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STATUTORY INSTRUMENTS

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**1995 No. 743**

**The Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995**

**Citation and commencement** **E+W+S**

1. These Regulations may be cited as the Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995 and shall come into force on 20th June 1995.

**Interpretation** **E+W+S**

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

“the [<sup>F1</sup>2013] Order” means the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order [<sup>F1</sup>2013];

“the 1974 Regulations” means the Offshore Installations (Construction and Survey) Regulations 1974 <sup>M1</sup>;

“the 1995 Regulations” means the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 <sup>M2</sup>;

[<sup>F2</sup>“the 2005 Regulations” means the Offshore Installations (Safety Case) Regulations 2005;

“the 2015 Regulations” means the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015;]

“acoustic signal” means a coded sound signal which is released and transmitted by a device designed for that purpose, without the use of a human or artificial voice;

[<sup>F3</sup>“competent authority” means the Executive and the Secretary of State acting jointly;]

<sup>F4</sup>  
...

[<sup>F5</sup>“duty holder” means—

(a) in relation to a production installation, the operator; and

(b) in relation to a non-production installation, the owner;]

“emergency” means an emergency of a kind which can require evacuation, escape or rescue;

“emergency response” means action to safeguard the health and safety of persons on or near an installation in an emergency;

“evacuation” means the leaving of an installation and its vicinity, in an emergency, in a systematic manner and without directly entering the sea;

“the Executive” means the Health and Safety Executive;

“explosion” means unplanned explosion;

[<sup>F6</sup>“external emergency response plan” means the Search and Rescue Framework for the United Kingdom of Great Britain and Northern Ireland as published by the Secretary of State, as revised or re-issued from time to time;

“external waters” means the territorial sea adjacent to Great Britain and any area designated by order under section 1(7) of the Continental Shelf Act 1964;]

“fire” means unplanned or uncontrolled fire;

F7 ...

“illuminated sign” means a sign produced by a device made of transparent or translucent materials which are illuminated from the inside or the rear in such a way as to give the appearance of a luminous surface;

“installation” means an offshore installation within the meaning of regulation 3 of the 1995 Regulations;

[F8“internal waters” means tidal waters and parts of the sea in or adjacent to Great Britain up to the landward limits of the territorial sea;]

[F9“licensee”—

- (a) in relation to internal waters, means any person to whom a licence to search and bore for and get petroleum in respect of any area within internal waters is granted pursuant to section 2 of the Petroleum (Production) Act 1934 or section 3 of the Petroleum Act 1998; and
- (b) in relation to external waters, means an offshore licensee as defined in regulation 2(1) of the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015;]

[F10“major accident”—

- (a) in relation to internal waters, has the meaning given in regulation 2(1) of the 2005 Regulations; and
- (b) in relation to external waters, has the meaning given in regulation 2(1) of the 2015 Regulations;]

F11 ...

“muster areas” shall be construed in accordance with regulation 14(1)(a);

[F12“non-production installation” means an installation other than a production installation;]

[F13“operator”—

- (a) in relation to internal waters—
  - (i) in relation to the dismantling of a fixed installation (as a fixed installation is defined in the 2005 Regulations), has the meaning given in regulation 11(4) of the 2005 Regulations; and
  - (ii) otherwise, has the meaning given in regulation 2(1) of the 2005 Regulations in relation to a production installation; and
- (b) in relation to external waters, has the meaning given in regulation 2(1) of the 2015 Regulations;]

[F14“owner” means the person who controls [F15or is entitled to control] the operation of a non-production installation;]

“personal protective equipment” has the same meaning as in regulation 2(1) of the Personal Protective Equipment at Work Regulations 1992 <sup>M3</sup>.

[F16“petroleum”—

- (a) includes any mineral oil or relative hydrocarbon and natural gas, whether or not existing in its natural condition in strata; and
- (b) does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation; and

[<sup>F17cc</sup>“production installation”—

- (a) in relation to internal waters, has the meaning given in regulation 2(1) of the 2005 Regulations; and
  - (b) in relation to external waters, has the meaning given in regulation 2(1) of the 2015 Regulations;]
- (2) Unless the context otherwise requires, any reference in these Regulations to—
- (a) a numbered regulation is a reference to the regulation in these Regulations so numbered;
  - (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation in which the reference appears.]

