1995 No. 345

HEALTH AND SAFETY

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

Made . . . . . *4th September 1995*

Coming into operation . . *9th October 1995*

ARRANGEMENT OF REGULATIONS

1. Citation and commencement.
2. Interpretation.
3. Application.
4. General duty.
5. Assessment.
6. Preparation for emergencies.
7. Equipment for helicopter emergencies.
8. Emergency response plan.
9. Prevention of fire and explosion.
10. Detection of incidents.
11. Communication.
12. Control of emergencies.
13. Mitigation of fire and explosion.
14. Muster areas, etc.
15. Arrangements for evacuation.
16. Means of escape.
17. Arrangements for recovery and rescue.
18. Suitability of personal protective equipment for use in an emergency.
19. Suitability and condition of plant.
20. Life-saving appliances.
21. Information regarding plant.
22. Certificates of exemption.
23. Amendment of the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989.
24. Amendment of the Offshore Installations (Safety Case) Regulations (Northern Ireland) 1993.
25. Revocations.

Schedule — Revocations.

The Department of Economic Development, being the Department concerned(**a**), in exercise of the powers conferred on it by Articles 17(1), (2), (3) and (5)(**b**) and 55(2) of, and paragraphs 1(2), 7, 8, 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(**c**) and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1) of that 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 Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations (Northern Ireland) 1995 and shall come into operation on 9th October 1995.

Interpretation

2. In these Regulations—

"the 1974 Regulations" means the Offshore Installations (Construction and Survey) Regulations 1974(**d**);

"the 1995 Regulations" means the Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995(**e**);

"acoustic signal" means a coded sound signal which is released and transmitted by a device designed for that purpose, without the use of a human or artificial voice;

"concession owner" in relation to a fixed installation has the same meaning as in regulation 2(1) of the 1995 Regulations;

"the Department" means the Department of Economic Development;

"duty holder" means—

(*a*) in relation to a fixed installation, the operator; and

(*b*) in relation to a mobile installation, the owner;

"emergency" means an emergency of a kind which can require evacuation, escape or rescue;

"emergency response" means action to safeguard the health and safety of persons on or near an installation in an emergency;

"evacuation" means the leaving of an installation and its vicinity, in an emergency, in a systematic manner and without directly entering the sea;

"explosion" means unplanned explosion;

"fire" means unplanned or uncontrolled fire;

(**a**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**b**) Article 17 must be read with S.I. 1992/1728 (N.I. 17), Article 3(2)
(**c**) 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), Article 3(1)
(**d**) S.I. 1974/289
(**e**) S.R. 1995 No. 340

"fixed installation" means an installation other than a mobile installation;

"illuminated sign" means a sign produced by a device made of transparent or translucent materials which are illuminated from the inside or the rear in such a way as to give the appearance of a luminous surface;

"installation" means an offshore installation within the meaning of regulation 3 of the 1995 Regulations;

"major accident" has the same meaning as in regulation 2(1) of the Offshore Installations (Safety Case) Regulations (Northern Ireland) 1993(**a**);

"mobile installation" means an installation (other than a floating production platform) which can be moved from place to place without major dismantling or modification, whether or not it has its own motive power;

"muster areas" shall be construed in accordance with regulation 14(1)(*a*);

"operator" in relation to—

(*a*) a fixed installation means the person appointed by a concession owner to execute any function of organising and supervising any operation to be carried out by such installation or, where such a person has not been appointed, the concession owner; and

(*b*) a mobile installation means the person for whom the owner has agreed to carry out the operation concerned or, where such a person has not been appointed, the concession owner;

"owner" in relation to a mobile installation means the person who controls the operation of the installation;

"personal protective equipment" has the same meaning as in regulation 2(1) of the Personal Protective Equipment at Work Regulations (Northern Ireland) 1993(**b**); and

"pipeline", "pipeline works", "territorial waters" and "vessel" have the same respective meanings as in regulation 2(1) of the 1995 Regulations.

