STATUTORY RULES OF NORTHERN IRELAND

2007 No. 165

HEALTH AND SAFETY

The Offshore Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2007

Made - - - - 13th March 2007

Coming into operation 23rd April 2007

The Department of Enterprise, Trade and Investment(**1**), being the Department concerned(**2**), makes the following Regulations in exercise of the powers conferred by Articles 17(1) to (6)(**3**) and 55(2) of, and paragraphs 1(1) and (2), 5, 7, 8, 9, 10, 11, 12(1) and (3), 13, 14(1), 15, 17 and 19 of Schedule 3 to the Health and Safety at Work (Northern Ireland) Order 1978(**4**) ("the 1978 Order") and Article 3(2) of the Offshore, and Pipelines, Safety (Northern Ireland) Order 1992(**5**). The Regulations give effect without modifications to proposals submitted to it by the Health and Safety Executive for Northern Ireland under Article 13(1A)(**6**) of the 1978 Order, after the Executive had carried out consultations in accordance with Article 46(3)(**7**) of that Order.

Citation and commencement

1. These Regulations may be cited as the Offshore Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2007 and shall come into operation on 23rd April 2007.

Amendment of the Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995

2.—(1) The Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995(**8**) shall be amended in accordance with paragraphs (2) to (7).

(2) Regulation 2(1) shall be amended—

(a) by inserting after the definition of "the 1972 Order" the following definition—

(**1**) Formerly the Department of Economic Development; *see*S.I. 1999/283 (N.I. 1), Article 3(5) and S.I. 1982/846 (N.I. 11), Article 3

(**2**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)

(**3**) Article 17 must be read with S.I. 1992/1728 (N.I. 17), Articles 3(2) and 4(2)

(**4**) S.I. 1978/1039 (N.I. 9); the general purposes of Part II referred to in Article 17(1) were extended by S.I. 1992/1728 (N.I. 17), Articles 3(1) and 4(1)

(**5**) S.I. 1992/1728 (N.I. 17)

(**6**) Article 13(1) was substituted by S.I. 1998/2795 (N.I. 18), Article 4

(**7**) Article 46(3) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraphs 8 and 18(c)

(**8**) S.R. 1995 No. 340, amended by S.R. 1996 No. 228 and S.R. 1999 No. 150

""activity" includes a diving project;";

(b) by inserting after the definition of "designated area" the following definition—

""diving project" has the meaning assigned to it by regulation 2(1) of the Diving at Work Regulations (Northern Ireland) 2005(**9**) save that it includes an activity in which a person takes part as a diver wearing an atmospheric pressure suit and without breathing in air or other gas at a pressure greater than atmospheric pressure;";

(c) in the definition of "pipeline", for "or within territorial waters, United Kingdom territorial waters adjacent to Great Britain or a designated area" substitute "within the territorial sea adjacent to the United Kingdom, or within a designated area";

(d) in the definition of "pipeline works", for "diving operations" substitute "a diving project";

(e) by inserting after the definition of "stand-by vessel" the following definition—

""supplementary unit" means a fixed or floating structure, other than a vessel, for providing energy, information or substances to an offshore installation;"; and

(f) by substituting for the definition of "territorial waters" the following definition—

""territorial sea" means the territorial sea of the United Kingdom adjacent to Northern Ireland and "within the territorial sea" includes on, over and under it;".

(3) Regulation 3 shall be amended—

(a) in paragraph (1), for "and which is not an excepted structure" substitute "together with any supplementary unit which is ordinarily connected to it or any part of it (including those parts described in paragraph (3)) and all of the connections";

(b) in paragraph (2), for "For the purposes of paragraph (1), the excepted structures are" substitute "Any reference in paragraph (1) to a structure or unit does not include"; and

(c) in paragraph (2)(e), for "for the time being intended to be" substitute "yet being moved with a view to its being".

(4) For regulation 4(1) there shall be substituted—

"**4.**—(1) Within the territorial sea these Regulations shall apply only to and in relation to the premises and activities to which paragraphs 2, 3 and 4 of Schedule 1 apply."

(5) In regulations 22(1) and (2), for "Schedule 1" substitute "Schedule 1A".

(6) Schedule 1 shall be re-numbered as Schedule 1A.

(7) The Schedule set out in Schedule 1 to these Regulations shall be inserted before Schedule 1A.

Amendment of the Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations (Northern Ireland) 1995

3.—(1) The Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations (Northern Ireland) 1995(**10**) shall be amended in accordance with paragraphs (2) to (6).

(2) Regulation 2(1) shall be amended—

(a) by inserting after the definition of "acoustic signal" the following definition—

""activity" has the same meaning as in regulation 2(1) of the 1995 Regulations;";

(b) by inserting after the definition of "concession owner" the following definitions—

(**9**) S.R. 2005 No. 45
(**10**) S.R. 1995 No. 345, amended by S.R. 1996 No. 228 and S.R. 1999 No. 150

""designated area" and "diving project" have the same respective meanings as in regulation 2(1) of the 1995 Regulations;";

(c) in the definitions of "pipeline", "pipeline works", "stand-by vessel", "territorial waters" and "vessel"—

(i) after "stand-by vessel" insert "supplementary unit"; and

(ii) for "territorial waters" substitute "territorial sea".

(3) For regulation 3(1) there shall be substituted—

"**3.**—(1) Within the territorial sea these Regulations shall apply only to and in relation to the premises and activities to which paragraphs 2, 3 and 4 of Schedule 1 apply."

(4) In regulation 25(2), for "the Schedule" where it first appears substitute "Schedule 2" and for "the Schedule" where it second appears substitute "that Schedule".

(5) The Schedule shall be numbered Schedule 2.

(6) The Schedule set out in Schedule 2 to these Regulations shall be inserted before Schedule 2.

Amendment of the Offshore Installations and Wells (Design and Construction, etc.) Regulations (Northern Ireland) 1996

4.—(1) The Offshore Installations and Wells (Design and Construction, etc.) Regulations (Northern Ireland) 1996(**11**) shall be amended in accordance with paragraphs (2) to (5).

(2) Regulation 2(1) shall be amended—

(a) by inserting after the definition of "the 1995 Regulations" the following definition—

""activity" has the same meaning as in regulation 2(1) of the 1995 Regulations;";

(b) by inserting after the definition of "concession owner" the following definition—

""diving project" has the same meaning as in regulation 2(1) of the 1995 Regulations;";

(c) by substituting for the definitions of "stand-by vessel", "territorial waters" and "vessel" the following definitions—

""stand-by vessel", "supplementary unit" and "territorial sea" have the same respective meanings as in regulation 2(1) of the 1995 Regulations;"; and

(d) by inserting after the definition of "traffic route" the following definition—

""vessel" has the same meaning as in regulation 2(1) of the 1995 Regulations;".

(3) For regulation 3(1) there shall be substituted—

"**3.**—(1) Within the territorial sea these Regulations shall apply only to and in relation to the premises and activities to which paragraphs 2 and 3 of Schedule 1A apply."

(4) In regulation 3(3) for "territorial waters" substitute "territorial sea".

(5) The Schedule set out in Schedule 3 to these Regulations shall be inserted after Schedule 1.

(**11**) S.R. 1996 No. 228, amended by S.R. 1999 No. 150

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 13th March 2007.

L.S.

M. Bohill
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Trade and Investment