

SCHEDULE 1

Regulation 12

ADDITIONAL REQUIREMENTS

Organisation of the installation

1. The layout and configuration of an installation, including its plant, shall be such that risks to persons on it are reduced to the lowest level that is reasonably practicable.

2. An installation shall be kept sufficiently clean, with any hazardous substances or deposits removed or controlled in order not to endanger the health and safety of persons on the installation.

3. Arrangements shall exist for the collection at source and removal, in such a way that persons are not at risk, of harmful substances which could accumulate in the atmosphere.

4. Workstations must be designed and constructed with a view to the safety and ease of action of persons at work, taking into account the need for them to carry out activities there.

Ventilation of enclosed workplaces

5. A supply of fresh or purified air shall be maintained in enclosed workplaces which is sufficient, having regard to the working methods used and the physical demands placed on the persons at work.

6. If a mechanical ventilation system is used, it must be maintained in working order. Any breakdown must be indicated by a control system where this is necessary for the health of persons on the installation.

7. If air-conditioning or mechanical ventilation systems are used, they must operate in such a way that persons are not exposed to draughts which cause discomfort.

8. Any deposit or dirt likely to create an immediate danger to the health of persons by polluting the atmosphere must be removed without delay.

Room temperature

9. During working hours, the temperature in enclosed workplaces must be reasonable, having regard to the working methods being used and the physical demands placed on the persons at work.

10. The temperature in rest areas, changing rooms, rooms containing facilities for washing, lavatories, mess-rooms, galleys and sick bays must be appropriate to the particular purpose of such areas.

11. Sunlight let into workplaces via any window or skylight shall not be excessive, having regard to the nature of the work and the workplace.

Floors, walls and ceilings of rooms

12. The floors of workplaces must have no dangerous bumps, holes or slopes and must be fixed, stable and not made of material which is or is liable to become slippery.

13. Enclosed workplaces must be adequately insulated against heat, bearing in mind the type of undertaking involved and the physical activity of the persons at work.

14. The surfaces of floors, walls and ceilings in rooms must be such that they can be cleaned or refurbished to an appropriate standard of hygiene.

Transparent or translucent surfaces

15. Every window or other transparent or translucent surface in a wall or partition and every transparent or translucent surface in a door or gate shall, where necessary for reasons of health and safety—

- (a) be of safety material or be protected against breakage of the transparent or translucent material; and
- (b) be appropriately marked or incorporate features so as, in either case, to make it apparent.

Roofs

16. Access to roofs made of materials of insufficient strength must not be permitted unless equipment is provided to ensure that the work can be carried out in a safe manner.

Natural and artificial lighting

17. Every workplace must be provided throughout with lighting capable of supplying illumination sufficient to ensure the health and safety of persons therein.

18. Workplaces must, as far as possible, receive sufficient natural light and be equipped, taking into account climatological conditions, with artificial lighting adequate for the protection of safety and health.

19. Lighting installations in workplaces and in passageways must be placed in such a way that the type of lighting does not present a risk of accident.

20. Workplaces in which persons are especially exposed to risks in the event of failure of artificial lighting must be provided with emergency lighting of adequate intensity.

Windows and skylights

21. Windows, skylights and ventilation devices which are meant to be opened, adjusted or secured must be designed so that these operations can be carried out safely. They must not be positioned so as to constitute a hazard when open.

22. It must be possible to clean windows and skylights without undue risk.

Doors and gates

23. The position, number and dimensions of doors and gates, and the materials used in their construction shall be determined by reference to the nature of and use of the rooms or areas.

24. Transparent doors must be appropriately marked at a conspicuous level.

25. Swing doors and gates must be transparent or have see-through panels.

26. Sliding doors must be fitted with a safety device to prevent them from being derailed and falling over unexpectedly.

27. Doors and gates opening upwards must be fitted with a mechanism to secure them against falling back unexpectedly.

28. Doors for pedestrians must be provided in the immediate vicinity of any gates intended essentially for vehicle traffic, unless it is safe for pedestrians to pass through; such doors must be clearly marked and left permanently unobstructed.

29. Power-operated doors and gates must function without risk of accident to workers. They must be fitted with easily identifiable and accessible emergency shutdown devices and, in the event of a power failure, it must be possible to operate them by hand.

30. When chains or similar devices are used to prevent access at any place, these should be clearly visible and appropriately identified by signs denoting any prohibitions or warning.

