

Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC (Text with EEA relevance)

CHAPTER IV

**PREVENTION POLICY**

*Article 19*

**Major accident prevention by operators and owners**

1 Member States shall require operators and owners to prepare a document setting out their corporate major accident prevention policy which is to be submitted pursuant to point (a) of Article 11(1), and to ensure that it is implemented throughout their offshore oil and gas operations, including by setting up appropriate monitoring arrangements to assure effectiveness of the policy. The document shall contain the information specified in Annex I, Part 8.

2 The corporate major accident prevention policy shall take account of the operators' primary responsibility for, inter alia, the control of risks of a major accident that are a result of its operations and for continuously improving control of those risks so as to ensure a high level of protection at all times.

3 Member States shall ensure that operators and owners prepare a document setting out their safety and environmental management system which is to be submitted pursuant to point (b) of Article 11(1). That document shall include a description of the:

- a organisational arrangements for control of major hazards;
- b arrangements for preparing and submitting reports on major hazards, and other documents as appropriate, pursuant to this Directive; and
- c schemes for independent verification established pursuant to Article 17.

4 Member States shall create opportunities for operators and owners to contribute to mechanisms for effective tripartite consultation established pursuant to Article 6(8). When appropriate, an operator's and owner's commitment to such mechanisms may be outlined in the corporate major accident prevention policy.

5 The corporate major accident prevention policy and the safety and environmental management systems shall be prepared in accordance with Annex I, Parts 8 and 9 and Annex IV. The following conditions shall apply:

- a the corporate major accident prevention policy shall be in writing and shall establish the overall aims and arrangements for controlling the risk of a major accident, and how those aims are to be achieved and arrangements put into effect at corporate level;
- b the safety and environmental management system shall be integrated within the overall management system of the operator or owner and shall include organisational structure, responsibilities, practices, procedures, processes and resources for determining and implementing the corporate major accident prevention policy.

6 Member States shall ensure that operators and owners prepare and maintain a complete inventory of emergency response equipment pertinent to their offshore oil and gas operation.

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7 Member States shall ensure that operators and, owners in consultation with the competent authority and making use of the exchanges of knowledge, information and experience provided for in Article 27(1), prepare and revise standards and guidance on best practice in relation to the control of major hazards throughout the design and operational lifecycle of offshore oil and gas operations, and that as a minimum they follow the outline in Annex VI.

8 Member States shall require operators and owners to ensure that their corporate major accident prevention policy document referred to in paragraph 1 also covers their production and non-production installations outside of the Union.

9 Where an activity carried out by an operator or an owner poses an immediate danger to human health or significantly increases the risk of a major accident, Member States shall ensure that the operator or the owner takes suitable measures which may include, if deemed necessary, suspending the relevant activity until the danger or risk is adequately controlled. Member States shall ensure that where such measures are taken, the operator or the owner notifies the competent authority accordingly without delay and no later than 24 hours after taking those measures.

10 Member States shall ensure that, where appropriate, operators and owners take suitable measures to use suitable technical means or procedures in order to promote the reliability of the collection and recording of relevant data and to prevent possible manipulation thereof.