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STATUTORY INSTRUMENTS

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**2015 No. 398**

**The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015**

**Appeals**

- 37.—**(1) Any person who is aggrieved by a decision of the competent authority—
- (a) as to a finding of fact made by the competent authority for the purposes of these Regulations which affects the person as a duty holder or licensee or any installation for which the person is or may be responsible;
  - (b) to determine that the person no longer has the capacity to meet the requirements of the relevant statutory provisions pursuant to regulation 6;
  - (c) not to accept a safety case prepared by the person and submitted to the competent authority pursuant to regulation 17(1) or 18(1);
  - (d) to express objections to the content of the notification sent by the person in respect of a well operation (or any change of that content notified to the competent authority) pursuant to regulation 21(7);
  - (e) to direct the person to prepare revisions to a current safety case in accordance with regulation 25(1);
  - (f) not to accept a revision to a current safety case prepared by the person and sent to the competent authority in accordance with regulation 19(6), 20(1)(b), 24(2)(a), 25(3)(a) or Schedule 14;
  - (g) to suspend pursuant to regulation 25(7) a current safety case held by the person;
  - (h) not to lift a suspension pursuant to regulation 25(10) in respect of a current safety case held by the person;
  - (i) to notify the person that the competent authority has formed the opinion that measures for the prevention or limiting the consequences of a major accident proposed in the cases referred to in regulation 26(1), (4) or (7) are insufficient to fulfil the requirements set out in the relevant statutory provisions;
  - (j) to grant the person an exemption certificate subject to a condition or a limit of time pursuant to regulation 35(2); or
  - (k) to revoke an exemption certificate granted to the person pursuant to regulation 35(2), may appeal to the Secretary of State.

(2) The provisions of Schedule 12 apply where an aggrieved person appeals to the Secretary of State.

(3) Any decision of the competent authority which is the subject of an appeal under this regulation is not suspended pending final determination of the appeal.