

SCHEDULE 1

Regulation 22

REPEALS AND MODIFICATIONS OF THE 1971 ACT

**PART I**  
**REPEALS**

Column 1 Provision	Column 2 Description	Column 3 Extent of repeal
Section 1	Application of Act	The whole section.
Section 3	Construction and survey regulations for offshore installations	In sub-section (4) the words “and of the installation manager, and of every person who, in relation to the installation, is a concession owner”; where they next occur, the words “the installation manager and every person who, in relation to the installation, is a concession owner”; and the word “each”.
Section 4	Managers of offshore installations	The whole section.
Section 5	Managers of offshore installations, further provisions	The whole section.
Section 9	Offences: general provisions	In sub-section (3) the words “section 4 or section 5”.
Section 11	Civil liability for breach of statutory duty	Sub-sections (5) and (6).
Section 12	Interpretation	In sub-section (1), the definitions of “designated area” and “foreign sector of the continental shelf”; and sub-sections (2) and (3).

**PART II**

AMENDMENTS TO SECTION 12(1)

1. Before the definition of “controlled waters” there shall be inserted the following definition:  
 ““the 1995 Regulations” means the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995;”.
2. For the definition of “controlled waters” there shall be substituted the following definition:  
 ““controlled waters” means—

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- (a) tidal waters and parts of the sea in or adjacent to Great Britain up to the seaward limits of territorial waters; and
- (b) any area designated by order under section 1(7) of the Continental Shelf Act 1964;”.
3. For the definition of “installation manager” there shall be substituted the following definition:  
““installation manager” has the meaning given by regulation 2(1) of the 1995 Regulations;”.
4. For the definition of “offshore installation” there shall be substituted the following definition:  
““offshore installation” has the same meaning as in regulation 3 of the 1995 Regulations;”.
5. For the definition of “owner” there shall be substituted the following definition:  
““owner”, in relation to an offshore installation, means the person who is, in relation to the installation, the duty holder as defined by regulation 2(1) of the 1995 Regulations in relation to that installation;”.

## SCHEDULE 2

Regulation 23

## PART I

## REVOCATIONS OF INSTRUMENTS

1 Title	2 Reference	3 Extent of revocation
The Offshore Installations (Registration) Regulations 1972	<a href="#">S.I. 1972/702</a> amended by <a href="#">S.I. 1991/679</a>	The whole Regulations.
The Offshore Installations (Managers) Regulations 1972	<a href="#">S.I. 1972/703</a> amended by <a href="#">S.I. 1991/679</a>	The whole Regulations.
The Offshore Installations (Logbooks and Registration of Death) Regulations 1972	<a href="#">S.I. 1972/1542</a> amended by <a href="#">S.I. 1991/679</a>	Regulations 1(2) and 2 to 7; in regulation 12(1) the words “2(1)” to “or”; in regulation 12(2) the words “2(1)” to “7”; and regulation 12(3) to (5).
The Offshore Installations (Inspectors and Casualties) Regulations 1973	<a href="#">S.I. 1973/1842</a> amended by <a href="#">S.I. 1991/679</a>	In regulation 1(2) the definition of “manager”; in regulation 5(1) the words “or manager”; regulation 8(1); regulation 9(b); in regulation 12(2) the words in sub-paragraph (a) “excluding therefrom” to the end of that sub-paragraph; and the words “a reference” to “logbook and”.
The Offshore Installations (Application of the Employers'	<a href="#">S.I. 1975/1289</a>	The whole Regulations.

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1 Title	2 Reference	3 Extent of revocation
Liability (Compulsory Insurance) Act 1969 Regulations 1975		
The Offshore Installations (Operational Safety, Health and Welfare) Regulations 1976	S.I. 1976/1019 amended by S.I. 1984/419, 1989/1672 and 1992/2932	In regulation 1(2) the definition of “installation manager”; regulation 3; in regulation 5(3) the words “and 25(2)”; in regulation 5(4) the words “who shall read” to “logbook”; regulations 7 to 9, 16, 17(2), 18 to 26, and 30; in regulation 32(1) the words “the installation manager, and of” and “and of the concession owner,”; regulation 32(3) to (7); and in regulation 34(1) the words “the installation manager, the concession owner and” and “each”; and Schedule 2.
The Offshore Installations (Well Control) Regulations 1980	S.I. 1980/1759 amended by S.I. 1991/308	In regulation 1(2) the definition of “installation manager”; in regulation 3(1) the words “the installation manager, the concession owner and”; and the word “each”.
The Diving Operations at Work Regulations 1981	S.I. 1981/399 amended by S.I. 1990/996 and 1992/608	Regulation 4(1)(b)(ii).
The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989	S.I. 1989/971 amended by S.I. 1992/2885 and 1993/1823	In regulation 2 the definitions of “installation logbook” and “installation manager”; and in regulation 13(b) the words “the installation manager shall record those facts in the installation logbook and”.
The Offshore Installations (Included Apparatus or Works) Order 1989	S.I. 1989/978	The whole Order.
The Offshore Installations (Emergency Pipe-line Valve) Regulations 1989	S.I. 1989/1029	In regulation 2 the definitions of “controlled waters” and of “manager”.
The Offshore Installations (Amendment) Regulations 1991	S.I. 1991/679	Regulations 2 to 4.