Traffic routes

31. It must be possible to reach workplaces without danger and leave them quickly and safely in an emergency.

32. Traffic routes must be sufficient in number, in suitable positions, and of sufficient size to ensure easy, safe and appropriate access for pedestrians or vehicles in such a way as not to endanger persons at work in the vicinity of these traffic routes, having regard to the number of potential users and the type of undertaking.

33. If means of transport are used on traffic routes, a sufficient safety clearance must be provided for pedestrians.

34. Sufficient clearance must be allowed between vehicle traffic routes and doors, gates, passages for pedestrians, corridors and staircases.

35. Traffic routes must be clearly identified for the protection of persons.

Danger areas

36. If the workplaces contain danger areas in which, owing to the nature of the work, there are risks including that of the worker or objects falling, the places must be equipped, as far as possible, with devices preventing unauthorised workers from entering those areas.

Room dimensions and air space in rooms— freedom of movement in the workstation

37. Enclosed workplaces must have sufficient surface area, height and air space to allow workers to perform their work without risk to their safety, health or welfare.

38. The dimensions of the unoccupied area at the workstation must allow workers sufficient freedom of movement and enable them to perform their work safely.

Rest rooms

39. Where the safety or health of workers, in particular because of the type of activity carried out, or the presence of more than a certain number of workers, so requires, workers must be provided with an easily accessible rest room.

40. Paragraph 39 does not apply if the workers are employed in offices or similar workplaces providing equivalent relaxation during breaks.

41. Rest rooms must be large enough and equipped with an adequate number of tables and seats with backs for the number of workers.

42. If working hours are regularly and frequently interrupted and there is no rest room, other rooms must be provided in which workers can stay during such interruptions, wherever this is required for the safety or health of workers.

43. Appropriate measures should be taken for the protection of non-smokers in the rooms referred to in paragraphs 41 and 42 against discomfort caused by tobacco smoke.

Outdoor workplaces

44. Workstations, traffic routes and other areas outdoors which are used or occupied by the workers in the course of their work must be organised in such a way that pedestrians and vehicles can circulate safely.

45. Workplaces outdoors must be adequately lit by artificial lighting if daylight is not adequate.

46. When workers are employed at workstations outdoors, such workstations must as far as possible be arranged so that workers—

- (a) are protected against inclement weather conditions and, if necessary, against falling objects;
- (b) are not exposed to harmful noise levels;
- (c) are able to leave their workstations swiftly in the event of danger or are able to be rapidly assisted; and
- (d) cannot slip or fall.

Pregnant women and nursing mothers

47. Pregnant women and nursing mothers must be able to lie down to rest in appropriate conditions.

People with disabilities

48. The arrangement of an installation shall take due account of the health, safety and welfare of any persons with disabilities who may work on it.

Sanitary facilities

49. Appropriate changing rooms must be provided for workers if they have to wear special work clothes and where, for reasons of health or propriety, they cannot be expected to change in another room.

50. Changing rooms must be easily accessible, be of sufficient capacity and be provided with seating.

51. Changing rooms must be sufficiently large and have facilities to enable each worker to lock away his clothes during working hours.

52. If circumstances so require, lockers for work clothes must be separate from those for ordinary clothes.

53. Provision must be made to enable wet work clothes to be dried.

54. Provision must be made for separate changing rooms or separate use of changing rooms for men and women.

55. If changing rooms are not required under paragraph 49, each worker must be provided with a place to store his clothes.

Showers and washing facilities

56. In addition to those facilities provided in any accommodation area, suitable showers and washing facilities must, if necessary, be provided in the vicinity of workstations.

Lavatories and washbasins

57. In addition to those facilities provided in any accommodation, lavatories and washbasins must, if necessary, be provided in the vicinity of workstations.

58. Provision must be made for separate lavatories or separate use of lavatories for men and women.

Accommodation

59. If the nature, scale and duration of operations so require, persons on the installation shall be provided with accommodation which is—

- (a) suitably provided with ventilation, heating and lighting;
- (b) protected against noise, smells and fumes likely to be hazardous to health from other areas, and against inclement weather; and
- (c) separate from any workstation and located away from dangerous areas.

60. Accommodation must contain sufficient beds or bunks for the number of persons expected to sleep on the installation.

61. Any room designated as sleeping accommodation—

- (a) must not be overcrowded;
- (b) must contain adequate space for the occupants to store their clothes; and
- (c) shall, so far as is reasonably practicable, be occupied only by such number of persons as is consistent with reasonable privacy and comfort, having regard to the features of the room.

