
EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. These Regulations contain requirements relating to pipelines, for purposes of health and safety.
2. Save as indicated below, or in the case of regulation 19(2), the requirements in these Regulations are imposed on the “operator”, defined in regulation 2(1), which also contains other definitions.
3. Regulation 3 and Schedule 1 define “pipeline” for the purposes of the Regulations.
4. Regulation 4 provides for the application of the Regulations. In particular, paragraph (1) has the effect that, in United Kingdom territorial waters adjacent to Northern Ireland, they apply only to pipelines and certain activities.
5. The Regulations require—
 - (a) that a pipeline be designed to withstand the expected strains and processes (*regulation 5*);
 - (b) the provision of safety systems necessary for health and safety (*regulation 6*);
 - (c) that a pipeline be so designed that it may be examined and maintained with safety (*regulation 7*);
 - (d) that a pipeline be constructed of suitable materials (*regulation 8*);
 - (e) that a pipeline be so constructed and installed that it is sound and fit for its purpose (*regulation 9*);
 - (f) that work on a pipeline is carried out in such a way that its integrity will not be prejudiced (*regulation 10*);
 - (g) that the safe operating limits of a pipeline be established and not exceeded, save for testing (*regulation 11*);
 - (h) that adequate arrangements be made for dealing with incidents and emergencies involving a pipeline (*regulation 12*);
 - (i) that a pipeline be maintained in good repair (*regulation 13*);
 - (j) that a disused pipeline be left in a safe condition; and that work for that purpose be performed safely (*regulation 14*);
 - (k) that a person shall not cause such damage to a pipeline as may give rise to danger (*regulation 15*);
 - (l) that reasonable steps be taken to draw attention to the presence of a pipeline (*regulation 16*); and
 - (m) that operators of different parts of a pipeline co-operate with each other so far as necessary to enable them to comply with these Regulations (*regulation 17*).
6. In relation to a “major accident hazard pipeline” (defined by regulation 18 as a pipeline in which a dangerous fluid, a fluid described in Schedule 2, is being, or is to be, conveyed), the Regulations contain requirements—
 - (a) for an emergency shut-down valve, where the pipeline is connected to an offshore oil or gas installation (*regulation 19 and Schedule 3*);

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- (b) for detailed information to be notified to the Department of Economic Development (“the Department”) in specified circumstances (*regulations 20 to 22 and Schedules 4 and 5*);
- (c) to prepare, and follow arrangements and procedures described in, a document containing specified information (*regulation 23*);
- (d) to establish procedures to be followed in an emergency (*regulation 24*); and
- (e) for the Department to prepare a plan to cope with an emergency from such pipeline, and containing other provision, including provision for the Department to charge reasonable fees for arranging the preparation, review and revision of the plan (*regulations 25 and 26*).

7. The Regulations also—

- (a) contain transitional provision (*regulation 27*);
- (b) provide a defence for their contravention (*regulation 28*);
- (c) provide for the issue of certificates of exemption by the Department (*regulation 29*); and
- (d) repeal certain provisions of the Gas (Northern Ireland) Order 1996 and revoke or modify certain statutory provisions (*regulations 30 and 31 and Schedule 6*).

8. In Great Britain the corresponding Regulations are the Pipelines Safety Regulations 1996 (S.I.1996/825). The Health and Safety Executive has prepared an Analysis of Burdens in relation to those Regulations and a Northern Ireland Cost Benefit Assessment based on that Analysis and prepared by the Department is held at 83 Ladas Drive, Belfast, BT6 9FJ, from where a copy may be obtained on request.

9. A person who contravenes the Regulations or any requirement or prohibition imposed thereunder is guilty of an offence under Article 31 of the Health and Safety at Work (Northern Ireland) Order 1978 and is liable, on summary conviction, to a fine not exceeding the statutory maximum (currently £5,000) or, on conviction on indictment, to a fine.