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## PART II

### MODIFICATIONS OF INSTRUMENTS

#### **The Offshore Installations (Operational Safety, Health and Welfare) Regulations 1976**

1. In regulation 1(2) (definitions) of the Offshore Installations (Operational Safety, Health and Welfare) Regulations 1976(1) there shall be substituted, for the definition of “responsible person”, the following definition:

““responsible person” means a competent person authorised by or on behalf of the owner;”.

#### **The Offshore Installations (Well Control) Regulations 1980**

2. In regulation 1(2) (definitions) of the Offshore Installations (Well Control) Regulations 1980(2) there shall be substituted for the definition of “responsible person” the following definition:

““responsible person” means a competent person authorised by or on behalf of the owner;”.

#### **The Diving Operations at Work Regulations 1981**

3. In regulation 2(1) (definitions) of the Diving Operations at Work Regulations 1981(3) (“the 1981 Regulations”) there shall be added, after the definition of “offshore installation” the following definition:

““owner”, in relation to an offshore installation, means the person who is, in relation to the installation, the duty holder as defined by regulation 2(1) of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 in relation to that installation;”.

4. In regulation 5(4)(b) of the 1981 Regulations there shall be substituted for paragraph (i) and (ii) the following paragraph:

“(i) from or in connection with an offshore installation, the owner”.

#### **The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989**

5. In regulation 2 (interpretation) of the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989(4) (“the 1989 Regulations”):

(a) after the definition of “the 1974 Act” there shall be inserted the following definition:

““the 1995 Regulations” means the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995”;

(b) after the definition of “appropriate languages” there shall be inserted the following definition:

““duty holder” in relation to an offshore installation means the person who is the duty holder within the meaning of regulation 2(1) of the 1995 Regulations for the purpose of those Regulations”; and

(c) for the definition of “installation manager” there shall be substituted the following definition:

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(1) S.I. 1976/1019; amended by S.I. 1984/419, 1989/1672 and 1992/2932.

(2) S.I. 1980/1759; amended by S.I. 1991/308.

(3) S.I. 1981/399; amended by S.I. 1990/996 and 1992/608.

(4) S.I. 1989/971; amended by S.I. 1992/2885.

““installation manager” has the meaning given by regulation 2(1) of the 1995 Regulations;”.

6. For regulation 3 (application) of the 1989 Regulations there shall be substituted the following regulation:

“3. These Regulations shall apply to an offshore installation at a working station in controlled waters which normally has persons on board;”.

7. In regulations 11, 17, 20, 22, 24, 25 and 28 of the 1989 Regulations, in place of the words “installation owner” wherever they occur, there shall be substituted the words “duty holder”.

8. In regulation 19 of the 1989 Regulations, in place of the words “owner of an offshore installation” there shall be substituted the words “duty holder in relation to an offshore installation”.

9. In regulation 22 (safety committee— functions) of the 1989 Regulations, in paragraph (1)(c), in place of the word “employers” there shall be substituted the words “duty holder”.

10. For regulation 23 (duties of installation owners and installation managers) of the 1989 Regulations there shall be substituted the following regulation:

**“Duties of installation operators and owners, and employers**

23.—(1) The provisions of this regulation shall apply to every offshore installation served by a safety committee.

(2) It shall be the duty of the duty holder—

- (a) to facilitate the exercise by the committee of its functions and by the safety representatives of their functions and powers in respect of the installation under these Regulations, and for that purpose to make available the necessary accommodation, facilities for communication and office equipment supplies;
- (b) to consult safety representatives with a view to the making and maintenance of arrangements which will enable them and the workforce to co-operate effectively in promoting and developing measures to ensure the health and safety of persons working on or from the installation, and in checking the effectiveness of such arrangements; and
- (c) without prejudice to sub-paragraph (b) above, to consult safety representatives in good time with regard to—
  - (i) the preparation of a safety case relating to the installation under the Offshore Installations (Safety Case) Regulations 1992;
  - (ii) the introduction to the installation of any measure which may substantially affect the health and safety of the workforce; and
  - (iii) the health and safety consequences for the workforce of the introduction (including the planning thereof) to the installation of new technologies.

(3) It shall be the duty of the duty holder and any employer of members of a workforce to consult safety representatives in good time with regard to—

- (a) any health and safety information he is required to provide to members of a workforce by or under the relevant statutory provisions; and
- (b) the planning and organisation of any health and safety training he is to provide to members of a workforce by or under the relevant statutory provisions.

(4) It shall be the duty of every employer of members of a workforce to consult safety representatives in good time with regard to his arrangements for appointing persons

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in accordance with regulation 6(1) of the Management of Health and Safety at Work Regulations 1992”.