62. Accommodation must include a sufficient number of showers and washing facilities equipped with clean hot and cold running water.

63. Showers must be sufficiently spacious to permit each worker to wash without hindrance in suitably hygienic conditions.

64. Accommodation must be equipped with a sufficient number of lavatories and washbasins.

65. Where there are both men and women on an installation there shall be separate—

- (a) sleeping rooms;
- (b) shower rooms, or provision for separate use of shower rooms; and
- (c) lavatories and washbasins, or provision for separate use of lavatories and washbasins,

for men and women.

66. Accommodation and its plant must be maintained to adequate standards of hygiene.

Noise and vibration of plant

67.—(1) Measures shall be taken to ensure that the exposure of a person on an installation to a risk to his health or safety from noise or vibration of plant shall be prevented or, where that is not reasonably practicable, adequately controlled.

(2) The measures required by sub-paragraph (1) shall, so far as is reasonably practicable, be measures other than the provision of personal protective equipment.

SCHEDULE 2

Regulation 26

MODIFICATION OF THE OFFSHORE INSTALLATIONS
(SAFETY CASE) REGULATIONS 1992

1. Paragraph (1) of regulation 2 shall be amended in accordance with paragraphs 2 to 4 of this Schedule.

2. For the definition of “concession owner” there shall be substituted the following definition:

“concession owner” in relation to a fixed installation, or to a well or proposed well means the person who at any time has the right to exploit or explore for mineral resources in any area, or to store gas in any area and to recover gas so stored if, at that time, the installation, or, as the case may be, the well or proposed well is, or is to be, used in the exercise of that right.

3. After the definition of “safety case” there shall be inserted the following definition:

“safety-critical elements” means such parts of an installation and such of its plant (including computer programmes), or any part thereof—

- (a) the failure of which could cause or contribute substantially to; or
- (b) a purpose of which is to prevent, or limit the effect of, a major accident.

4. After the definition of “major accident” there shall be inserted the following definition:

“management system” means the organisation and arrangements established by a person for managing his undertaking.

5. After paragraph (7) of regulation 2 there shall be inserted the following paragraphs:

“(7A) Any reference in these Regulations to a verification scheme is a reference to a suitable written scheme for ensuring, by means described in paragraph (7B), that the safety-critical elements—

- (a) are or, where they remain to be provided, will be suitable; and
- (b) where they have been provided, remain in good repair and condition.

(7B) The means referred to in paragraph (7A) are—

- (a) examination, including testing where appropriate, of the safety-critical elements by independent and competent persons;
- (b) examination of any design, specification, certificate, CE marking or other document, marking or standard relating to those elements by such persons;
- (c) examination by such persons of work in progress;
- (d) the taking of appropriate action following reports by such persons;
- (e) the taking of such other steps as may properly be provided for pursuant to regulation 15B and Schedule 9; and
- (f) the taking of any steps incidental to the means described in sub-paragraphs (a) to (e) of this paragraph.

(7C) For the purposes of paragraph (7B) and regulations 15A and 15C a person shall be regarded as independent only where—

- (a) his function will not involve the consideration by him of an aspect, of a thing liable to be examined, for which he bears or has borne such responsibility as might compromise his objectivity; and
- (b) he will be sufficiently independent of a management system, or of a part thereof, which bears or has borne any responsibility for an aspect, which he might

consider, of a thing liable to be examined, to ensure that he will be objective in discharging his function.”.

6. There shall be substituted for paragraph (4) of regulation 8 the following paragraph:

“(4) In this regulation “audit” means systematic assessment of the adequacy of the management system to achieve the purpose referred to in paragraph (1)(a) carried out by persons who are sufficiently independent of the system (but who may be employed by the duty holder) to ensure that such assessment is objective.”.

7. There shall be added to regulation 11 the following paragraphs:

“(5) Where an operation is to be carried out in relation to a well or proposed well by means of a vessel which is not an installation, the well-operator shall ensure that the carrying out of the operation is not commenced unless at least 21 days before its commencement he has sent to the Executive a notification containing the particulars specified in Schedule 6A.

(6) Where there is a material change in any of the particulars notified pursuant to paragraph (5), the person who, at the time of that change, would have had the duty under paragraph (5) to notify those particulars, if they had been required at the time of that change, shall notify the Executive of that change as soon as is practicable after that change.

