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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 406**

**HEALTH AND SAFETY**  
**ENVIRONMENTAL PROTECTION**

**The Offshore Installations (Offshore Safety Directive)  
(Safety Case etc.) Regulations (Northern Ireland) 2016**

*Made* - - - - *22nd November*  
*2016*  
*Coming into operation* *19th December 2016*

**THE OFFSHORE INSTALLATIONS (OFFSHORE  
SAFETY DIRECTIVE) (SAFETY CASE ETC.)  
REGULATIONS (NORTHERN IRELAND) 2016**

1. Citation and commencement
2. Interpretation
3. Communication and storage of information by electronic means
4. Application within the territorial sea or a designated area
5. Duties of licensee
6. Capacity of operator to meet requirements
7. Corporate major accident prevention policy
8. Safety and environmental management system
9. Establishment of verification scheme
10. Other provisions as to verification schemes
11. Establishment of a well examination scheme
12. Other provisions as to well examination schemes
13. Description of verification scheme and well examination scheme
14. Defence
15. Design and relocation notifications for production installation
16. Management and control of major accident hazards
17. Safety case for production installation
18. Safety case for non-production installation
19. Design notification and safety case for non-production installation to be converted
20. Safety case for dismantling fixed installation
21. Notification of well operations
22. Notification of combined operations
23. Review of safety case

**Changes to legislation:** There are currently no known outstanding effects for the The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016. (See end of Document for details)

24. Revision of safety case
  25. Power of competent authority in relation to safety cases and related documents
  26. Power of the competent authority to prohibit operations
  27. Keeping of documents
  28. Duty to conform with safety case and notifications of operation
  29. Duty to control risk
  30. Internal emergency response
  31. Communication of national arrangements for confidential reporting of safety concerns etc.
  32. Standards and guidance on best practice
  33. Notification of major accident etc.
  34. Information on operations conducted outside of the European Union , Northern Ireland and external waters
  35. Exemptions
  36. Enforcement
  37. Appeals
  38. Amendments and revocations
  39. Transitional provisions and savings
  40. Penalties
- Signature

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- SCHEDULE 1 PREMISES AND ACTIVITIES WITHIN THE TERRITORIAL SEA OR A DESIGNATED AREA
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  2. Offshore installations
  3. Wells
  4. Pipelines
  5. Mines
  6. Gas Importation and Storage
  7. Production of Energy from Water or Wind
  8. Underground Coal Gasification
  9. Other activities
- SCHEDULE 2 PARTICULARS TO BE ADDRESSED IN A CORPORATE MAJOR ACCIDENT PREVENTION POLICY
1. The responsibility of officers of the duty holder for ensuring,...
  2. Formal command and control systems that include officers and senior...
  3. Measures for building and maintaining a strong safety culture with...
  4. The approach to competency at all levels of the duty...
  5. Measures for rewarding and recognising desired behaviours.
  6. The evaluation of the duty holder's capabilities and goals.
  7. The extent and intensity of process auditing.
  8. Measures for maintenance of safety and environmental protection standards as...
  9. The extent to which the particulars in paragraphs 1 to...
- SCHEDULE 3 MATTERS IN ACCORDANCE WITH WHICH THE CORPORATE MAJOR ACCIDENT PREVENTION POLICY AND SAFETY AND ENVIRONMENTAL MANAGEMENT SYSTEM SHALL BE PREPARED
1. The need to take appropriate measures to ensure as far...