### Textual Amendments

- F1** Words in reg. 2(1) substituted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(a)** (with reg. 4(2), Sch. 14)
- F2** Words in reg. 2(1) inserted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(b)** (with reg. 4(2), Sch. 14)
- F3** Words in reg. 2(1) inserted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(c)** (with reg. 4(2), Sch. 14)
- F4** Words in reg. 2(1) omitted (6.4.2006) by virtue of The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, **Sch. 9 para. 3(a)(ii)** (with reg. 27)
- F5** Words in reg. 2(1) substituted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, **Sch. 9 para. 3(a)(iii)** (with reg. 27)
- F6** Words in reg. 2(1) inserted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(d)** (with reg. 4(2), Sch. 14)
- F7** Words in reg. 2(1) omitted (6.4.2006) by virtue of The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, **Sch. 9 para. 3(a)(iv)** (with reg. 27)
- F8** Words in reg. 2(1) inserted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(e)** (with reg. 4(2), Sch. 14)
- F9** Words in reg. 2(1) substituted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(f)** (with reg. 4(2), Sch. 14)
- F10** Words in reg. 2(1) substituted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(g)** (with reg. 4(2), Sch. 14)
- F11** Words in reg. 2(1) omitted (6.4.2006) by virtue of The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, **Sch. 9 para. 3(a)(vii)** (with reg. 27)
- F12** Words in reg. 2(1) inserted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, **Sch. 9 para. 3(a)(viii)** (with reg. 27)
- F13** Words in reg. 2(1) substituted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(h)** (with reg. 4(2), Sch. 14)
- F14** Words in reg. 2(1) substituted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, **Sch. 9 para. 3(a)(x)** (with reg. 27)
- F15** Words in reg. 2(1) inserted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(i)** (with reg. 4(2), Sch. 14)

**F16** Words in reg. 2(1) inserted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, **Sch. 9 para. 3(a)(xi)** (with reg. 27)

**F17** Words in reg. 2(1) substituted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 17(j)** (with reg. 4(2), Sch. 14)

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

**C1** Reg. 2(1) modified (17.9.2002) by The Offshore Safety (Miscellaneous Amendments) Regulations 2002 (S.I. 2002/2175), regs. 1(1), **3(a)(ii)**

#### Marginal Citations

**M1** S.I. 1974/289.

**M2** S.I. 1995/738.

**M3** S.I. 1992/2966.

### Application **E+W+S**

3.—(1) These Regulations shall apply—

- (a) [<sup>F18</sup>apart from regulations 22A to 22C] in Great Britain, and
- (b) to and in relation to installations and activities outside Great Britain to which sections 1 to 59 and 80 to 82 of the 1974 Act apply by virtue of articles 4(1) [<sup>F19</sup>and (2)], 5 and 6 of the [<sup>F20</sup>2013] Order.

(2) Regulations 4 to 22 [<sup>F21</sup>and 22A to 22C] shall not apply in relation to an installation which is in transit to or from a station; and an installation is not in transit to or from a station while it is being manoeuvred at the station.

#### Textual Amendments

**F18** Words in reg. 3(1)(a) inserted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 18(2)** (with reg. 4(2), Sch. 14)

**F19** Words in reg. 3(1)(b) substituted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 18(3)(a)** (with reg. 4(2), Sch. 14)

**F20** Word in reg. 3(1)(b) substituted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 18(3)(b)** (with reg. 4(2), Sch. 14)

**F21** Words in reg. 3(2) inserted (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), reg. 1, **Sch. 13 para. 18(4)** (with reg. 4(2), Sch. 14)

### General duty **E+W+S**

4.—(1) The duty holder shall take appropriate measures with a view to—

- (a) protecting persons on the installation from fire and explosion; and
- (b) securing effective emergency response.

(2) Any more detailed requirement in regulations 6 to 21 [<sup>F22</sup>and 22A to 22C] for the purposes referred to in paragraph (1) shall be without prejudice to the generality of paragraph (1).

