
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations replace the Offshore Installations (Safety Case) Regulations 1992 (S.I. 1992/2885) (“the 1992 Regulations”) to provide for the preparation of safety cases for offshore installations and for the notification of specified activities to the Health and Safety Executive (“the Executive”).

2. The 1992 Regulations implemented Article 3(2) of Council Directive [92/91/EEC](#) (O.J. No. L348, 28.11.92, p.9) concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling. These Regulations continue to provide for the implementation of this provision in Great Britain.

3. A safety case is defined in the Regulations as a document containing specified information relating to the management of health and safety and the control of major accident hazards and containing the particulars specified in the Schedule referred to in the provision of the Regulations under which it is prepared (*regulations 2(2) and 12*).

4. The Regulations—

- (a) require a licensee to ensure that any operator he appoints is capable of carrying out his functions and discharging his duties satisfactorily (*regulation 5*);
- (b) require an operator to prepare and send to the Executive a design notification for a production installation which is to be established (*regulation 6(1)*) and a relocation notification for a production installation that is to be moved to a new location (*regulation 6(2)*);
- (c) prohibit the operation of a production installation unless a safety case has been sent to and accepted by the Executive (*regulation 7 and Schedule 2*);
- (d) prohibit the movement of a non-production installation in relevant waters (as defined in regulation 2(1)) with a view to its being operated there unless a safety case has been sent to and accepted by the Executive (*regulation 8 and Schedule 3*);
- (e) require a design notification to be sent to the Executive in respect of the conversion of a non-production installation to a production installation (*regulation 9(1)*) and prohibit the operation of a converted installation unless a safety case has been sent to and accepted by the Executive (*regulation 9(5)*);
- (f) prohibit the engagement of an installation in a combined operation with another unless a notification has been sent to the Executive (*regulation 10 and Schedule 4*);
- (g) prohibit the dismantling of a fixed installation unless a revised safety case has been sent to and accepted by the Executive (*regulation 11 and Schedule 5*);
- (h) require a safety case to be reviewed when directed by the Executive and at intervals of 5 years (*regulation 13*);
- (i) require a safety case to be revised when appropriate and when directed by the Executive (*regulation 14*);
- (j) grant to the Executive powers in respect of safety cases and related documents (*regulation 15*);
- (k) require any procedures or arrangements in safety cases to be followed and provide for specified defences for contravention of the requirement (*regulation 16*);

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- (l) prohibit the commencement of a well operation unless a notification has been sent to the Executive (*regulation 17*);
- (m) impose requirements with respect to the making and keeping of documents (*regulation 18*);
- (n) impose requirements with respect to the creation, revision and continuing effect of a verification scheme in respect of an installation and provide a defence for contravention of the requirements (*regulations 19 to 22*);
- (o) provide for the granting of exemptions from the Regulations by the Executive (*regulation 23*);
- (p) provide for an appeal to the Secretary of State against certain decisions of the Executive (*regulation 24*);
- (q) contain transitional provisions in respect of activities in existence or commenced within a specified time of the coming into force of the Regulations (*regulation 27*).

5. A copy of the regulatory impact assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in the Library of each House of Parliament.

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