

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 VIII

TRANSBOUNDARY EFFECTS

Article 31

Transboundary emergency preparedness and response of Member States with offshore oil and gas operations under their jurisdiction

1 Where a Member State considers that a major hazard relating to offshore oil and gas operations that are to take place under its jurisdiction is likely to have significant effects on the environment in another Member State, it shall, prior to the commencement of operations, forward the relevant information to the potentially affected Member State and shall endeavour, jointly with that Member State, to adopt measures to prevent damage.

Member States that consider themselves to be potentially affected may request the Member State in whose jurisdiction the offshore oil and gas operation is to take place, to forward all relevant information to them. Those Member States may jointly assess the effectiveness of the measures, without prejudice to the regulatory functions of the competent authority with jurisdiction for the operation concerned under points (a), (b) and (c) of Article 8(1).

2 The major hazards identified pursuant to paragraph 1 shall be taken into account in internal and external emergency response plans to facilitate joint effective response to a major accident.

3 Where there is a risk of the foreseeable transboundary effects of major accidents affecting third countries, Member States shall, on a reciprocal basis, make information available to the third countries.

4 Member States shall coordinate between themselves measures relating to areas outside of the Union in order to prevent potential negative effects of offshore oil and gas operations.

5 Member States shall regularly test their preparedness to respond effectively to major accidents in cooperation with potentially affected Member States, relevant Union agencies and, on a reciprocal basis, potentially affected third countries. The Commission may contribute to exercises focused on testing transboundary emergency mechanisms.

6 In the event of a major accident, or of an imminent threat thereof, which has or is capable of having transboundary effects, the Member State under whose jurisdiction the situation occurs shall, without delay, notify the Commission and those Member States or third countries which may be affected by the situation and shall continuously provide information relevant for an effective emergency response.

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.

Article 32

Transboundary emergency preparedness and response of Member States without offshore oil and gas operations under their jurisdiction

1 Member States without offshore oil and gas operations under their jurisdiction shall appoint a contact point in order to exchange information with relevant adjacent Member States.

2 Member States without offshore oil and gas operations under their jurisdiction shall apply Article 29(4) and (7) so as to ensure that adequate response capacity is in place in the event that they are affected by a major accident.

3 Member States without offshore oil and gas operations under their jurisdiction shall coordinate their national contingency planning in the marine environment with other relevant Member States to the extent necessary to ensure the most effective response to a major accident.

4 Where a Member State without offshore oil and gas operations under its jurisdiction is affected by a major accident, it shall:

- a take all suitable measures, in line with the national contingency planning referred to in paragraph 3;
- b ensure that any information which is under its control and available within its jurisdiction and which may be relevant for a full investigation of the major accident is provided or made accessible on request to the Member State conducting the investigation pursuant to Article 26.

Article 33

Coordinated approach towards the safety of offshore oil and gas operations at international level

1 The Commission shall, in close cooperation with the Member State and without prejudice to relevant international agreements, promote cooperation with third countries that undertake offshore oil and gas operations in the same marine regions as Member States.

2 The Commission shall facilitate the exchange of information between Member States with offshore oil and gas operations and adjacent third countries with similar operations in order to promote preventive measures and regional emergency response plans.

3 The Commission shall promote high safety standards for offshore oil and gas operations at international level in relevant global and regional fora, including those relating to Arctic waters.