### Textual Amendments

**F22** Words in reg. 4(2) inserted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 19** (with reg. 4(2), Sch. 14)

### Assessment **E+W+S**

**5.—**(1) The duty holder shall perform, and thereafter repeat as often as may be appropriate a process (in this regulation called “an assessment”) described in paragraph (2) in relation to the installation.

(2) An assessment shall consist of—

- (a) the identification of the various events which could give rise to—
  - (i) a major accident involving fire or explosion; or
  - (ii) the need (whether or not by reason of fire or explosion) for evacuation, escape or rescue to avoid or minimise a major accident;
- (b) the evaluation of the likelihood and consequences of such events;
- (c) the establishment of appropriate standards of performance to be attained by anything provided by measures for—
  - (i) ensuring effective evacuation, escape, recovery and rescue to avoid or minimise a major accident; and
  - (ii) otherwise protecting persons from a major accident involving fire or explosion; and
- (d) the selection of appropriate measures.

(3) The duty holder shall—

- (a) record the assessment (including each repetition of it);
- (b) keep the record at an address in Great Britain; and
- <sup>[F23]</sup>(c) notify—
  - (i) in the case of an installation in internal waters, the Executive;
  - (ii) in the case of an installation in external waters, the competent authority, of such address.]

### Textual Amendments

**F23** Reg. 5(3)(c) substituted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 20** (with reg. 4(2), Sch. 14)

### Preparation for emergencies **E+W+S**

**6.—**(1) The duty holder shall establish such appropriate organisation and arrangements as are to have effect in, or in anticipation of, an emergency and which shall include arrangements—

- (a) for command by competent persons which can be maintained, so far as is practicable, throughout an emergency;
- (b) for there to be a sufficient number of persons on the installation competent to undertake emergency duties and operate relevant equipment;

- (c) in the case of an installation on which personnel are present, for a sufficient number of such persons to be in attendance at the helicopter landing area during helicopter movements;  
F24 ...
- (d) for lists of persons referred to in sub-paragraphs (a), (b) and (c) above to be posted at suitable locations on the installation when persons are present [F25 and]
- [F26 (e) in relation to external waters only, for coordinating the emergency response with the response planned pursuant to the external emergency response plan.]
- (2) The duty holder shall ensure that every person on the installation—
  - (a) is provided with adequate instruction and training in the appropriate action to take in an emergency [F27, including how to co-ordinate with persons responding to an emergency who are not on the installation when the emergency begins]; and
  - (b) can consult written information on the use of emergency plant.

#### Textual Amendments

- F24** Word in reg. 6 revoked (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 Pt. 2** (with reg. 4(2), Sch. 14)
- F25** Word in reg. 6(1)(d) inserted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 21(2)(i)** (with reg. 4(2), Sch. 14)
- F26** Reg. 6(1)(e) inserted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 21(2)(ii)** (with reg. 4(2), Sch. 14)
- F27** Words in reg. 6(2)(a) inserted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 21(3)** (with reg. 4(2), Sch. 14)

#### Equipment for helicopter emergencies **E+W+S**

7. The duty holder shall ensure that there is kept available near the helicopter landing area equipment necessary for use in the event of an accident involving a helicopter.

#### Emergency response plan **E+W+S**

8.—(1) The duty holder shall, after consulting persons who are likely to become involved in emergency response, prepare and, as often as is appropriate, revise a document (in this regulation called “the emergency response plan”) containing sufficient information, for the guidance of such persons, on—

- (a) the organisation and arrangements which are to have effect in an emergency; and
- (b) procedures by way of emergency response to be followed in different circumstances.
- (2) The duty holder shall ensure that—
  - (a) the emergency response plan is available to all persons on the installation; and
  - (b) each person on the installation, and each person who may be called upon to assist in implementing the emergency response plan, are given such notification of its contents as is sufficient for them.
- (3) The duty holder shall ensure that the organisation, arrangements and procedures referred to in paragraph (1) are tested, by practice and otherwise, as often as may be appropriate.
- (4) Every person on the installation shall, in an emergency, so far as is practicable, conform to the appropriate procedure in the plan.

