STATUTORY RULES OF NORTHERN IRELAND

1998 No. 47

HEALTH AND SAFETY

Offshore Noise and Electricity Regulations (Northern Ireland) 1998

Made - - - - 20th February 1998

Coming into operation 1st April 1998

The Department of Economic Development, being the Department concerned(**1**), in exercise of the powers conferred on it by Articles 17(1) to (6) and 55(2) of, and paragraphs 1(1) and (2), 5, 6, 7, 8, 9, 10, 11, 12, 13, 14(1), 15, 17, 19 and 20(*b*) of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**2**) ("the 1978 Order"), Article 3(2) of the Offshore, and Pipelines, Safety (Northern Ireland) Order 1992(**3**) and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1) of the 1978 Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to the Department to be appropriate, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Offshore Noise and Electricity Regulations (Northern Ireland) 1998 and shall come into operation on 1st April 1998.

Amendment of the Noise at Work Regulations (Northern Ireland) 1990

2.—(1) In regulation 2(1) (interpretation) of the Noise at Work Regulations (Northern Ireland) 1990(**4**) ("the 1990 Regulations")—

(a) in the definition of "daily personal noise exposure", for the words "the Schedule" there shall be substituted the words "Schedule 1";

(b) after the definition of "the second action level" there shall be inserted the following definition—

> ""territorial waters" means United Kingdom territorial waters adjacent to Northern Ireland and "within territorial waters" includes on, over and under them.".

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

(**2**) S.I. 1978/1039 (N.I. 9); the general purposes of Part II referred to in Article 17(1) were extended by Article 3(1) of the Offshore, and Pipelines, Safety (Northern Ireland) Order 1992, S.I. 1992/1728 (N.I. 17)

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

(**4**) S.R. 1990 No. 147 to which there are amendments not relevant to these Regulations

(2) For regulation 3 (disapplication of duties) of the 1990 Regulations there shall be substituted the following regulation—

"**Application**

3.—(1) Within territorial waters these Regulations shall, subject to paragraph (2), apply only to and in relation to the premises and activities mentioned in paragraphs 2 to 6 of Schedule 2.

(2) The duties imposed by these Regulations shall not extend to—

(a) the master or crew of a sea-going ship or to the employer of such persons, in relation to the normal ship-board activities of a ship's crew under the direction of the master; or

(b) the crew of any aircraft or hovercraft which is moving under its own power or any other person on board any such aircraft or hovercraft who is at work in connection with its operation.".

(3) In regulation 13(1)(*a*) and (*b*)(i) of the 1990 Regulations, for the words "the Schedule" there shall be substituted the words "Schedule 1".

(4) The Schedule to the 1990 Regulations shall be renumbered Schedule 1 and after that Schedule there shall be inserted Schedule 2 set out in the Schedule to these Regulations.

Amendment of the Electricity at Work Regulations (Northern Ireland) 1991

3.—(1) In regulation 1 (citation and commencement) of the Electricity at Work Regulations (Northern Ireland) 1991(**5**) ("the 1991 Regulations"), for the words "Schedules 1 and 2" there shall be substituted the words "Schedules 1 and 3".

(2) In regulation 2 of the 1991 Regulations, after the definition of "system" there shall be inserted the following definition—

""territorial waters" means United Kingdom territorial waters adjacent to Northern Ireland and "within territorial waters" includes on, over and under them.".

(3) After regulation 30 (exemption certificates) of the 1991 Regulations there shall be inserted the following regulation—

"**Application**

30A. Within territorial waters these Regulations shall, subject to regulation 31, apply only to and in relation to the premises and activities mentioned in paragraphs 2 to 6 of Schedule 2.".

(4) In regulation 32(1) and (2) of the 1991 Regulations, for the words "Schedule 2" there shall be substituted the words "Schedule 3".

(5) In regulation 32(3) and (4) of the 1991 Regulations, for the words "Schedule 3" there shall be substituted the words "Schedule 4".

(6) Schedules 2 and 3 to the 1991 Regulations shall be renumbered Schedules 3 and 4 respectively and after Schedule 1 thereto there shall be inserted Schedule 2 set out in the Schedule to these Regulations but as if for the side-note "Regulation 3" there was substituted the side-note "Regulation 30A".

(**5**) S.R. 1991 No. 13 to which there are amendments not relevant to these Regulations

Revocations

4.—(1) The following provisions of the Offshore Installations (Operational Safety, Health and Welfare) Regulations 1976(**6**) are hereby revoked—

(a) in regulation 1(2) the definitions of "electrical equipment", "fixed installation", "hazardous area", "helicopter landing officer", "mechanical equipment", "mobile installation", "radiotelephone operator" and "work permit"; and

(b) regulations 11 and 17.

(2) In paragraph 67 of Schedule 1 to the Offshore Installations and Wells (Design and Construction, etc.) Regulations (Northern Ireland) 1996(**7**)—

(a) the words "Noise and" in the shoulder note; and

(b) the words "noise or" in sub-paragraph (1),

are hereby revoked.

Sealed with the Official Seal of the Department of Economic Development on

20th February 1998.

P. B. Strong
Assistant Secretary

(**6**) S.I. 1976/1019; relevant amending statutory provisions are S.R. 1995 No. 340 and S.R. 1996 No. 119
(**7**) S.R. 1996 No. 228