

## SCHEDULE 9

### AMENDMENTS

#### 3. In the Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995(1)—

(a) in regulation 2(1) (interpretation)—

(i) in the definition of “the 1995 Order”, replace the words “1995” with “2001” in both places in which they occur;

(ii) omit the definition of “concession owner”;

(iii) for the definition of “duty holder”, substitute—

““duty holder” means—

(a) in relation to a production installation, the operator; and

(b) in relation to a non-production installation, the owner;”;

(iv) omit the definition of “fixed installation”;

(v) after the definition of “installation”, insert—

““licensee” means any person to whom a licence to search and bore for and get petroleum in respect of any area within relevant waters is granted pursuant to section 3 of the Petroleum Act 1998;”;

(vi) in the definition of “major accident”, replace the words “1992” with “2005”;

(vii) omit the definition of “mobile installation”;

(viii) after the definition of “muster areas”, insert—

““non-production installation” means an installation other than a production installation;”;

(ix) for the definition of “operator”, substitute—

““operator” means

(a) the person appointed by the licensee to manage and control directly or by any other person the execution of the main functions of a production installation; or

(b) the licensee, where—

(i) it is not clear to the Executive that one person has been appointed to perform the functions described in paragraph (a); or

(ii) in the opinion of the Executive, any person appointed to perform the functions described in paragraph (a) is incapable of performing those functions satisfactorily;”;

(x) for the definition of “owner”, substitute—

““owner” means the person who controls the operation of a non-production installation;”;

(xi) after the definition of “personal protective equipment”, insert—

““petroleum”—

(a) includes any mineral oil or relative hydrocarbon and natural gas, whether or not existing in its natural condition in strata; and

---

(1) [S.I. 1995/743](#), to which there are amendments not relevant to these Regulations.

*Status: This is the original version (as it was originally made).*

- (b) does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation; and
- “production installation” means an installation which—
- (a) extracts petroleum from beneath the sea-bed by means of a well;
  - (b) stores gas in or under the shore or bed of relevant waters and recovers gas so stored; or
  - (c) is used for the conveyance of petroleum by means of a pipe, and—
    - (a) includes a—
      - (i) non-production installation converted for use as a production installation for so long as it is so converted;
      - (ii) production installation which has ceased production for so long as it is not converted to a non-production installation; and
      - (iii) production installation which has not come into use; and
    - (b) does not include an installation which, for a period of no more than 90 days, extracts petroleum from beneath the sea-bed for the purposes of well testing;”;
- (b) in regulation 3(1)(b) (application) for the words “1995” substitute “2001”;
  - (c) in regulation 17 (arrangements for recovery and rescue) before the word “include” insert “shall”;
  - (d) omit paragraphs (2) to (8) of regulation 19 (suitability and condition of plant); and
  - (e) omit regulation 24 (amendment of the Offshore Installations (Safety Case) Regulations 1992).