

## ANNEX I

**Information to be included in documents submitted to the competent authority pursuant to Article 11**

## 1. INFORMATION TO BE SUBMITTED IN A DESIGN OR RELOCATION NOTIFICATION FOR A PRODUCTION INSTALLATION

The design notification and the relocation notification for a production installation to be submitted pursuant to points (c) and (j) of Article 11(1) respectively shall contain at least the following information:

- (1) the name and address of the operator of the installation;
- (2) a description of the design process for the production operations and systems, from an initial concept to the submitted design or selection of an existing installation, the relevant standards used, and the design concepts included in the process;
- (3) a description of the selected design concept in relation to the major hazard scenarios for the particular installation and its location, and the primary risk control features;
- (4) a demonstration that the concept contributes to reducing major hazard risks to an acceptable level;
- (5) a description of the installation and the conditions at its intended location;
- (6) a description of any environmental, meteorological and seabed limitations on safe operations, and the arrangements for identifying risks from seabed and marine hazards such as pipelines and the moorings of adjacent installations;
- (7) a description of the types of major hazard operations to be carried out;
- (8) a general description of the safety and environmental management system by which the intended major accident risk control measures are to be maintained in good effect;
- (9) a description of the independent verification schemes and an initial list of safety and environmental critical elements and their required performance;
- (10) where an existing production installation is to be moved to a new location to serve a different production operation, a demonstration that the installation is suitable for the proposed production operation;
- (11) where a non-production installation is to be converted for use as a production installation, a justification demonstrating that the installation is suitable for such conversion.

## 2. INFORMATION TO BE SUBMITTED IN A REPORT ON MAJOR HAZARDS FOR OPERATION OF A PRODUCTION INSTALLATION

Reports on major hazards for a production installation to be prepared in accordance with Article 12 and submitted pursuant to point (e) of Article 11(1) shall contain at least the following information:

- (1) a description of the account taken of the competent authority's response to the design notification;
- (2) the name and address of the operator of the installation;

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- (3) a summary of any worker involvement in the preparation of the report on major hazards;
  - (4) a description of the installation and any association with other installations or connected infrastructure, including wells;
  - (5) demonstration that all the major hazards have been identified, their likelihood and consequences assessed, including any environmental, meteorological and seabed limitations on safe operations, and that their control measures including associated safety and environmental critical elements are suitable so as to reduce the risk of a major accident to an acceptable level; this demonstration shall include an assessment of oil spill response effectiveness;
  - (6) a description of the types of operations with major hazard potential to be carried out, and the maximum number of persons that can be on the installation at any time;
  - (7) a description of equipment and arrangements to ensure well control, process safety, containment of hazardous substances, prevention of fire and explosion, protection of the workers from hazardous substances, and protection of the environment from an incipient major accident;
  - (8) a description of the arrangements to protect persons on the installation from major hazards, and to ensure their safe escape, evacuation and rescue, and arrangements for the maintenance of control systems to prevent damage to the installation and the environment in the event that all personnel are evacuated;
  - (9) relevant codes, standards and guidance used in the construction and commissioning of the installation;
  - (10) information, regarding the operator's safety and environmental management system, that is relevant to the production installation;
  - (11) an internal emergency response plan or an adequate description thereof;
  - (12) a description of the independent verification scheme;
  - (13) any other relevant details, for example where two or more installations operate in combination in a way which affects the major hazard potential of either or all installations;
  - (14) the information relevant to other requirements under this Directive obtained pursuant to the major accident prevention requirements of Directive 92/91/EEC;
  - (15) in respect of operations to be conducted from the installation, any information relating to the prevention of major accidents resulting in significant or serious damage to the environment relevant to other requirements under this Directive, obtained pursuant to Directive 2011/92/EU;
  - (16) an assessment of the identified potential environmental effects resulting from the loss of containment of pollutants arising from a major accident, and a description of the technical and non-technical measures envisaged to prevent, reduce or offset them, including monitoring.
3. INFORMATION TO BE SUBMITTED IN A REPORT ON MAJOR HAZARDS FOR A NON-PRODUCTION INSTALLATION

Reports on major hazards for a non-production installation to be prepared in accordance with Article 13 and submitted pursuant to point (e) of Article 11(1) shall contain at least the following information:

- (1) the name and address of the owner;
- (2) a summary of any worker involvement in the preparation of the report on major hazards;
- (3) a description of the installation and, in the case of a mobile installation, a description of its means of transfer between locations, and its stationing system;
- (4) a description of the types of operations with major hazard potential that the installation is capable of performing, and the maximum number of persons that can be on the installation at any time;
- (5) demonstration that all the major hazards have been identified, their likelihood and consequences assessed, including any environmental, meteorological and seabed limitations on safe operations and that their control measures including associated safety and environmental critical elements are suitable so as to reduce the risk of a major accident to an acceptable level; this demonstration shall include an assessment of any oil spill response effectiveness;
- (6) a description of the plant and arrangements to ensure well control, process safety, containment of hazardous substances, prevention of fire and explosion, protection of the workers from hazardous substances, and protection of the environment from a major accident;
- (7) a description of the arrangements to protect persons on the installation from major hazards, and to ensure their safe escape, evacuation and rescue, and arrangements for the maintenance of control systems to prevent damage to the installation and the environment in the event that all personnel are evacuated;
- (8) relevant codes, standards and guidance used in the construction and commissioning of the installation;
- (9) demonstration that all the major hazards have been identified for all operations the installation is capable of performing, and that the risk of a major accident is reduced to an acceptable level;
- (10) a description of any environmental, meteorological and seabed limitations on safe operations, and the arrangements for identifying risks from seabed and marine hazards such as pipelines and the moorings of adjacent installations;
- (11) information, regarding the safety and environmental management system, that is relevant to the non-production installation;
- (12) an internal emergency response plan or an adequate description thereof;
- (13) a description of the independent verification scheme;
- (14) any other relevant details, for example where two or more installations operate in combination in a way which affects the major hazard potential of either or all installations;
- (15) in respect of operations to be conducted from the installation, any information obtained pursuant to Directive 2011/92/EU relating to the prevention of major accidents

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resulting in significant or serious damage to the environment relevant to other requirements under this Directive;

- (16) an assessment of the identified potential environmental effects resulting from the loss of containment of pollutants arising from a major accident, and a description of the technical and non-technical measures envisaged to prevent, reduce or offset them, including monitoring.

#### 4. INFORMATION TO BE SUBMITTED IN A NOTIFICATION OF WELL OPERATIONS

Notifications of well operations to be prepared in accordance with Article 15 and submitted pursuant to point (h) of Article 11(1) shall contain at least the following information:

- (1) the name and address of the operator of the well;
- (2) the name of the installation to be used and the name and address of the owner or, in the case of a production installation, the contractor undertaking drilling activities;
- (3) details that identify the well and any association with installations and connected infrastructure;
- (4) information on the well work programme, including the period of its operation, details and verification of barriers against loss of well control (equipment, drilling fluids and cement etc.), directional control of the well path, and limitations on safe operations in keeping with the risk management;
- (5) in the case of an existing well, information regarding its history and condition;
- (6) any details concerning safety equipment to be deployed that are not described in the current report on major hazards for the installation;
- (7) a risk assessment incorporating a description of:
  - (a) the particular hazards associated with the well operation including any environmental, meteorological and seabed limitations on safe operations;
  - (b) the subsurface hazards;
  - (c) any surface or subsea operations which introduce simultaneous major hazard potential;
  - (d) suitable control measures;
- (8) a description of the well configuration at the end of operations – i.e. permanently or temporarily abandoned; and whether production equipment has been placed into the well for future use;
- (9) in the case of a modification to a previously submitted notification of well operations, sufficient details to fully update the notification;
- (10) where a well is to be constructed, modified or maintained by means of a non-production installation, additional information as follows:
  - (a) a description of any environmental, meteorological and seabed limitations on safe operations, and arrangements for identifying risks from seabed and marine hazards such as pipelines and the moorings of adjacent installations;

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- (b) a description of environmental conditions that have been taken into account within the internal emergency response plan for the installation;
  - (c) a description of emergency response arrangements including arrangements for responding in cases of environmental incidents that are not described in the report on major hazards; and
  - (d) a description of how the management systems of the operator of the well and the owner are to be coordinated to ensure effective control of major hazards at all times;
- (11) a report with findings of the independent well examination, including a statement by the operator of the well that, after considering the report and findings of independent well examination by the independent verifier, the risk management relating to well design and its barriers to loss of control are suitable for all anticipated conditions and circumstances;
- (12) the information relevant to this Directive obtained pursuant to the major accident prevention requirements of Directive 92/91/EEC;
- (13) in respect of the well operations to be conducted, any information relevant to other requirements under this Directive obtained pursuant to Directive 2011/92/EU relating to the prevention of major accidents resulting in significant or serious damage to the environment.