(7) In this regulation “well-operator”, in relation to a well or proposed well, means the person appointed by the concession owner for the well or proposed well to execute the function of organising and supervising all operations to be carried out by means of such well or, where no such person has been appointed, the concession owner.”.

8. After regulation 13 (transitional provisions) there shall be added the following regulation:

“Transitional provision relating to verification

13A. The provisions of regulations 15A to 15D shall not apply in relation to an installation while provisions of the Offshore Installations (Construction and Survey) Regulations 1974 are deemed to remain in force in relation to that installation by virtue of regulation 24 of the Offshore Installations and Wells (Design and Construction, etc.) Regulations 1996.”.

9. After paragraph (2) of regulation 15 there shall be inserted the following paragraph:

“(2A) The operator or owner of an installation shall ensure that—

- (a) its verification scheme, any modification of that scheme, and any note made pursuant to regulation 15A(1)(d) or (3)(d) or regulation 15C(b), is kept, at an address in Great Britain notified to the Executive, until the expiration of six months after such scheme or, as the case may be, modification of that scheme, has ceased to be current; and
- (b) records, sufficient to show the matters described in paragraph 5 of Schedule 9, are kept at the address notified pursuant to sub-paragraph (a) of this paragraph until the expiration of six months after the scheme, pursuant to which they were compiled, has ceased to be current.”.

10. In paragraph (3) of regulation 15, for the words “paragraph (1)(b), (c), (e) and (g)” there shall be substituted the words:

“sub-paragraphs (b), (c), (e) and (g) of paragraph (1), and with paragraph (2A)”.

11. After regulation 15 there shall be inserted the following regulations:

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“Verification schemes for safety-critical elements

15A.—(1) Subject to paragraph (2), the operator of a fixed installation shall, at such time before completion of the design as is identified by regulation 4(1), ensure that—

- (a) a record is made of the safety-critical elements;
- (b) comment on the record by an independent and competent person is invited;
- (c) a verification scheme is drawn up by or in consultation with such person;
- (d) a note is made of any reservation expressed by such person as to the contents of—
 - (i) the record; or
 - (ii) the scheme; and
- (e) such scheme is put into effect.

(2) Where, in the case of a fixed installation, the time referred to in paragraph (1) has at the coming into force of this regulation expired, the operator shall ensure that the installation is not operated unless the provisions of sub-paragraphs (a) to (e) of paragraph (1) and regulation 15B have been complied with.

(3) Subject to paragraph (4), the owner of a mobile installation shall, before the installation is moved in relevant waters with a view to its being operated there, ensure that—

- (a) a record is made of the safety-critical elements;
- (b) comment on the record by an independent and competent person is invited;
- (c) a verification scheme is drawn up by or in consultation with such person;
- (d) a note is made of any reservation expressed by such person as to the contents of—
 - (i) the record; or
 - (ii) the scheme; and
- (e) such scheme is put into effect.

(4) Where, at the coming into force of this regulation, a mobile installation is being operated, the owner shall ensure that it does not continue to be operated unless the provisions of sub-paragraphs (a) to (e) of paragraph (3) and regulation 15B have been complied with.

Matters to be included in a verification scheme

15B. A verification scheme shall provide for the matters contained in Schedule 9.

Review and revision of verification schemes

15C. The operator, in the case of a fixed installation and the owner, in the case of a mobile installation, shall ensure that, as often as may be appropriate—

- (a) the verification scheme is reviewed and, where necessary, revised or replaced by or in consultation with an independent and competent person; and
- (b) a note is made of any reservation expressed by such person in the course of drawing it up.

Continuing effect of verification schemes

15D. The operator of a fixed installation, and the owner of a mobile installation, shall ensure that effect continues to be given to its verification scheme, or any revision or replacement of it, while the installation remains in being.

Defence

15E.—(1) In any proceedings for an offence for a contravention of any of the provisions of regulations 15A to 15D it shall, subject to paragraphs (2) and (3), be a defence for the person charged to prove—

- (a) that the commission of the offence was due to the act or default of another person not being one of his employees (hereinafter called “the other person”); and
- (b) that he took all reasonable precautions, and exercised all due diligence, to avoid the commission of the offence.

(2) The person charged shall not, without the leave of the court, be entitled to rely on the defence in paragraph (1) unless, within a period ending seven clear days—

- (a) before the hearing to determine mode of trial, where the proceedings are in England or Wales; or
- (b) before the trial, where the proceedings are in Scotland,

he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of the other person as was then in his possession.

