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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations contain requirements for ensuring that offshore oil and gas installations, and oil and gas wells are designed, constructed and kept in a sound structural state, and other requirements affecting them, for purposes of health and safety.

2. The Regulations give effect, in relation to offshore installations in territorial waters adjacent to Great Britain, or in the United Kingdom sector of the continental shelf, to the following provisions of Council Directive [92/91/EEC](#) (OJNo. L348, 28.11.92, p.9), concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (“the Directive”)—

- (a) Article 3.1(a) (in combination with other provision);
- (b) in Part A of the Annex, parts 1, 2.1.1 (in combination with other provision), 2.1.2, 4.1 and 6.2.1 (both in combination with other provision), 8 to 13 (other than 11.5 and 13.7), 14.1 (in combination with other provision), 14.2 to 14.5, 15.1, and 16 to 20 (*regulation 12 and paragraphs of Schedule 1*), and part 6.2.3 (the additions made to Schedules 2 and 3 of the Offshore Installations (Safety Case) Regulations [1992/2885](#) (“the 1992 Regulations”) by *paragraphs 12 and 13 of Schedule 2*, in combination with existing provisions of those Schedules);
- (c) in Part C of the Annex parts 8, 10 (save the first and third indent of 10.1) (*regulation 12 and paragraphs of Schedule 1*), 11.1 (*regulation 11*) and 12.2 (*regulation 6*).

3. The Regulations also give effect, in combination with other provision, to part 5 of Part A of the Annex to the Directive (*regulation 17*).

4. Interpretation and application are dealt with in Part I (*regulations 2 and 3*).

5. Part II is concerned with integrity of installations and the provisions in it impose duties on the “duty holder” for an installation (defined in *regulation 2(1)*) relating to—

- (a) the maintenance of its integrity at all times (*regulation 4*);
- (b) its design (*regulation 5*);
- (c) work to it (*regulation 6*);
- (d) the way it is operated (*regulation 7*);
- (e) arrangements for maintaining its integrity (*regulation 8*);
- (f) the reporting of danger to it (*regulation 9*); and
- (g) decommissioning and dismantlement (*regulation 10*).

6. Part III contains requirements relating to the helicopter landing area of an offshore installation (*regulation 11*) and requirements relating to its layout and facilities (*regulation 12 and Schedule 1*).

7. The regulations in Part IV impose requirements affecting oil and gas wells, in the case of regulations 13 to 19 on the “well-operator” (defined in *regulation 2(1)*) relating to—

- (a) the general reduction of risk (*regulation 13*);
- (b) assessment of conditions below ground (*regulation 14*);
- (c) design and construction (*regulation 15*);

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- (d) the materials used (*regulation 16*);
- (e) well control equipment (*regulation 17*);
- (f) arrangements for examination of the well, and information relating to it (*regulation 18*);
- (g) the provision of information to the Health and Safety Executive (“the Executive”) (*regulation 19*);
- (h) co-operation with the well-operator (*regulation 20*); and
- (i) information, instruction, training and supervision.

**8.** The regulations in Part V—

- (a) provide a defence for contravention of regulation 5 or 6 (*regulation 22*);
- (b) provide for the issue of certificates of exemption by the Executive (*regulation 23*);
- (c) contain transitional provision (*regulation 24*);
- (d) repeal section 3 of the Mineral Workings (Offshore Installations) Act 1971 (*regulation 25*);
- (e) amend the 1992 Regulations (*regulation 26 and Schedule 2*) (apart from minor and drafting amendments)—
  - (i) by adding requirements for a verification scheme for safety-critical elements of an offshore installation;
  - (ii) by providing a defence for breach of those requirements;
  - (iii) by adding requirements for notification of information to the Executive regarding well operations from a vessel;
  - (iv) by adding requirements that certain offshore installation safety cases describe arrangements for protection of people from toxic gas; and
- (f) revoke specified instruments (*regulation 27 and Schedule 3*).

**9.** A copy of the compliance cost assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Strategy and General Division, Economic Advisers Unit (1), South Wing, Eighth Floor, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in the Library of each House of Parliament.