2. The need to pay particular attention to evaluation of the...
  3. The need to adopt suitable measures to use suitable technical...
  4. The need to ensure there is a suitable framework for...
  5. The need to pay particular attention to building and maintaining...
- SCHEDULE 4  
PARTICULARS TO BE ADDRESSED IN A SAFETY AND ENVIRONMENTAL MANAGEMENT SYSTEM
1. Organisational structure and personnel roles and responsibilities.
  2. Identification and evaluation of major hazards as well as their...
  3. Integration of environmental impact into major accident risk assessments in...
  4. Controls of the major hazards during normal operations.
  5. Emergency planning and response.
  6. Limitation of damage to the environment.
  7. Management of change.
  8. Monitoring of performance.
  9. Audit and review arrangements.
  10. The measures in place for participating in tripartite consultations and...
- SCHEDULE 5  
MATTERS TO BE PROVIDED FOR IN A VERIFICATION SCHEME AND A WELL EXAMINATION SCHEME
- PART 1 — MATTERS TO BE PROVIDED FOR IN A VERIFICATION SCHEME
1. The principles to be applied by the duty holder—
  2. The arrangements for the communication to the verifier of information...
  3. The nature and frequency of examination and testing.
  4. The arrangements for the making and preservation of records showing—...
  5. The arrangements for communicating the matters specified in paragraph 4...
  6. The arrangements for review and revision of the scheme.
- PART 2 — MATTERS TO BE PROVIDED FOR IN A WELL EXAMINATION SCHEME
7. The principles to be applied by the well operator—
  8. The arrangements for the communication to the well examiner of...
  9. The nature and frequency of examination.
  10. The arrangements for the making and preservation of records showing—...
  11. The arrangements for communicating the matters specified in paragraph 4...
  12. The arrangements for review of the scheme.
- SCHEDULE 6  
PARTICULARS TO BE INCLUDED IN A DESIGN NOTIFICATION OR A RELOCATION NOTIFICATION FOR A PRODUCTION INSTALLATION
1. The name and address of the operator of the installation...
  2. A general description of the means by which the management...
  3. A description of the design process from an initial concept...
  4. A description of— (a) the chosen design concept in relation...
  5. A suitable plan of the intended location of the installation...
  6. A description of any environmental, meteorological and seabed limitations on...
  7. Particulars of the types of operation, and activities in connection...
  8. A description of— (a) the principal systems on the installation;...

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9. A description of the verification scheme which complies with regulation...
  10. A general description of the safety and environmental management system...
  11. Where a non-production installation is to be converted for use...
  12. Where a production installation is to be moved to a...
- SCHEDULE 7
- PARTICULARS TO BE INCLUDED IN A SAFETY CASE FOR THE OPERATION OF A PRODUCTION INSTALLATION**
1. The name and address of the operator of the installation....
  2. The maximum number of persons— (a) expected to be on...
  3. A copy of the operator’s corporate major accident prevention policy,...
  4. A summary of any worker involvement in the preparation of...
  5. An adequate description of the operator’s safety and environmental management...
  6. A description of the verification scheme which complies with regulation...
  7. A description of the extent to which the operator has...
  8. A description of the main requirements in the specification for...
  9. In paragraph 8(d) “pipeline operator”, in relation to a pipeline,...
  10. A suitable plan of the location of the installation and...
  11. A description, with suitable diagrams, of the installation, including a...
  12. Particulars of the types of operation, and activities in connection...
  13. Particulars of the plant and arrangements for—
  14. A description of any pipeline with the potential to cause...
  15. A description of how the operator has ensured, or will...
  16. Particulars of information obtained pursuant to the PFEER Regulations and...
  17. In respect of operations to be conducted from the installation,...
  18. A description of the plant used and arrangements made for...
  19. A description of the measures taken or to be taken...
  20. Arrangements for the maintenance of control systems to prevent damage...
  21. The description of the internal emergency response arrangements.
  22. The assessment produced pursuant to paragraph 2(j) of Schedule 2...
  23. Particulars of any combined operations which may involve the installation,...
  24. Any other relevant details.
- SCHEDULE 8
- PARTICULARS TO BE INCLUDED IN A SAFETY CASE FOR A NON-PRODUCTION INSTALLATION**
1. The name and address of the owner of the installation....
  2. The maximum number of persons— (a) expected to be on...
  3. A copy of the owner’s corporate major accident prevention policy,...
  4. A summary of any worker involvement in the preparation of...
  5. An adequate description of the owner’s safety and environmental management...
  6. A description of the verification scheme which complies with regulation...
  7. A description of the main requirements in the specification for...
  8. Particulars of— (a) the limits of the environmental and meteorological...
  9. A description of the arrangements for— (a) identifying the risks...