Application

3.—(1) Within territorial waters these Regulations shall apply to—

(*a*) any installation and any activity on it;

(*b*) any activity, including diving operations, in connection with an installation, or any activity which is immediately preparatory thereto, whether carried on from the installation itself, on or from a vessel or in any other manner, other than—

(i) transporting, towing or navigating the installation; and

(ii) any activity on or from a vessel being used as a stand-by vessel;

(*c*) diving operations involving the survey and preparation of the sea bed for an installation;

(**a**) S.R. 1993 No. 221 as amended by S.R. 1995 No. 340
(**b**) S.R. 1993 No. 20 as amended by S.I. 1994/2326

(*d*) subject to sub-paragraph (*e*), a well and any activity in connection with it and an activity which is immediately preparatory to any such activity;

(*e*) sub-paragraph (*d*) includes keeping a vessel on station for the purpose of working on a well but otherwise does not include navigation or an activity connected with navigation; and

(*f*) (i) any pipeline;

(ii) any pipeline works;

(iii) the following activities in connection with pipeline works—

(*aa*) the loading, unloading, fuelling or provisioning of a vessel;

(*bb*) the loading, unloading, fuelling, repair and maintenance of an aircraft on a vessel,

being in either case a vessel which is engaged in pipeline works.

(2) Regulations 4 to 22 shall not apply in relation to an installation which is in transit to or from a station; and an installation is not in transit to or from a station while it is being manoeuvred at the station.

General duty

4.—(1) The duty holder shall take appropriate measures with a view to—

(*a*) protecting persons on the installation from fire and explosion; and

(*b*) securing effective emergency response.

(2) Any more detailed requirement in regulations 6 to 21 for the purposes referred to in paragraph (1) shall be without prejudice to the generality of paragraph (1).

Assessment

5.—(1) The duty holder shall perform, and thereafter repeat as often as may be appropriate, a process (in this regulation called an "assessment") described in paragraph (2) in relation to the installation.

(2) An assessment shall consist of—

(*a*) the identification of the various events which could give rise to—

(i) a major accident involving fire or explosion; or

(ii) the need (whether or not by reason of fire or explosion) for evacuation, escape or rescue to avoid or minimise a major accident;

(*b*) the evaluation of the likelihood and consequences of such events;

(*c*) the establishment of appropriate standards of performance to be attained by anything provided by measures for—

(i) ensuring effective evacuation, escape, recovery and rescue to avoid or minimise a major accident; and

(ii) otherwise protecting persons from a major accident involving fire or explosion;

(*d*) the selection of appropriate measures.

(3) The duty holder shall—

(*a*) record the assessment (including each repetition of it);

(*b*) keep the record at an address in Northern Ireland; and

(*c*) notify the Department of such address.

Preparation for emergencies

6.—(1) The duty holder shall establish such appropriate organisation and arrangements as are to have effect in, or in anticipation of, an emergency and which shall include arrangements—

(*a*) for command by competent persons which can be maintained, so far as is practicable, throughout an emergency;

(*b*) for there to be a sufficient number of persons on the installation competent to undertake emergency duties and operate relevant equipment;

(*c*) in the case of an installation on which personnel are present, for a sufficient number of such persons to be in attendance at the helicopter landing area during helicopter movements; and

(*d*) for lists of persons referred to in sub-paragraphs (*a*), (*b*) and (*c*) to be posted at suitable locations on the installation when persons are present.

(2) The duty holder shall ensure that every person on the installation—

(*a*) is provided with adequate instruction and training in the appropriate action to take in an emergency; and

(*b*) can consult written information on the use of emergency plant.

Equipment for helicopter emergencies

7. The duty holder shall ensure that there is kept available near the helicopter landing area equipment necessary for use in the event of an accident involving a helicopter.

Emergency response plan

8.—(1) The duty holder shall, after consulting persons who are likely to become involved in emergency response, prepare and, as often as is appropriate, revise a document (in this regulation called "the emergency response plan") containing sufficient information, for the guidance of such persons, on—

(*a*) the organisation and arrangements which are to have effect in an emergency; and

(*b*) procedures by way of emergency response to be followed in different circumstances.

(2) The duty holder shall ensure that—

(*a*) the emergency response plan is available to all persons on the installation; and