
STATUTORY INSTRUMENTS

2015 No. 398

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

Duty to conform with safety case and notifications of operation

28.—(1) The duty holder must ensure that the procedures and arrangements described in the current safety case which may affect the health and safety of persons or the environment are followed.

(2) In criminal proceedings for a contravention of paragraph (1), it is a defence for the accused to prove that—

- (a) in the particular circumstances of the case, it was not in the best interests of the health and safety of persons to follow the procedures or arrangements concerned and there was insufficient time to revise the safety case pursuant to regulation 24; or
- (b) the commission of the offence was due to a contravention by another person of regulation 8 of the Management Regulations and the accused had taken all reasonable precautions and exercised all due diligence to ensure that the procedures or arrangements were followed.

(3) The duty holder must ensure that a combined operation is conducted in pursuance of the plans stated in the notification of combined operations sent to the competent authority pursuant to regulation 22(1).

(4) The well operator must ensure that a well operation is conducted in pursuance of the plans stated in the notification of well operations sent to the competent authority pursuant to regulation 21(1).