#### 5. INFORMATION TO BE SUBMITTED RELATING TO A VERIFICATION SCHEME

Descriptions to be submitted pursuant to point (d) of Article 11(1) in relation to schemes of independent verification to be established pursuant to Article 17(1) shall include:

- (a) a statement by the operator or owner, made after considering the report of the independent verifier, that the record of safety critical elements and their scheme of maintenance as specified in the report on major hazards are or will be suitable;
- (b) a description of the verification scheme including the selection of independent verifiers, the means of verification that safety and environmental critical elements and any specified plant in the scheme remain in good repair and condition;
- (c) a description of the means of verification referred to in point (b) that shall include details of the principles that will be applied to carry out the functions under the scheme and to keep the scheme under review throughout the lifecycle of the installation including:
  - (i) the examination and testing of the safety and environmental critical elements by independent and competent verifiers;
  - (ii) verification of the design, standard, certification or other system of conformity of the safety and environmental critical elements;
  - (iii) examination of work in progress;
  - (iv) the reporting of any instances of non-compliance;
  - (v) remedial actions taken by the operator or owner.

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## 6. INFORMATION TO BE PROVIDED IN RESPECT OF A MATERIAL CHANGE TO AN INSTALLATION, INCLUDING REMOVAL OF A FIXED INSTALLATION

Where material changes are to be made to the installation as referred to in Article 12(5) and Article 13(4), the amended report on major hazards incorporating the material changes to be submitted pursuant to point (f) of Article 11(1) shall contain at least the following information:

- (1) the name and address of the operator or the owner;
- (2) a summary of any worker involvement in the preparation of the revised report on major hazards;
- (3) sufficient details to fully update the earlier report on major hazards and associated internal emergency response plan for the installation and to demonstrate major hazard risks are reduced to an acceptable level;
- (4) in the case of taking a fixed production installation out of use:
  - (a) means of isolating all hazardous substances and in the case of wells connected to the installation, the permanent sealing of the wells from the installation and the environment;
  - (b) a description of major hazard risks associated with the decommissioning of the installation to workers and the environment, the total exposed population, and the risk control measures;
  - (c) emergency response arrangements to secure safe evacuation and rescue of personnel and to maintain control systems for preventing a major accident to the environment.

## 7. INFORMATION TO BE SUBMITTED IN A NOTIFICATION OF COMBINED OPERATIONS

The notification of combined operations to be prepared pursuant to Article 16 and submitted pursuant to point (i) of Article 11(1) shall contain at least the following information:

- (1) the name and address of the operator submitting the notification;
- (2) in the event that other operators or owners are involved in the combined operations their names and addresses, including a confirmation that they agree with the contents of the notification;
- (3) a description, in the form of a bridging document authorised by all parties to the document, of how the management systems for the installations involved in the combined operation will be coordinated so as to reduce the risk of a major accident to an acceptable level;
- (4) a description of any equipment to be used in connection with the combined operation but which is not described in the current report on major hazards for any of the installations involved in the combined operations;
- (5) a summary of the risk assessment carried out by all operators and owners involved in the combined operations, which shall include:
  - (a) a description of any operation during the combined operation which may involve hazards with the potential to cause a major accident on or in connection with an installation;

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- (b) a description of any risk control measures introduced as a result of the risk assessment;
- (6) a description of the combined operation and a programme of work.
- 8. INFORMATION TO BE SUBMITTED IN RESPECT OF A CORPORATE MAJOR ACCIDENT PREVENTION POLICY

The corporate major accident prevention policy to be prepared in accordance with Article 19(1) and submitted pursuant to point (a) of Article 11(1) shall include but not be limited to:

- (1) the responsibility at corporate board level for ensuring, on a continuous basis, that the corporate major accident prevention policy is suitable, implemented, and operating as intended;
- (2) measures for building and maintaining a strong safety culture with a high likelihood of continuous safe operation;
- (3) the extent and intensity of process auditing;
- (4) measures for rewarding and recognising desired behaviours;
- (5) the evaluation of the company's capabilities and goals;
- (6) measures for maintenance of safety and environmental protection standards as a corporate core value;
- (7) formal command and control systems that include board members and senior management of the company;
- (8) the approach to competency at all levels of the company;
- (9) the extent to which particulars (1)-(8) are applied in the company's offshore oil and gas operations conducted outside the Union.
- 9. INFORMATION TO BE PROVIDED IN RESPECT OF A SAFETY AND ENVIRONMENTAL MANAGEMENT SYSTEM

