



# Petroleum Act 1987

## 1987 CHAPTER 12

### PART III

#### MISCELLANEOUS

##### *Safety zones*

#### 23 Safety zones: offences. **E+W+S**

- (1) Where by virtue of this Act there is a safety zone around an installation, no vessel shall enter or remain in the zone except—
  - (a) in the case of a safety zone established by an order under section 22, in accordance with that order, or
  - (b) in that or any other case, in accordance with regulations made <sup>[F1]</sup>by the Secretary of State or a consent given by the Health and Safety Executive].
- (2) If a vessel enters or remains in a safety zone in contravention of subsection (1) then, subject to subsection (3), its owner and its master shall each be guilty of an offence and liable—
  - (a) on summary conviction, to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (3) It shall be a defence for a person charged with an offence under this section to prove that the presence of the installation or the existence of the safety zone was not, and would not on reasonable enquiry have become, known to the master.
- (4) Where the commission by any person of an offence under this section is due to the act or default of some other person, that other person shall also be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (5) Where an offence committed by a body corporate under this section is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body

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*Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1987, Section 23. (See end of Document for details)*

corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

- (6) Where the affairs of a body corporate are managed by its members, subsection (5) shall apply in relation to acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (7) Proceedings for an offence under this section may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.
- (8) In this section “vessel” includes a hovercraft, submersible apparatus (within the meaning of section <sup>F2</sup>88(4) of the Merchant Shipping Act 1995]) and an installation in transit; and “master”—
- (a) in relation to a hovercraft, means the captain,
  - (b) in relation to submersible apparatus, means the person in charge of the apparatus, and
  - (c) in relation to an installation in transit, means the person in charge of the transit operation.

#### Extent Information

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only.

#### Textual Amendments

- F1** Words in s. 23(1)(b) substituted (E.W.S.) (23.8.1993) by [S.I. 1993/1823, reg. 4\(4\)\(a\)](#) (with s. 6(2)).
- F2** Words in s. 23(8) substituted (1.1.1996) by [1995 c. 21, ss. 314\(2\), 316\(2\), Sch. 13 para. 78](#) (with s. 312(1))

#### Modifications etc. (not altering text)

- C1** Ss. 21-24: power to repeal or modify conferred (E.W.S.) (6. 3. 1992) by [Offshore Safety Act 1992 \(c. 15\), s. 1](#) (amending [Health and Safety at Work etc. Act 1974 \(c. 37\), s. 15](#)).
- Ss. 21- 23 applied (19.3.1997) by [1997 c. 28 s. 13, Sch. 2 para. 4\(6\)\(b\)](#)
- C2** Ss. 21-24 modified (E.W.S.) (6. 3. 1992) by [Offshore Safety Act 1992 \(c. 15\), s. 1\(5\)](#).
- C3** S. 23 applied (6.4.2009) by [Energy Act 2008 \(c. 32\), ss. 32, 110\(2\); S.I. 2009/45, art. 4\(a\)\(ii\)](#)

## 23 Safety zones: offences. **N.I.**

- (1) Where by virtue of this Act there is a safety zone around an installation, no vessel shall enter or remain in the zone except—
- (a) in the case of a safety zone established by an order under section 22, in accordance with that order, or
  - (b) in that or any other case, in accordance with regulations made <sup>F3</sup>by the Secretary of State or a consent given by <sup>F4</sup>the Health and Safety Executive for Northern Ireland]].
- (2) If a vessel enters or remains in a safety zone in contravention of subsection (1) then, subject to subsection (3), its owner and its master shall each be guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;

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- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (3) It shall be a defence for a person charged with an offence under this section to prove that the presence of the installation or the existence of the safety zone was not, and would not on reasonable enquiry have become, known to the master.
- (4) Where the commission by any person of an offence under this section is due to the act or default of some other person, that other person shall also be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (5) Where an offence committed by a body corporate under this section is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (6) Where the affairs of a body corporate are managed by its members, subsection (5) shall apply in relation to acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (7) Proceedings for an offence under this section may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.
- (8) In this section “vessel” includes a hovercraft, submersible apparatus (within the meaning of section <sup>F5</sup>88(4) of the Merchant Shipping Act 1995) and an installation in transit; and “master”—
- (a) in relation to a hovercraft, means the captain,
  - (b) in relation to submersible apparatus, means the person in charge of the apparatus, and
  - (c) in relation to an installation in transit, means the person in charge of the transit operation.

#### Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only.

#### Textual Amendments

- F3** Words in s. 23(1)(b) substituted (N.I.) (1.11.1993) by [S.R. 1993/384](#), [reg. 4\(3\)\(a\)](#) (with [reg. 6\(2\)](#)).
- F4** Words in s. 23(1)(b) substituted (1.4.1999) by [S.R. 1999/150](#), [reg. 2](#), [Sch.](#)
- F5** Words in s. 23(8) substituted (1.1.1996) by [1995 c. 21](#), [ss. 314\(2\)](#), [316\(2\)](#), [Sch. 13 para. 78](#) (with [s. 312\(1\)](#))

#### Modifications etc. (not altering text)

- C3** S. 23 applied (6.4.2009) by [Energy Act 2008 \(c. 32\)](#), [ss. 32](#), [110\(2\)](#); [S.I. 2009/45](#), [art. 4\(a\)\(ii\)](#)
- C4** Ss. 21-24: power to repeal or modify conferred (N.I.) (15. 9. 1992) by [S.I. 1992/1728 \(N.I. 17\)](#), [arts. 1\(2\)](#), [3\(2\)\(a\)](#).  
Ss. 21-24 modified (N.I.) (15. 9. 1992) by [S.I. 1992/1728 \(N.I. 17\)](#), [arts. 1\(2\)](#), [3\(5\)](#).  
Ss. 21-23 applied (19.3.1997) by [1997 c. 28 s. 13](#), [Sch. 2 para. 4\(6\)\(b\)](#)

**Status:**

There are multiple versions of this provision on screen. These apply to different geographical extents.

**Skip to:**

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

**Changes to legislation:**

There are currently no known outstanding effects for the Petroleum Act 1987, Section 23.