

1972 No. 702

OFFSHORE INSTALLATIONS**The Offshore Installations (Registration) Regulations 1972**

<i>Made</i>	- - -	<i>3rd May 1972</i>
<i>Laid before Parliament</i>		<i>10th May 1972</i>
<i>Coming into Operation</i>		<i>1st June 1972</i>

Whereas the Secretary of State has consulted pursuant to section 7(1) of the Mineral Workings (Offshore Installations) Act 1971(a) (hereinafter referred to as "the Act") with organisations in the United Kingdom appearing to him to be representative of those persons who will be affected by the following Regulations:

Now, therefore, the Secretary of State, in exercise of his powers under sections 2, 7 and 12(2) of the Act and all other powers enabling him in that behalf hereby makes the following Regulations:—

Citation, commencement and interpretation

1. These Regulations may be cited as the Offshore Installations (Registration) Regulations 1972 and shall come into operation on 1st June 1972.

2.—(1) For the purposes of these Regulations—

“mobile installation” means an offshore installation which can be moved from place to place without major dismantling or modification, whether or not it has its own motive power; and

“fixed installation” means an offshore installation which is not a mobile installation.

(2) Nothing in these Regulations shall apply to dredging installations which are registered as vessels (whether in the United Kingdom or elsewhere).

(3) References in these Regulations to an offshore installation shall by virtue of section 12(2) of the Act include references to a part of an offshore installation capable of being manned by one or more persons only where the part does not form or is not intended to form part of an installation already registered under these Regulations.

(4) References in these Regulations to the relevant waters are references to the waters to which the Act applies.

(5) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(a) 1971 c. 61.

(b) 1889 c. 63.

Register and fees relating to offshore installations

3.—(1) A Register of Offshore Installations shall be maintained at the offices of the Department of Trade and Industry and applications for the registration or reregistration of offshore installations, for the amendment of entries in the Register and for the issue or amendment of certificates of registration and notifications required by any provision of these Regulations to be given to the Secretary of State shall be addressed to him at those offices.

(2) Where application is duly made to register an offshore installation, the Secretary of State shall cause particulars of the installation to be entered in the Register and two copies of a certificate of registration to be issued; and when application is duly made to reregister an installation he shall cause it to be reregistered and two copies of a fresh certificate of registration to be issued accordingly:

Provided that the Secretary of State may decline to cause an installation to be registered or reregistered if it appears to him—

- (a) that the person or persons applying are not in a position to discharge the duties imposed on the owner by or under the Act, or
- (b) that the name or other designation submitted for registration is likely to be confused with that of any other installation already registered under these Regulations.

(3) Such amendments to the Register and to certificates of registration shall be made as the Secretary of State may from time to time consider necessary.

(4) The Department of Trade and Industry may from time to time issue forms for use in connection with applications and the furnishing of information under these Regulations.

(5) There shall be payable in respect of an application to register or reregister an offshore installation under these Regulations or for the issue of a further copy of a certificate of registration the relevant fee specified in the Schedule hereto.

Duty to secure registration of offshore installations

4. On or after 30th June 1972—

- (a) no fixed installation shall be established in the relevant waters,
- (b) no mobile installation shall be brought into those waters with a view to its being stationed there, and
- (c) no fixed or mobile installation shall be maintained in those waters, unless it is registered pursuant to these Regulations:

Provided that the Secretary of State may grant exemption from the application of this Regulation until 31st August 1972 in relation to any installation if application to register it was made before 30th June 1972.

5.—(1) An application for the first registration of an offshore installation shall include the following particulars—

- (a) the name and address of the person or persons seeking to register it;
- (b) where no address furnished pursuant to head (a) is an address in the United Kingdom, an address in the United Kingdom to which communications for the owner may be sent;

- (c) a name or other designation for the installation,
- (d) particulars of any other registration of the installation (whether as a vessel or otherwise and whether in the United Kingdom or elsewhere);
- (e) an indication of the nature and the function or proposed function of the installation;
- (f) an indication whether the installation is a mobile or a fixed installation and, in the case of a mobile installation, whether it has its own motive power;
- (g) if the application relates to a part of an installation, particulars of any major additions expected to be made;
- (h) an indication of the location at which the installation is stationed or intended to be stationed in the relevant waters;
- (i) an indication of the period for which it is expected the installation will be stationed at the location mentioned pursuant to head (h); and
- (j) in the case of a mobile installation, its tonnage.