10. A description, with suitable diagrams, of the installation, including a...
  11. Particulars of the types of operation, and activities in connection...
  12. Particulars of the plant and arrangements for the control of—...
  13. A description of how the duty holder has ensured, or...
  14. In respect of operations to be conducted from the installation,...
  15. A description of the plant used and arrangements made for...
  16. A description of the measures taken or to be taken...
  17. The description of the internal emergency response arrangements.
  18. The assessment produced pursuant to paragraph 2(j) of Schedule 2...
  19. Particulars of any combined operations which may involve the installation,...
  20. Any other relevant details.
- SCHEDULE 9 PARTICULARS TO BE INCLUDED IN A CURRENT SAFETY CASE IN RESPECT OF THE DISMANTLING OF A FIXED INSTALLATION
1. The name and address of the operator of the installation....
  2. The maximum number of persons expected to be on the...
  3. A summary of any worker involvement in the revised safety...
  4. The dates on which dismantling is expected to commence and...
  5. A description of how the proposed arrangements, methods and procedures...
  6. In the case of the dismantling of a fixed production...
  7. A description of how the operator will comply with regulation...
  8. A description of arrangements made for protecting persons on the...
  9. Sufficient details to update the description of the internal emergency...
- SCHEDULE 10 PARTICULARS TO BE INCLUDED IN A NOTIFICATION OF WELL OPERATIONS
1. The name and address of the well operator.
  2. Where the well operation is to be carried out—
  3. Particulars of the fluids to be used to control the...
  4. Particulars of any plant, not described in the current safety...
  5. Particulars of the type of well, its number, and slot...
  6. A description of the well operation and a programme of...
  7. A description of— (a) any activities on or in connection...
  8. In the case of a well which is to be...
  9. In the case of an existing well—
  10. Where a well operation is to be carried out from...
  11. The report made under regulation 11(2)(b) in relation to the...
  12. A risk assessment incorporating a description of—
  13. Where a well is to be constructed, modified or maintained...
  14. Particulars of information obtained pursuant to the PFEER Regulations and...
  15. In respect of a well operation to be conducted, particulars...
  16. An adequate description of the well operator's safety and environmental...
- SCHEDULE 11 PARTICULARS TO BE INCLUDED IN A NOTIFICATION OF COMBINED OPERATIONS
1. The name and address of the duty holder submitting the...
  2. The name and address of each duty holder preparing the...
  3. A description of the combined operation and a programme of...
  4. Particulars of any plant to be used in connection with...

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5. A summary of the joint review referred to in paragraph...
6. A description, by reference to a bridging document authorised by...
- SCHEDULE 12 **MATTERS TO BE CONSIDERED IN PREPARING AND REVISING STANDARDS AND GUIDANCE ON BEST PRACTICE IN RELATION TO THE CONTROL OF MAJOR HAZARDS**
1. Effective risk management.
  2. Management and supervision of major hazard operations.
  3. Competency of key post holders.
  4. Reliable decision making.
  5. Effectively integrating safety and environmental management systems between operators and...
  6. Key performance indicators.
  7. Improving well integrity, well control equipment and barriers and monitoring...
  8. Improving primary containment.
  9. Improving secondary containment that restricts escalation of an incipient major...
- SCHEDULE 13 **RELIABILITY ASSESSMENT FOR SAFETY AND ENVIRONMENTAL-CRITICAL SYSTEMS. APPEALS**
- PART 1 — GENERAL**
1. In this Schedule— “appeal” means an appeal under regulation 37;...
  2. The Department or the Secretary of State, as appropriate, shall...
  3. Before the determination of an appeal, the appointed person shall...
  4. An appointed person may give such directions as the appointed...
  5. The Department or the Secretary of State, as appropriate, may...
- PART 2 — Hearing**
6. (1) Subject to the following sub-paragraphs of this paragraph, a...
  7. (1) Not later than 21 days before the date of...
  8. (1) The parties are entitled to appear at the hearing....
  9. (1) All hearings shall be held in private.
  10. (1) Where, after the hearing, the appointed person proposes to...
  11. The appointed person shall notify the decision on the appeal,...
- SCHEDULE 14 **AMENDMENTS AND REVOCATIONS**
- PART 1 — AMENDMENTS**
1. Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989
  2. In regulation 2 (Interpretation)— (a) after the definition of “the...
  3. In regulation 18A(1)(a) (Safety representative entitlement to summary of current...
  4. In regulation 23(2)(c)(i) (Duties of installation operators and owners, and...
  5. Offshore Installations and Pipeline Works (First-Aid) Regulations (Northern Ireland) 1993
  6. In regulation 2 (Interpretation)— in paragraph (b) of the definition...
  7. Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995
  8. In regulation 2(1) (Interpretation)— (a) before the definition of “activity”...
  9. (1) Regulation 3 (Meaning of “offshore installation”) is amended as...