The safety and environmental management system to be prepared pursuant to Article 19(3) and submitted pursuant to point (b) of Article 11(1) shall include but not be limited to:

- (1) organisation structure and personnel roles and responsibilities;
- (2) identification and evaluation of major hazards as well as their likelihood and potential consequences;
- (3) integration of environmental impact into major accident risk assessments in the report on major hazards;
- (4) controls of the major hazards during normal operations;
- (5) management of change;
- (6) emergency planning and response;
- (7) limitation of damage to the environment;
- (8) monitoring of performance;
- (9) audit and review arrangements; and

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- (10) the measures in place for participating in tripartite consultations and how actions resulting from those consultations are put into effect.

#### 10. INFORMATION TO BE PROVIDED IN AN INTERNAL EMERGENCY RESPONSE PLAN

Internal emergency response plans to be prepared pursuant to Article 14 and submitted pursuant to point (g) of Article 11(1) shall include but not be limited to:

- (1) names and positions of persons authorised to initiate emergency response procedures and the person directing the internal emergency response;
- (2) name or position of the person with responsibility for liaising with the authority or authorities responsible for the external emergency response plan;
- (3) a description of all foreseeable conditions or events which could cause a major accident, as described in the report on major hazards to which the plan is attached;
- (4) a description of the actions that will be taken to control conditions or events which could cause a major accident and to limit their consequences;
- (5) a description of the equipment and the resources available, including for capping any potential spill;
- (6) arrangements for limiting the risks to persons on the installation and the environment, including how warnings are to be given and the actions persons are expected to take on receipt of a warning;
- (7) in the case of combined operation, arrangements for coordinating escape, evacuation and rescue between the installations concerned, to secure a good prospect of survival for persons on the installations during a major accident;
- (8) an estimate of oil spill response effectiveness. Environmental conditions to be considered in this response analysis shall include:
  - (i) weather, including wind, visibility, precipitation and temperature;
  - (ii) states, tides, and currents;
  - (iii) presence of ice and debris;
  - (iv) hours of daylight; and
  - (v) other known environmental conditions that might influence the efficiency of the response equipment or the overall effectiveness of a response effort;
- (9) arrangements for providing early warning of a major accident to the authority or authorities responsible for initiating the external emergency response plan, the type of information which shall be contained in an initial warning and the arrangements for the provision of more detailed information as it becomes available;
- (10) arrangements for training personnel in the duties they will be expected to carry out, and where necessary coordinating this with external emergency responders;
- (11) arrangements for coordinating internal emergency response with external emergency response;



- (12) evidence of prior assessments of any chemicals used as dispersants that have been carried out to minimise public health implications and any further environmental damage.

## ANNEX II

### **Reports of well operations to be submitted pursuant to Article 15(4)**

The reports to be submitted to the competent authority pursuant to Article 15(4) shall contain at least the following information:

- (1) the name and address of the operator of the well;
- (2) the name of the installation and the name and address of the operator or owner;
- (3) details that identify the well and any association with installations or connected infrastructure;
- (4) a summary of the operations undertaken since the commencement of operations or since the previous report;
- (5) the diameter and true vertical and measured depths of:
  - (a) any hole drilled; and
  - (b) any casing installed;
- (6) the drilling fluid density at the time of making the report; and
- (7) in the case of operations relating to an existing well, its current operational state.

## ANNEX III

### **Provisions relating to the appointment and functioning of the competent authority pursuant to Articles 8 and 9**

1. PROVISIONS RELATING TO MEMBER STATES
  - (1) For the purposes of appointing a competent authority responsible for the duties set out in Article 8, Member States shall as a minimum undertake the following:
    - (a) make organisational arrangements which allow for the duties assigned to the competent authority in this Directive to be effectively discharged, including arrangements for regulating safety and environmental protection in an equitable manner;
    - (b) prepare a policy statement describing the aims of oversight and enforcement, and the obligations on the competent authority to achieve transparency, consistency, proportionality and objectivity in its regulation of offshore oil and gas operations.
  - (2) Member States shall make the necessary provisions to bring the arrangements in point 1 into effect, including:

