



Offshore Safety (Protection Against Victimisation) Act 1992

1992 CHAPTER 24

An Act to protect employees working on offshore installations against victimisation when acting as safety representatives or members of safety committees. [16th March 1992]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Protection against victimisation

(1) In relation to an offshore employee, the Employment Protection (Consolidation) Act 1978 and the Trade Union and Labour Relations (Consolidation) Act 1992 shall each have effect as if—

- (a) the purposes specified in section 146(1) of the 1992 Act (action short of dismissal on grounds related to union membership or activities) included preventing or deterring him from carrying out any relevant functions, or penalising him for doing so; and
- (b) the reasons specified in section 152(1) of the 1992 Act (dismissal on grounds related to union membership or activities) included the reason that he had carried out, or proposed to carry out, any such functions.

(2) In this section—

“offshore employee” means an employee (within the meaning of the 1978 Act) who is or was employed on an offshore installation;

“offshore installation” means any installation which is an offshore installation within the meaning of the Mineral Workings (Offshore Installations) Act 1971, or is to be taken to be an installation for the purposes of sections 21 to 23 of the Petroleum Act 1987;

Status: This is the original version (as it was originally enacted).

“relevant functions”, in relation to an offshore employee, means any functions conferred on him, as a safety representative or as a member of a safety committee—

- (a) by the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989; or
 - (b) by any corresponding regulations made under Part I of the Health and Safety at Work etc. Act 1974.
- (3) In relation to any time before the commencement of the 1992 Act, subsection (1) above shall have effect as if—
- (a) the reference to that Act were omitted; and
 - (b) the references to sections 146(1) and 152(1) of that Act were references to sections 23(1) and 58(1) respectively of the 1978 Act.

2 Short title and extent

- (1) This Act may be cited as the Offshore Safety (Protection Against Victimisation) Act 1992.
- (2) This Act does not extend to Northern Ireland.