respect to the making and keeping of documents (*regulation 14*);
- (m) amend the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 (S.I. 1989/971) as respects a safety representative's entitlement to see and be supplied with documents and information, and amend those Regulations so as to require safety representatives to be consulted on the preparation of safety cases (*regulation 15 and Schedule 8*);
- (n) provide that the Department, by a certificate in writing may, subject to conditions, grant exemptions from the Regulations (*regulation 16*).

A person who contravenes the Regulations is guilty of an offence under Article 31 of the Health and Safety at Work (Northern Ireland) Order 1978.