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- (a) funding sufficient specialist expertise available internally or by formal agreements with third parties or both in order that the competent authority may inspect and investigate operations, take enforcement action, and to handle reports on major hazards and notifications;
- (b) where there is reliance on external sources of expertise, funding the preparation of sufficient written guidance and oversight to maintain consistency of approach and to ensure the legally appointed competent authority retains full responsibility under this Directive;
- (c) funding essential training, communication, access to technology, travel and subsistence of competent authority personnel for the carrying out of their duties, and to facilitate the active cooperation between competent authorities pursuant to Article 27;
- (d) where appropriate, requiring operators or owners to reimburse the competent authority for the cost of carrying out its duties pursuant to this Directive;
- (e) funding and encouraging research pursuant to the competent authority's duties under this Directive;
- (f) providing funding for reports by the competent authority.

## 2. PROVISIONS RELATING TO THE FUNCTIONING OF THE COMPETENT AUTHORITY

- (1) For the purposes of carrying out its duties pursuant to Article 9 effectively, the competent authority shall prepare:
  - (a) a written strategy that describes its duties, priorities for action i.e. in design and operation of installations, integrity management and in emergency preparedness and response, and how it is organised;
  - (b) operating procedures that describe how it will inspect and enforce the execution of the duties of operators and owners under this Directive, including how it will handle, assess and accept reports on major hazards, handle notifications of well operations and how the intervals between inspection of major hazard risk control measures, including to the environment, for a given installation or activity are to be determined;
  - (c) procedures for carrying out its duties without prejudice to other responsibilities, for example onshore oil and gas operations, and arrangements pursuant to Directive 92/91/EEC;
  - (d) where the competent authority is comprised of more than one body, a formal agreement establishing the necessary mechanisms for joint operation of the competent authority, including senior management oversight and monitoring and reviews, joint planning and inspection, division of responsibilities for handling reports on major hazards, joint investigation, internal communications, and reports to be published jointly externally.
- (2) The detailed procedures for assessment of reports on major hazards shall require all factual information and other particulars required under this Directive to be provided by the operator or the owner. As a minimum the competent authority shall ensure that the requirements for the following information are clearly specified in guidance to operators and owners:
  - (a) all foreseeable hazards with the potential to cause a major accident, including to the environment, have been identified, their risks evaluated and measures identified, including emergency responses, to control the risks;

- (b) the safety and environmental management system is adequately described to demonstrate compliance with this Directive;
- (c) adequate arrangements have been described for independent verification, and for audit by the operator or owner.
- (3) In undertaking a thorough assessment of reports on major hazards, the competent authority shall ensure that:
  - (a) all factual information required is provided;
  - (b) the operator or the owner has identified all reasonably foreseeable major accident hazards that apply to the installation and its functions, together with potential initiating events, and that the methodology and evaluation criteria adopted for major accident risk management are clearly explained, including factors for uncertainty in the analysis;
  - (c) the risk management have taken into consideration all relevant stages in the lifecycle of the installation and have anticipated all foreseeable situations including:
    - (i) how the design decisions described in the design notification have taken account of risk management so as to ensure inherent safety and environmental principles are incorporated;
    - (ii) how well operations are to be conducted from the installation when operating;
    - (iii) how well operations are to be undertaken and temporarily suspended before production is commenced from a production installation;
    - (iv) how combined operations are to be undertaken with other installation;
    - (v) how the decommissioning of the installation will be undertaken;
  - (d) how risk reduction measures identified as part of the risk management are intended to be implemented if necessary to reduce risks to an acceptable level;
  - (e) whether, in determining the necessary measures to achieve acceptable levels of risk, the operator or owner has clearly demonstrated how relevant good practice and judgment based on sound engineering, best management practice, and human and organisational factors principles have been taken into account;
  - (f) whether the measures and arrangements for the detection of, and the rapid and effective response to, an emergency are clearly identified and justified;
  - (g) how escape, evacuation and rescue arrangements and measures to limit escalation of an emergency and reduce its impact on the environment are integrated in a logical and systematic manner, taking account of the likely emergency conditions in which they will be operated;
  - (h) how the requirements are incorporated in the internal emergency response plans and whether a copy or an adequate description of the internal emergency response plan has been submitted to the competent authority;
  - (i) whether the safety and environmental management system described in the report on major hazards is adequate to ensure control of the major hazard risks at each stage of the installation lifecycle, and ensures compliance with all relevant legal provisions, and provides for auditing and implementing audit recommendations;

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- (j) whether the scheme for independent verification is clearly explained.