10. (1) Regulation 4 (Application) is amended as follows.
11. In regulation 5(1) (Notification concerning offshore installations) for “no later...
12. In regulation 20(1) (Certificates of exemption) after “workers at work”...
13. After regulation 21 insert— Obligation to notify death or loss...
14. For Schedule 1 substitute— SCHEDULE 1 PREMISES AND ACTIVITIES WITHIN THE...
15. After Schedule 2 insert— SCHEDULE 3 FORM TO NOTIFY THE...
16. Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations (Northern Ireland) 1995
17. In regulation 2(1) (Interpretation)— (a) after the definition of “the...
18. (1) Regulation 3 (Application) is amended as follows.
19. In regulation 4(2) (General duty) after “regulations 6 to 21”...
20. For regulation 5(3)(c) (Assessment) substitute— (c) notify—
21. (1) Regulation 6 (Preparation for emergencies) is amended as follows....
22. In regulation 22(1) (Certificates of exemption) after “workers at work”...
23. After regulation 22 insert— Inventory of equipment etc. (1) This regulation applies only in relation to external waters....
24. For Schedule 1 substitute— SCHEDULE 1 PREMISES AND ACTIVITIES WITHIN...
25. Offshore Installations and Wells (Design and Construction, etc.) Regulations (Northern Ireland) 1996
26. In regulation 2(1) (Interpretation)— (a) after the definition of “the...
27. In regulation 3 (Application) (a) in paragraph (1) after “territorial...
28. In regulation 9 (Reporting of danger to an installation)—
29. In regulation 12 (Additional requirements)— (a) in paragraph (1) omit...
30. In regulation 13(2) (General duty) after “regulations 14 to 19...
31. In regulation 18 (Arrangements for examination) omit paragraphs (5), (6)...
32. In regulation 23(1) (Certificates of exemption) after “safety and health...
33. Omit regulation 24 (Transitional provision).
34. Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997
35. Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007
36. (1) Subject to paragraph (2), for “relevant waters” substitute “internal...
37. (1) Regulation 2 (Interpretation) is amended as follows.
38. In regulation 4 (Application) omit paragraph (1).
39. In regulation 6(2) (Design and relocation notifications for production installation)...
40. In regulation 7(1) (Safety case for production installation) in the...
41. In regulation 14(3)(c) (Revision of safety case) after “location” insert...
42. In paragraph 10 of Schedule 2 (Particulars to be included...
43. Health and Safety (Fees) Regulations (Northern Ireland) 2012

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SCHEDULE TRANSITIONAL PROVISIONS AND SAVINGS

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PART 1 — INTERPRETATION

1. Interpretation

PART 2 — CONTINUED APPLICATION OF THE 2007 REGIME  
IN RELATION TO EXTERNAL WATERS DURING THE  
TRANSITIONAL PERIOD

2. General saving of the 2007 regime

3. Continued application of the 2007 regime to existing and proposed  
non-production installations

4. Continued application of the 2007 regime to existing and proposed  
production installations

5. Continued application of the 2007 regime to well operations

6. Design notification for production installations to be established  
during transitional period

7. Design notification: election to prepare notification under these  
Regulations

8. Election to prepare a safety case under these Regulations

9. Treatment of current safety cases for installations continuing under  
the 2007 regime

10. Where revisions to current safety case under paragraph 9(2) may...

11. Where paragraph 10(b) applies to a safety case, paragraph 1(a)...

PART 3 — TRANSITION FROM THE 2007 REGIME

12. Improvement notices issued before the end of the transitional period

13. Prohibition notices issued before the end of the transitional period

14. Design etc. notifications

15. Where a notification under the 2007 regime is not completed...

Explanatory Note



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