(2) An application to reregister an offshore installation shall include sufficient information to identify the installation and particulars of the respects (if any) in which any particulars previously supplied about that installation are no longer correct.

Obligation to notify the Secretary of State of changed particulars

6.—(1) The owner of an offshore installation shall notify the Secretary of State forthwith—

- (a) if the installation is converted from a mobile installation to a fixed installation, or vice versa;
- (b) if the installation is dismantled, abandoned or destroyed;
- (c) if the installation is combined with another installation or is divided so as to constitute two separate installations;
- (d) in the case of an installation not on station in the relevant waters at the date of registration, of its arrival on station there;
- (e) if the installation is removed to a new station in the relevant waters or removed to a place outside those waters;
- (f) if the person or any of the persons in whose name the installation is registered cease to be in a position to discharge the duties imposed on the owner by or under the Act;
- (g) if any other person or persons acquire rights enabling him or them to discharge or join in the discharge of the duties imposed on the owner by or under the Act; or
- (h) if any error is discovered in any information furnished to the Secretary of State pursuant to these Regulations or if any other event occurs which makes the information so furnished incorrect in any material respect.

(2) Any notification made pursuant to paragraph (1) shall include sufficient information for the registered particulars to be amended where appropriate.

Cancellation and expiration of registration

7. The Secretary of State may cancel the registration of an installation if he learns that it has been dismantled, abandoned, destroyed or combined with another installation, or if it appears to him that any person or persons in whose name the installation is registered are no longer in a position to discharge the duties imposed on the owner by or under the Act or that any other person or persons have acquired rights enabling him or them to discharge or join in the discharge of those duties.

8. Unless previously cancelled, registration under these Regulations shall remain effective for a period of 25 years in the case of a fixed installation and for a period of 10 years in the case of a mobile installation.

Display of information

9. One copy of the current certificate of registration issued under these Regulations shall be kept posted on board the offshore installation to which it relates in such a position that it can be conveniently read.

10.—(1) Save where the nature of the structure makes it impracticable, an offshore installation registered in accordance with these Regulations shall display its registered name or other designation in such a manner as to make the installation readily identifiable on approach by sea or air.

(2) No offshore installation shall display any name, letters or figures likely to be confused with a registered name or other designation.

Offences and penalties

11.—(1) A contravention of Regulation 4 shall be an offence for which the owner of the relevant installation and the concession owner shall each be liable on summary conviction to a fine not exceeding £200.

(2) A contravention of any requirement of Regulation 6, 9 or 10 of these Regulations shall be an offence for which the owner of the relevant installation shall be liable on summary conviction to a fine not exceeding £200.

(3) A contravention of any requirement of Regulation 4, 9 or 10 of these Regulations shall be an offence for which the installation manager in charge of the relevant installation at the time of the contravention shall be liable on summary conviction to a fine not exceeding £100.

(4) A person who wilfully makes or signs a false statement for the purposes of these Regulations shall (without prejudice to any other penalty) be liable on summary conviction to a fine not exceeding £200.

(5) It shall be a defence in any proceedings for an offence under paragraphs (1) to (3) of this Regulation for the person charged to prove:—

- (a) that he exercised all due diligence to prevent the commission of the offence; and
- (b) that the relevant contravention was committed without his consent, connivance or wilful default.

Dated 3rd May 1972.

Tom Boardman,
Minister for Industry,
Department of Trade and Industry.

SCHEDULE

FEES	£
On application for the first registration of an offshore installation	100
On application for reregistration following the expiration or cancellation of a previous registration	50
On application for a further copy of a certificate of registration	2

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for the registration of offshore installations to which the Mineral Workings (Offshore Installations) Act 1971 applies.

A Register of such installations is to be maintained at the Department of Trade and Industry and registration will be obligatory. A fee will be payable on application for registration. The Regulations require that the Secretary of State be notified of changes in the registered particulars, including changes in the location of installations. They also require certificates of registration to be posted on installations and the registered name or designation to be displayed.

Registration of an installation may be cancelled if there is a change of ownership, or if it is dismantled, abandoned, destroyed or combined with another installation. Registration otherwise expires at the end of 25 years in the case of a fixed installation and 10 years in the case of a mobile installation.

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