#### ANNEX IV

##### **Provisions by operators and owners for prevention of major accidents pursuant to Article 19**

1. Member States shall ensure that operators and owners:
  - (a) pay particular attention to evaluation of the reliability and integrity requirements of all safety and environmental critical systems and base their inspection and maintenance systems on achieving the required level of safety and environmental integrity;
  - (b) take appropriate measures to ensure as far as reasonably practicable that there is no unplanned escape of hazardous substances from pipelines, vessels and systems intended for their safe confinement. In addition, operators and owners shall ensure that no single failure of a containment barrier can lead to a major accident;
  - (c) prepare an inventory of available equipment, its ownership, location, transport to and mode of deployment at the installation and any entities relevant to the implementation of the internal emergency response plan. The inventory shall identify measures in place to ensure equipment and procedures are maintained in operable condition;
  - (d) ensure they have a suitable framework for monitoring compliance with all relevant statutory provisions by incorporating their statutory duties in respect of major hazards control and environmental protection into their standard operating procedures; and
  - (e) pay particular attention to building and maintaining a strong safety culture with a high likelihood of continuous safe operation, including with regard to securing cooperation of the workers through, inter alia:
    - (i) visible commitment to tripartite consultations and actions arising therefrom;
    - (ii) encouraging and rewarding reporting of accidents and near-misses;
    - (iii) working effectively with elected safety representatives;
    - (iv) protecting whistleblowers.
2. Member States shall ensure that industry cooperates with competent authorities to establish and implement a priority plan for the development of standards, guidance and rules which will give effect to best practice in major accident prevention, and limitation of consequences of major accidents should they nonetheless occur.

#### ANNEX V

##### **Selection of the independent verifier and the design of schemes for independent verification pursuant to Article 17(3)**

1. Member States shall require the operator or owner to ensure the following conditions are fulfilled with regard to the verifier's independence from the operator and the owner:

- (a) the function does not require the independent verifier to consider any aspect of a safety and environmental critical element or any part of an installation or a well or a well design in which the verifier was previously involved prior to the verification activity or where his or her objectivity might be compromised;
  - (b) the independent verifier is sufficiently independent of a management system which has, or has had, any responsibility for any aspect of a component covered by the scheme for independent verification or well examination so as to ensure objectivity in carrying out his or her functions under the scheme.
2. Member States shall require the operator or the owner to ensure that, in respect of the scheme for independent verification relating to an installation or a well, the following conditions are fulfilled:
- (a) the independent verifier has suitable technical competence, including where necessary, suitably qualified and experienced personnel in adequate numbers who fulfil the requirements of point 1 of this Annex;
  - (b) tasks under the scheme for independent verification are appropriately allocated by the independent verifier to personnel qualified to undertake them;
  - (c) suitable arrangements are in place for the flow of information between the operator or owner and the independent verifier;
  - (d) the independent verifier is given suitable authority to be able to carry out the functions effectively.
3. Material changes shall be referred to the independent verifier for further verification in accordance with the scheme for independent verification, and the outcomes of such further verification shall be communicated to the competent authority, if requested.

## ANNEX VI

### **Information relating to priorities for cooperation between operators and owners and competent authorities pursuant to Article 19(7)**

The matters to be considered for establishing priorities for the development of standards and guidance shall give practical effect to major accident prevention and limitation of their consequences. The matters shall include:

- (a) improving well integrity, well control equipment and barriers and monitoring their effectiveness;
- (b) improving primary containment;
- (c) improving secondary containment that restricts escalation of an incipient major accident, including well blow-outs;
- (d) reliable decision making;
- (e) management and supervision of major hazard operations;
- (f) competency of key post holders;
- (g) effective risk management;

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- (h) reliability assessment for safety and environmental critical systems;
- (i) key performance indicators;
- (j) effectively integrating safety and environmental management systems between operators and owners and other entities involved in oil and gas operations.