### **Prevention of fire and explosion** **E+W+S**

9.—(1) The duty holder shall take appropriate measures with a view to preventing fire and explosion, including such measures to—

- (a) ensure the safe production, processing, use, storage, handling, treatment, movement and other dealings with flammable and explosive substances;
  - (b) prevent the uncontrolled release of flammable or explosive substances;
  - (c) prevent the unwanted or unnecessary accumulation of combustible, flammable or explosive substances and atmospheres; and
  - (d) prevent the ignition of such substances and atmospheres.
- (2) The measures to prevent ignition referred to in paragraph (1) shall include—
- (a) identifying and designating areas in which there is a risk of a flammable or explosive atmosphere occurring;
  - (b) controlling the carrying on of hazardous activities in such areas;
  - (c) ensuring that, save under procedures pursuant to sub-paragraph (b) above, no plant is used in such areas unless suitable for use within them; and
  - (d) controlling the placing or use in such areas of electrical fixtures or other sources of ignition.

### **Detection of incidents** **E+W+S**

10. The duty holder shall take appropriate measures—

- (a) with a view to detecting fire and other events which may require emergency response, including the provision of means for—
  - (i) detecting and recording accumulations of flammable or toxic gases; and
  - (ii) identifying leakages of flammable liquids; and
- (b) with a view to enabling information regarding such incidents to be conveyed forthwith to places from which control action can be instigated.

### **Communication** **E+W+S**

11.—(1) The duty holder shall make appropriate arrangements—

- (a) for giving warning of an emergency, by audible and, where necessary, visual alarm systems, to all persons on the installation; and
- (b) for the purpose of emergency response, for communication between—
  - (i) persons on the installation;
  - (ii) the installation and persons not on it and engaged in activities in connection with it; and
  - (iii) the installation and persons beyond it;

and shall ensure that, so far as is reasonably practicable, the arrangements are capable of remaining effective in an emergency.

(2) Subject to paragraph (3), the duty holder shall ensure that—

- (a) an illuminated sign provided pursuant to paragraph (1)(a) is—
  - (i) in the case of a warning of toxic gas, a red flashing sign; and
  - (ii) in all other cases, a yellow flashing sign; and
- (b) an acoustic signal provided pursuant to paragraph (1)(a) is—

- (i) in the case of a warning to prepare for evacuation, a continuous signal of variable frequency;
- (ii) in the case of a warning of toxic gas, a continuous signal of a constant frequency; and
- (iii) in all other cases, an intermittent signal of a constant frequency.

(3) Where an illuminated sign or acoustic signal is in lawful use immediately before the date of coming into force of these Regulations, but it does not meet the requirements of paragraph (2), it shall be sufficient compliance with that paragraph if a change to a sign or signal so complying is made before 20th December 1997.

### **Control of emergencies** **E+W+S**

**12.** The duty holder shall—

- (a) take appropriate measures with a view to limiting the extent of an emergency, including such measures to combat fire and explosion; and
- (b) shall ensure that—
  - (i) where appropriate, those measures include provision for the remote operation of plant; and
  - (ii) so far as is reasonably practicable, any arrangements made and plant provided pursuant to this regulation are capable of remaining effective in an emergency.

### **Mitigation of fire and explosion** **E+W+S**

**13.** The duty holder shall—

- (a) take appropriate measures with a view to protecting persons on the installation during an emergency from the effects of fire and explosion; and
- (b) ensure that, so far as is reasonably practicable, any arrangements made and plant provided pursuant to this regulation are capable of remaining effective in an emergency.

### **Muster areas etc.** **E+W+S**

**14.—(1)** The duty holder shall make appropriate provision for—

- (a) areas for persons to muster safely in an emergency (in these Regulations referred to as “muster areas”);
- (b) safe egress from accommodation and work areas, and safe access to muster areas, temporary refuge, and evacuation and escape points; and
- (c) safe evacuation and escape points.

(2) The duty holder shall ensure that the muster areas, egress, access and evacuation and escape points referred to in paragraph (1)—

- (a) are kept unobstructed;
- (b) are provided with adequate emergency lighting; and
- (c) are marked by suitable signs,

and shall take appropriate measures to ensure that, so far as is reasonably practicable, the egress and access remain passable in an emergency.

