
STATUTORY INSTRUMENTS

2015 No. 398

**HEALTH AND SAFETY
ENVIRONMENTAL PROTECTION**

**The Offshore Installations (Offshore Safety
Directive) (Safety Case etc.) Regulations 2015**

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| <i>Made</i> | - - - - | <i>19th March 2015</i> |
| <i>Laid before Parliament</i> | | <i>23rd March 2015</i> |
| <i>Coming into force</i> | - - | <i>19th July 2015</i> |

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(1) in relation to measures relating to employers' obligations in respect of the health and safety of workers(2) and the environment(3).

The Secretary of State makes these Regulations in exercise of the powers conferred by—

- (a) section 2(2) of the European Communities Act 1972;
- (b) sections 15(1), (2), (3)(a), (4), (5)(b), (6)(b), (c) and (d), and 82(3)(a) of and paragraphs 1(1)(c) and (2), 8(1), 9, 14, 15(1) and 16 of Schedule 3 to the Health and Safety at Work etc. Act 1974(4);
- (c) section 23(1)(b) of the Petroleum Act 1987(5); and
- (d) section 1(2) of the Offshore Safety Act 1992(6).

The Secretary of State makes these Regulations, so far as made in exercise of the powers cited in paragraph (b) (as read with the power cited in paragraph (d)), for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Executive under

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- (1) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7). The power of Ministers to make regulations in relation to matters as regards Scotland is preserved by section 57(1) of the Scotland Act 1998 (c. 46).
 - (2) S.I. 1999/2027. The Secretary of State is also designated in relation to anything supplemental or related to measures relating to employers' obligations in respect of the health and safety of workers, under article 2(2) of that Order.
 - (3) S.I. 2008/301.
 - (4) 1974 c.37. Section 15(1) was substituted by paragraph 6 of Schedule 15 to the Employment Protection Act 1975 (c.71) and amended by S.I. 2002/794. Section 15(2) was amended by paragraphs 1 and 5 of Schedule 12 to the Energy Act 2013 (c.32). Section 15(4)(a) was amended by S.I. 2008/960. Section 15(6)(d) was amended by Schedule 12 to the Criminal Law Act 1977 (c. 45). The general purposes of Part 1 of the 1974 Act are modified by section 1(1) of the Offshore Safety Act 1992.
 - (5) 1987 c. 12. Section 21 of that Act, which provides for the automatic creation of safety zones, was amended by paragraph 4 of Schedule 1 to the Energy Act 2008 (c. 32). Section 23(1) creates a prohibition on a vessel's entering or remaining in a safety zone and subsection (1)(b) of that section was amended by regulation 4(4)(a) of the Offshore Safety (Repeals and Modifications) Regulations 1993 (S.I. 1993/1823) which created an exception to the prohibition with a consent given by the Health and Safety Executive and preserved the Secretary of State's power to make regulations providing for an exception to the prohibition. Section 23(8), which defines "vessel," was amended by the Merchant Shipping Act 1995 (c. 21), Schedule 13, paragraph 78.
 - (6) 1992 c. 15. Section 1 was amended by paragraph 33(2) of Schedule 4 to the Petroleum Act 1998 (c. 17).

section 11(3)(7) of the Health and Safety at Work etc. Act 1974 after the carrying out of consultations by the Executive in accordance with section 50(3)(8) of that Act.

(7) Section 11 was substituted by article 5 of [S.I. 2008/960](#).

(8) Section 50(3) was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 16(3), the Health and Social Care Act 2012 (c. 7), Schedule 7, paragraphs 4 and 6, the Energy Act 2013 (c. 32), Schedule 12, paragraph 11 and [S.I. 2008/960](#).