



# Petroleum Act 1987

## 1987 CHAPTER 12

### PART III

#### MISCELLANEOUS

##### *Safety zones*

#### **21 Automatic establishment of safety zones**

- (1) Subject to subsections (3) and (4), there shall be a safety zone around every installation which, or part of which, is in waters to which subsection (7) applies if—
- (a) it is stationed there so that any of the activities mentioned in subsection (2) may be carried out on, from or by means of it, or
  - (b) it is being assembled at a station where it is to be used for such a purpose, or
  - (c) it remains or is being dismantled at a station where it has been used for such a purpose.
- (2) The activities referred to in subsection (1) are—
- (a) the exploitation or exploration of mineral resources in or under the shore or bed of waters to which subsection (7) applies;
  - (b) the storage of gas in or under the shore or bed of such waters or the recovery of gas so stored;
  - (c) the conveyance of things by means of a pipe, or system of pipes, constructed or placed on, in or under the shore or bed of such waters;
  - (d) the provision of accommodation for persons who work on or from an installation satisfying the condition in paragraph (a), (b) or (c) of subsection (1).
- (3) Subsection (1) shall not apply to an installation in respect of which an order under section 22 has effect, or to one which—
- (a) is connected with dry land by a permanent structure providing access at all times and for all purposes, or
  - (b) does not project above the sea at any state of the tide.

---

*Status: This is the original version (as it was originally enacted).*

---

- (4) The Secretary of State may by order exclude any installation or any description of installation from the operation of subsection (1), and may do so generally or by reference to specified activities or locations or in any other way.
- (5) A safety zone established by subsection (1) shall extend to every point within 500 metres of any part of the installation (ignoring any moorings) and to every point in the water which is vertically above or below such a point.
- (6) A safety zone established by subsection (1) may extend to waters outside waters to which subsection (7) applies.
- (7) The waters to which this subsection applies are—
  - (a) tidal waters and parts of the sea in or adjacent to the United Kingdom up to the seaward limits of the territorial sea, and
  - (b) waters in an area designated under section 1(7) of the Continental Shelf Act 1964.

## **22 Establishment of safety zones by order**

- (1) The Secretary of State may by order establish a safety zone around any installation which, or part of which, is stationed in waters to which subsection (7) of section 21 applies, or is being assembled or dismantled in such waters.
- (2) The area of a safety zone established by an order under this section shall be defined in the order and may extend outside waters to which subsection (7) of section 21 applies, but shall not extend to any point which would be outside a zone defined in accordance with subsection (5) of that section.
- (3) An order under this section may be made in anticipation of an installation's arriving at its station, so as to come into force when it does so.

## **23 Safety zones: offences**

- (1) Where by virtue of this Act there is a safety zone around an installation, no vessel shall enter or remain in the zone except—
  - (a) in the case of a safety zone established by an order under section 22, in accordance with that order, or
  - (b) in that or any other case, in accordance with regulations made or a consent given by the Secretary of State.
- (2) If a vessel enters or remains in a safety zone in contravention of subsection (1) then, subject to subsection (3), its owner and its master shall each be guilty of an offence and liable—
  - (a) on summary conviction, to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (3) It shall be a defence for a person charged with an offence under this section to prove that the presence of the installation or the existence of the safety zone was not, and would not on reasonable enquiry have become, known to the master.

- (4) Where the commission by any person of an offence under this section is due to the act or default of some other person, that other person shall also be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (5) Where an offence committed by a body corporate under this section is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (6) Where the affairs of a body corporate are managed by its members, subsection (5) shall apply in relation to acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (7) Proceedings for an offence under this section may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.
- (8) In this section "vessel" includes a hovercraft, submersible apparatus (within the meaning of section 16(2) of the Merchant Shipping Act 1974) and an installation in transit; and "master"—
  - (a) in relation to a hovercraft, means the captain,
  - (b) in relation to submersible apparatus, means the person in charge of the apparatus, and
  - (c) in relation to an installation in transit, means the person in charge of the transit operation.

## **24 Safety zones: supplementary**

- (1) For the purposes of sections 21 to 23—
  - (a) any floating structure or device maintained on a station by whatever means, and
  - (b) any apparatus or works treated as associated with a pipe or system of pipes by section 33 of the Petroleum and Submarine Pipe-lines Act 1975 (but not anything else within the definition of pipe-line in that section),shall be taken to be an installation.
- (2) Any power to make orders or regulations under sections 21 to 23 shall be exercisable by statutory instrument, and a statutory instrument containing an order under section 21 or regulations under section 23 shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Sections 21 to 23—
  - (a) so far as they apply to individuals, apply to them whether or not they are British citizens, and
  - (b) so far as they apply to bodies corporate, apply to them whether or not they are incorporated in any part of the United Kingdom.
- (4) Section 21 of the Oil and Gas (Enterprise) Act 1982, and any orders made under it, shall cease to have effect when this section comes into force (but without prejudice to the anticipatory exercise, by virtue of section 13 of the Interpretation Act 1978, of any power conferred by this Act).

---

*Status: This is the original version (as it was originally enacted).*

---

- (5) In section 22 of the Oil and Gas (Enterprise) Act 1982 (application offshore of the criminal law etc.), for subsection (3) there shall be substituted—
- “(3) Where a body corporate is guilty of an offence by virtue of an Order in Council under this section and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (3A) Where the affairs of a body corporate are managed by its members, subsection (3) shall apply in relation to acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (3B) Proceedings for anything that is an offence by virtue of an Order in Council under this section may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.”
- (6) In section 27 of the Oil and Gas (Enterprise) Act 1982 (which restricts prosecutions for certain offences)—
- (a) in subsection (1), paragraph (d) shall be omitted, and
- (b) in subsections (3) and (4), for the words "section 21 above" there shall be substituted the words "section 23 of the Petroleum Act 1987".