11. For regulation 27 (training) of the 1989 Regulations there shall be substituted the following regulation:

**“Training**

27. It shall be the duty of the duty holder to ensure that—

- (a) a safety representative for the installation is provided with such training in aspects of the functions of a safety representative as are reasonable in all the circumstances; and
- (b) any costs associated with such training, including travel and subsistence costs, are not borne by the safety representative.”

**The Offshore Installations (Emergency Pipe-line Valve) Regulations 1989**

12. In regulation 2 (interpretation) of the Offshore Installations (Emergency Pipe-line Valve) Regulations 1989(5)—

(a) before the definition of “associated installation” there shall be inserted the following definition:

““the 1995 Regulations” means the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995”;

(b) for the definition of “installation manager” there shall be substituted the following definition:

““installation manager” means, in relation to an associated installation, the person appointed for the purposes of regulation 6(1)(a) of the 1995 Regulations who is for the time being in charge of it”;

(c) for the definition of “offshore installation” there shall be substituted the following definition:

““offshore installation” means an installation within the meaning of regulation 3 of the 1995 Regulations other than an installation which is—

- (a) used exclusively for flaring, or
  - (b) used exclusively for the loading of substances into vessels or for their reception and storage prior to such loading and which normally has no persons on board”;
- and

(d) for the definition of “owner” there shall be substituted the following definition:

““owner”, in relation to—

- (a) an offshore installation, means the person who is, in relation to the installation, the duty holder as defined by regulation 2(1) of the 1995 Regulations in relation to that installation; and
- (b) a pipeline in respect of which no person has been designated as its owner in pursuance of section 33(3) of the 1975 Act, means the person in whom the pipeline is vested”.

### **The Offshore Installations and Pipeline Works (First-Aid) Regulations 1989**

**13.** In regulation 2 (interpretation) of the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989<sup>(6)</sup>—

- (a) the definition of “the 1971 Act” shall be revoked;
- (b) after the definition of “the 1989 Order” there shall be inserted the following definition:  
““the 1995 Regulations” means the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995;”;
- (c) for the definition of “offshore installation” there shall be substituted the following definition:  
““offshore installation” has the same meaning as in regulation 3 of the 1995 Regulations”;
- (d) for paragraph (a) of the definition of “person in control” there shall be substituted the following paragraph:  
“(a) in relation to an offshore installation, the person who is the duty holder as defined by regulation 2(1) of the 1995 Regulations for the purposes of those Regulations;”;
- (e) for paragraph (c) of the definition of “person in control” there shall be substituted the following paragraph:  
“(c) in relation to an activity in connection with an offshore installation—
  - (i) the person who is, in relation to the installation, the duty holder as defined by regulation 2(1) of the 1995 Regulations for the purposes of those Regulations; and
  - (ii) the employer of persons engaged in that activity;”.

### **The Offshore Installations (Safety Case) Regulations 1992**

**14.** In regulation 2 (interpretation) of the Offshore Installations (Safety Case) Regulations 1992<sup>(7)</sup> (“the 1992 Regulations”)—

- (a) in paragraph (1) (definitions)—
  - (i) for the definition of “the 1971 Act” there shall be substituted the following definition:  
““the 1995 Regulations” means the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995;”;
  - (ii) for the definition of “the 1989 Order” there shall be substituted the following definition:  
““the 1995 Order” means the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 1995”;
  - (iii) for the definition of “concession owner” there shall be substituted the following definition:  
““concession owner” in relation to an installation has the same meaning as in regulation 2(1) of the 1995 Regulations”;
  - (iv) for the definition of “installation” there shall be substituted the following definition:  
““installation” means an offshore installation within the meaning of regulation 3 of the 1995 Regulations”; and

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<sup>(6)</sup> 1989/1671.

<sup>(7)</sup> S.I. 1992/2885.

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(v) for paragraph (a) of the definition of “owner” there shall be substituted the following paragraph:

“(a) a mobile installation means the person who controls the operation of the installation”;

(b) in paragraph (5) (reference to operating an installation) for the words from “carrying” to the end there shall be substituted the words—

“using the installation for any of the purposes described in regulation 3(1) of the 1995 Regulations”; and

(c) in paragraph (8) (reference to an activity in connection with an installation) for the words “article 4(1)(b) of the 1989 Order” there shall be substituted the following words:

“sub-paragraph (b) of paragraph (1) of article 4 of the 1995 Order, other than an activity specified in paragraph (i) or (ii) of that sub-paragraph”.

**15.** In regulation 14 of the 1992 Regulations (co-operation) in paragraph (2)—

(a) after sub-paragraph (f) the word “and” shall be omitted; and

(b) after sub-paragraph (g) there shall be added the words—

“and (h) the manager of the first-mentioned installation”.

**16.** In Schedule 3 to the 1992 Regulations (particulars to be included in a safety case for a mobile installation) in paragraph 1, after the word “name” there shall be added the words “and address”.