## ANNEX VII

### **Information to be provided in external emergency response plans pursuant to Article 29**

External emergency response plans prepared pursuant to Article 29 shall include but not be limited to:

- (a) names and positions of persons authorised to initiate emergency procedures, and of persons authorised to direct the external emergency response;
- (b) arrangements for receiving early warning of major accidents, and the associated alert and emergency response procedures;
- (c) arrangements for coordinating resources necessary to implement the external emergency response plan;
- (d) arrangements for providing assistance to the internal emergency response;
- (e) a detailed description of the external emergency response arrangements;
- (f) arrangements for providing persons and organisations that may be affected by the major accident with suitable information and advice relating to it;
- (g) arrangements for the provision of information to the emergency services of other Member States and the Commission in the event of a major accident with possible transboundary consequences;
- (h) arrangements for the mitigation of the negative impacts on wildlife both onshore and offshore including the situations where oiled animals reach shore earlier than the actual spill.

## ANNEX VIII

### **Particulars to be included in the preparation of external emergency response plans pursuant to Article 29**

1. The authority or authorities responsible for coordinating emergency response shall make the following available:
  - (a) an inventory of available equipment, its ownership, location, means of transport to and mode of deployment at the site of the major accident;
  - (b) a description of the measures in place to ensure equipment and procedures are maintained in operable condition;
  - (c) an inventory of industry-owned equipment that can be made available in an emergency;

- (d) a description of the general arrangements for responding to major accidents, including competencies and responsibilities of all involved parties and the bodies responsible for maintaining such arrangements;
  - (e) measures to ensure that equipment, personnel and procedures are available and up to date and sufficient members of trained personnel are available at all times;
  - (f) evidence of prior environment and health assessments of any chemicals foreseen for use as dispersants.
2. External emergency response plans shall clearly explain the role of the authorities, emergency responders, coordinators and other subjects active in emergency response, so that cooperation is ensured in responding to major accidents.
3. Arrangements shall include provisions for responding to a major accident that potentially overwhelms the Member State or exceeds its boundaries by:
- (a) sharing external emergency response plans with adjacent Member States and the Commission;
  - (b) compiling at cross-border level the inventories of response assets, both industry and publicly owned and all necessary adaptations to make equipment and procedures compatible between adjacent countries and Member States;
  - (c) procedures for invoking the Union Civil Protection Mechanism;
  - (d) arranging transboundary exercises of external emergency response.

## ANNEX IX

### **Sharing of information and transparency**

1. The common data reporting format for major hazard indicators shall make it possible to compare information from competent authorities and to compare information from individual operators and owners.
2. The information to be shared by the competent authority and operators and owners shall include information relating to:
- (a) unintended release of oil, gas or other hazardous substances, whether or not ignited;
  - (b) loss of well control requiring actuation of well control equipment, or failure of a well barrier requiring its replacement or repair;
  - (c) failure of a safety and environmental critical element;
  - (d) significant loss of structural integrity, or loss of protection against the effects of fire or explosion, or loss of station keeping in relation to a mobile installation;
  - (e) vessels on collision course and actual vessel collisions with an offshore installation;
  - (f) helicopter accidents, on or near offshore installations;
  - (g) any fatal accident;
  - (h) any serious injuries to 5 or more persons in the same accident;

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*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

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- (i) any evacuation of personnel;
  - (j) a major environmental incident.
3. The annual reports to be submitted by Member States pursuant to Article 25 shall contain as a minimum the following information:
- (a) the number, age and location of installations;
  - (b) the number and type of inspections and investigations carried out, any enforcement actions or convictions;
  - (c) incident data pursuant to the common reporting system required in Article 23;
  - (d) any major change in the offshore regulatory framework;
  - (e) the performance of offshore oil and gas operations in relation to prevention of major accidents and the limiting of consequences of major accidents that do occur.
4. The information referred to in point 2 shall consist of both factual information and analytical data regarding oil and gas operations, and shall be unambiguous. The information and data provided shall be such that the performance of individual operators and owners can be compared within the Member State and the performance of the industry as a whole can be compared between Member States.
5. The information collected and assembled referred to in point 2 shall enable Member States to provide advanced warning of potential deterioration of safety and environmentally critical barriers, and shall enable them to take preventive action. The information shall also demonstrate the overall effectiveness of measures and controls implemented by individual operators and owners, and industry as a whole, in particular to prevent major accidents and to minimise risks for the environment.
6. In order to meet the requirements of Article 24, a simplified format shall be developed to facilitate publication of relevant data pursuant to point 2 of this Annex and preparation of reports pursuant to Article 25 in a way that is easily accessible to the public and facilitates transboundary comparison of data.