
STATUTORY INSTRUMENTS

1992 No. 2885

The Offshore Installations (Safety Case) Regulations 1992

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the 1971 Act” means the Mineral Workings (Offshore Installations) Act 1971(1);

“the 1989 Order” means the Health and Safety at Work etc. Act 1974 (Application Outside Great Britain) Order 1989(2);

“approves” means approves in writing;

“the Executive” means the Health and Safety Executive;

“combined operation” means an activity referred to in paragraph (7);

“concession owner” in relation to a fixed installation means a concession owner within the meaning of section 12(2) of the 1971 Act(3) as if “or is to be” appeared after “there is” in the subsection;

“construction activity” in relation to an installation means—

- (a) the construction of the installation at the place where it is to be operated;
- (b) the dismantling or demolition of the installation at the place where it was operated; or
- (c) any activity on or in connection with the installation which involves the use of a heavy lift vessel;

“decommissioning” in relation to an installation means taking the installation or any plant thereon out of use with a view to the abandonment of the installation, and

“decommissioned” shall be construed accordingly;

“diving bell” means a diving bell within the meaning of regulation 2 of the Diving Operations at Work Regulations 1981(4);

“fixed installation” means an installation other than a mobile installation;

“heavy lift vessel” means a vessel whose primary function is to—

- (a) lift an installation or part thereof, or
- (b) lift plant onto or off an installation;

“installation” means an offshore installation within the meaning of section 1 of the 1971 Act(5) as if in the definition of “controlled waters” in section 1(4) of that Act the reference to the United Kingdom were a reference to Great Britain;

“major accident” means—

(1) 1971 c. 61.

(2) S.I. 1989/840.

(3) Section 12(2) of the 1971 Act was substituted by the Oil and Gas (Enterprise) Act 1982 c. 23, Schedule 3 paragraph 11(2).

(4) S.I. 1981/399.

(5) Section 1 of the 1971 Act was substituted by section 24 of the Oil and Gas (Enterprise) Act 1982 c. 23.

- (a) a fire, explosion or the release of a dangerous substance involving death or serious personal injury to persons on the installation or engaged in an activity on or in connection with it;
- (b) any event involving major damage to the structure of the installation or plant affixed thereto or any loss in the stability of the installation;
- (c) the collision of a helicopter with the installation;
- (d) the failure of life support systems for diving operations in connection with the installation, the detachment of a diving bell used for such operations or the trapping of a diver in a diving bell or other subsea chamber used for such operations; or
- (e) any other event arising from a work activity involving death or serious personal injury to five or more persons on the installation or engaged in an activity in connection with it;

“mobile installation” means an installation (other than a floating production platform) which can be moved from place to place without major dismantling or modification, whether or not it has its own motive power;

“notified” means notified in writing, and related expressions shall be construed accordingly;

“operator” in relation to—

- (a) a fixed installation means the person appointed by a concession owner to execute any function of organising or supervising any operation to be carried out by such installation or, where no such person has been appointed, the concession owner;
- (b) a mobile installation means the person for whom the owner has agreed to carry out the operation concerned or, where there is no such agreement, the owner;

“owner” in relation to—

- (a) a mobile installation means the person who has registered the installation pursuant to regulations under section 2 of the 1971 Act or, if there is no such person, the person for the time being having the management of the installation, or of its main structure;
- (b) a pipe-line means an owner within the meaning of section 33(3) of the Petroleum and Submarine Pipe-Lines Act 1975⁽⁶⁾;

“pipe-line” has the same meaning as in section 26(1) of the Petroleum and Submarine Pipe-Lines Act 1975;

“quantitative risk assessment” means the identification of hazards and the evaluation of the extent of risk arising therefrom incorporating calculations based upon the frequency and magnitude of hazardous events;

“relevant statutory provisions” means those relevant statutory provisions which apply to or in relation to installations or activities on or in connection with them;

“relevant waters” means—

- (a) tidal waters and parts of the sea in or adjacent to Great Britain up to the seaward limits of territorial waters, and
- (b) any area designated by order under section 1(7) of the Continental Shelf Act 1964⁽⁷⁾;

“safety case” shall be construed in accordance with paragraph (2);

“stand-by vessel” has the same meaning as in regulation 10 of the Offshore Installations (Emergency Procedures) Regulations 1976⁽⁸⁾;

⁽⁶⁾ 1975 c. 74.

⁽⁷⁾ 1964 c. 29; section 1(7) was amended by the Oil and Gas (Enterprise) Act 1982 c. 23, Schedule 3, paragraph 1.

⁽⁸⁾ S.I. 1976/1542.

(2) Any reference in these Regulations to a safety case is, subject to regulation 8(3), a reference to a document containing the particulars specified in regulation 8 and the Schedule referred to in the provision pursuant to which the safety case is prepared; and a safety case may contain such particulars by reference to the same particulars in an earlier safety case relating to the same installation and sent to the Executive pursuant to these Regulations.

(3) Any provision of these Regulations requiring particulars to be included in a safety case which are also required to be included by virtue of a more general provision of the Regulations is without prejudice to the generality of the more general provision.

(4) Any reference in these Regulations to the Executive accepting a safety case or revision is a reference to the Executive notifying the person who sent the safety case or revision to the Executive that it is satisfied with the case for health and safety made out in the safety case or in the revision, as appropriate.

(5) Any reference in these Regulations to operating an installation is a reference to carrying out from, by means of or on the installation an activity mentioned in section 1(2) of the 1971 Act.

(6) Any reference in these Regulations to the commencement of drilling a well includes a reference to the recommencement of drilling after the well has been completed, suspended, or abandoned by plugging at the sea-bed.

(7) For the purposes of these Regulations two or more installations shall be treated as engaged in a combined operation with each other if an activity carried out from, by means of or on one of the installations—

- (a) is carried out temporarily for a purpose related to the other installation or installations; and
- (b) could affect the health or safety of persons on any of the installations or of persons engaged in an activity in connection with any of the installations.

(8) Any reference in these Regulations to an activity in connection with an installation is a reference to any activity in connection with an offshore installation specified in article 4(1)(b) of the 1989 Order.

(9) Where an operator or owner of an installation is succeeded by a new operator or owner, anything done in compliance with these Regulations by the operator or owner in relation to the installation shall, for the purposes of these Regulations, be treated as having been done by his successor.

(10) Unless the context otherwise requires, any reference in these Regulations to—

- (a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered;
- (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which the reference appears.