(3) The duty holder shall ensure that—

- (a) doors for use in an emergency—
  - (i) open in the appropriate direction or, if this is not possible, are sliding doors; and



- (ii) are not so fastened that they cannot readily be opened by any person who may require to use them in an emergency; and
  - (b) accommodation areas are provided at each level with at least two means of egress situated a proper distance apart.
- (4) The duty holder shall—
- (a) ensure that—
    - (i) each person on the installation is assigned to a muster area; and
    - (ii) for each muster area a list of names of persons assigned to it is kept up-to-date and displayed; and
  - (b) establish procedures—
    - (i) for mustering at such areas; and
    - (ii) for accounting for persons.

#### **Arrangements for evacuation** E+W+S

15. The duty holder shall ensure that such arrangements are made which include, to the extent necessary—

- (a) the provision of plant on the installation; and
- (b) such arrangements with suitable persons beyond the installation,

as will ensure, so far as is reasonably practicable, the safe evacuation of all persons and their being taken to a place of safety, or to a place from which they can be recovered and taken to a place of safety under arrangements made pursuant to regulation 17.

#### **Means of escape** E+W+S

16. The duty holder shall provide such means as will ensure, so far as is reasonably practicable, the safe escape of all persons from the installation in case arrangements for evacuation fail.

#### **Arrangements for recovery and rescue** E+W+S

17. The duty holder shall ensure that effective arrangements are made, which [F28 shall] include such arrangements with suitable persons beyond the installation, for—

- (a) recovery of persons following their evacuation or escape from the installation; and
- (b) rescue of persons near the installation; and
- (c) taking such persons to a place of safety,

and for the purposes of this regulation arrangements shall be regarded as being effective if they secure a good prospect of those persons being recovered, rescued, and taken to a place of safety.

#### **Textual Amendments**

**F28** Word in reg. 17 inserted (6.4.2006) by [The Offshore Installations \(Safety Case\) Regulations 2005 \(S.I. 2005/3117\)](#), reg. 1, [Sch. 9 para. 3\(c\)](#) (with reg. 27)

#### **Suitability of personal protective equipment for use in an emergency** E+W+S

18.—(1) In relation to personal protective equipment which protects a person in an emergency against risks to his health and safety—

- (a) in conditions of fire, heat, smoke, fumes or toxic gas; or
- (b) in the event of his immersion in the sea,

the duty holder shall, for the purposes of the Personal Protective Equipment at Work Regulations 1992 <sup>M4</sup>, be treated as the only employer of all persons on the installation, and such persons shall be treated as only employed by him.

(2) The duty holder shall ensure that there is prepared and operated a written scheme for the systematic examination and, where appropriate, testing, by a competent person, of the equipment referred to in paragraph (1) and for recording the results thereof.

**Marginal Citations**  
**M4** S.I. 1992/2966.

**Suitability and condition of plant** **E+W+S**

**19.**—(1) The duty holder shall ensure that all plant on the installation provided in compliance with these Regulations (other than aircraft, or equipment to which regulation 18 applies)—

- (a) is so constructed or adapted as to be suitable for the purpose for which it is used or provided; and
- (b) is maintained in an efficient state, in efficient working order and in good repair.

- F29(2) .....
- F29(3) .....
- F29(4) .....
- F29(5) .....
- F29(6) .....
- F29(7) .....
- F29(8) .....

**Textual Amendments**  
**F29** Reg. 19(2)-(8) omitted (6.4.2006) by virtue of [The Offshore Installations \(Safety Case\) Regulations 2005 \(S.I. 2005/3117\)](#), reg. 1, [Sch. 9 para. 3\(d\)](#) (with reg. 27)

**Life-saving appliances** **E+W+S**

**20.** The duty holder shall ensure that survival craft, life-rafts, life-buoys, life-jackets and plant for like purposes—

- (a) are of such colour as will make them conspicuous when in use;
- (b) are (where applicable) suitably equipped; and
- (c) are kept available for immediate use in sufficient numbers.

**Information regarding plant** **E+W+S**

**21.** The duty holder shall ensure that information, giving the location of—

- (a) areas in which there is a risk of a flammable or explosive atmosphere occurring;

- (b) non-automatic plant for fighting fire; and
- (c) plant to which regulations 18(1) and 20 apply (other than plant issued to particular persons),

is available to all persons on the installation.