(3) For the purpose of enabling the other person to be charged with and convicted of the offence by virtue of section 36 of the 1974 Act, a person who establishes a defence under this regulation shall nevertheless be treated for the purposes of that section as having committed the offence.”.

12. After paragraph 9 of Schedule 2 there shall be inserted the following paragraph:

“**9A.** A description of arrangements made for protecting persons on the installation from toxic gas at all times other than during the period described in paragraph 9.”.

13. After paragraph 7 of Schedule 3 there shall be inserted the following paragraph:

“**7A.** A description of arrangements made for protecting persons on the installation from toxic gas at all times other than during the period described in paragraph 7.”.

14. In Schedule 6 there shall be added to the heading the words:

“from an installation”.

15. After Schedule 6 there shall be added the following schedule:

“SCHEDULE 6A

Regulation 11(5)

PARTICULARS TO BE INCLUDED IN NOTIFICATION OF WELL OPERATIONS FROM A VESSEL

1. The name and address of the person notifying the particulars in this Schedule.
2. The name of the vessel by means of which the operation is to be carried out (in this Schedule referred to as “the vessel”).
3. Particulars of the fluids to be used to control the pressure of the well.
4. Particulars of the type of well, its number, and slot number, and the name of any field development of which it may be part.
5. Particulars, with scale diagrams, of—
 - (a) the location of the top of the well;
 - (b) the directional path of the well-bore;
 - (c) its terminal depth and location; and

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- (d) its position, and that of nearby wells, relative to each other.
- 6. A description of the operations on the well and a programme of works which includes—
 - (a) the dates on which the operations are expected to commence and finish; and
 - (b) the intended operational state of the well at the end of the operations.
- 7. A description of—
 - (a) any activities on or in connection with the vessel during operations on the well described pursuant to paragraph 6, which will involve any hazards with the potential to cause a major accident;
 - (b) such hazards.
- 8. In the case of an existing well—
 - (a) a diagram of the well;
 - (b) a summary of earlier operations in relation to it;
 - (c) the purposes for which it has been used;
 - (d) its current operational state;
 - (e) its state of repair;
 - (f) the physical conditions within it; and
 - (g) its production capacity.
- 9. Particulars of—
 - (a) the meteorological and oceanographic conditions to which the vessel may foreseeably be subjected;
 - (b) the depth of water; and
 - (c) the properties of the sea-bed and subsoil,at the location at which the operations will be carried out.
- 10. Sufficient particulars to demonstrate that the arrangements and procedures of the person notifying the particulars in this Schedule, and of the operator and owner of the vessel for managing the operations are co-ordinated to reduce risks from a major accident to the lowest level that is reasonably practicable.”.
- 16. After Schedule 8 there shall be added the following schedule:

“SCHEDULE 9

Regulation 15B

MATTERS TO BE PROVIDED FOR IN A VERIFICATION SCHEME

- 1. The principles to be applied by the duty holder for the installation in selecting persons—
 - (a) to perform functions under the scheme; and
 - (b) to keep the scheme under review.
- 2. Arrangements for the communication of information necessary for the proper implementation, or revision, of the scheme to the persons referred to in paragraph 1.
- 3. The nature and frequency of examination and testing.
- 4. Arrangements for review and revision of the scheme.
- 5. The arrangements for the making and preservation of records showing—
 - (a) the examination and testing carried out;

- (b) the findings;
- (c) remedial action recommended; and
- (d) remedial action performed.

6. Arrangements for communicating the matters contained in sub-paragraphs (a) to (d) of paragraph 5 to an appropriate level in the management system of the duty holder for the installation.”.

SCHEDULE 3

Regulation 27

REVOCATION

(1) Title	(2) Reference	(3) Extent of revocation
The Offshore Installations (Construction and Survey) Regulations 1974	S.I. 1974/289	The whole Regulations
The Offshore Installations (Operational Safety, Health and Welfare) Regulations 1976	S.I. 1976/1019	Regulations 4 and 5; in regulation 6(1) the words “without prejudice to the generality of regulation 5 above”; regulations 14 and 15; Parts I and II of Schedule 1; and Schedule 4
The Offshore Installations (Well Control) Regulations 1980	S.I. 1980/1759	The whole Regulations
The Offshore Installations (Well Control) (Amendment) Regulations 1991	S.I. 1991/308	The whole Regulations