### Certificates of exemption **E+W+S**

**22.**—(1) Subject to paragraph (2) and to any of the provisions imposed by [<sup>F30</sup>the European Union][<sup>F31</sup>(as they had effect immediately before IP completion day)] in respect of the encouragement of improvements in the safety and health of workers at work [<sup>F32</sup>or by 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], the Executive may, by a certificate in writing, exempt any person, installation or class of persons or installations from any requirement or prohibition imposed by these Regulations and any such exemption may be granted subject to conditions and with or without limit of time and may be revoked by a certificate in writing at any time.

(2) The Executive shall not grant any such exemption unless, having regard to the circumstances of the case and, in particular, to—

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any enactments which apply to the case,

it is satisfied that the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

#### Textual Amendments

- F30** Words in reg. 22 substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 4
- F31** Words in reg. 22(1) inserted (31.12.2020) by [The Health and Safety \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1370\)](#), regs. 1(1), **3(2)** (as amended by S.I. 2020/660, regs. 1(1), 4); 2020 c. 1, **Sch. 5 para. 1(1)**
- F32** Words in reg. 22(1) inserted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 22** (with reg. 4(2), Sch. 14)

### [<sup>F33</sup>Inventory of equipment etc. **E+W+S**

**22A.**—(1) This regulation applies only in relation to external waters.

(2) The duty holder must prepare an inventory of available equipment, its ownership, location, transport to and mode of deployment at the installation and any person relevant to the performance of the duties in these Regulations (except the duties in regulations 5, 9, 10, 12, 13, 14, 18, 19 and 20).

(3) The inventory prepared under paragraph (2) must identify measures in place to ensure equipment and procedures are maintained in operable condition.

(4) The duty holder must ensure all equipment on the installation provided in compliance with paragraph (1) is made available at all times and made available as necessary to the Maritime and Coastguard Agency.

#### Textual Amendments

**F33** Regs. 22A-22C inserted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 23** (with reg. 4(2), Sch. 14)

### Initiation and direction of emergency response and liaison with external response authority **E+W+S**

- 22B.**—(1) This regulation applies only in relation to external waters.
- (2) The duty holder must authorise one or more persons—
- (a) to initiate an emergency response;
  - (b) to direct an emergency response; and
  - (c) to liaise with the Maritime and Coastguard Agency.

#### Textual Amendments

**F33** Regs. 22A-22C inserted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 23** (with reg. 4(2), Sch. 14)

### Arrangements for early warning of major accidents **E+W+S**

- 22C.**—(1) This regulation applies only in relation to external waters.
- (2) The duty holder must make arrangements—
- (a) for providing early warning of a major accident to the Maritime and Coastguard Agency; and
  - (b) for providing more detailed information about such an accident as soon as it becomes available,

but nothing in this paragraph is to be taken as imposing a requirement which is imposed by regulation 4(3)(c) and paragraph 2(k) of Schedule 2 to the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 (arrangements for early warning of major environmental incidents).]

#### Textual Amendments

**F33** Regs. 22A-22C inserted (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), reg. 1, **Sch. 13 para. 23** (with reg. 4(2), Sch. 14)

### Amendment of the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 **E+W+S**

**23.** Regulation 23(2)(c) of the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 <sup>M5</sup> shall be amended—

- (a) by deleting the word “and” after paragraph (ii); and
- (b) by adding the following paragraph:

“and (iv) the arrangements for the appointment of persons referred to in regulation 6(1) of the Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995”.

**Marginal Citations**

**M5** S.I. 1989/971.

**Amendment of the Offshore Installations (Safety Case) Regulations 1992** **E+W+S**

<sup>F34</sup>**24.** . . . . .

**Textual Amendments**

**F34** Reg. 24 omitted (6.4.2006) by virtue of [The Offshore Installations \(Safety Case\) Regulations 2005](#) (S.I. 2005/3117), reg. 1, **Sch. 9 para. 3(e)** (with reg. 27)

**Revocation** **E+W+S**

**25.** The instruments specified in column 1 of the Schedule hereto are hereby revoked to the extent specified in column 3 of the Schedule.

Signed by order of the Secretary of State.

*Phillip Oppenheim*  
Parliamentary Under Secretary of State,  
Department of Employment.

**Changes to legislation:**

There are currently no known outstanding effects for the The Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995.