



Statutory Document No. 169/97

**MINERAL WORKINGS (OFFSHORE INSTALLATIONS)
(ISLE OF MAN) ACT 1974**

**OFFSHORE INSTALLATIONS (SAFETY CASE)
REGULATIONS 1997**

Approved by Tynwald : 20th May 1997

Coming into operation : 1st June 1997

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In exercise of the powers conferred on the Department of Transport by sections 3, 6 and 7 of, and the Schedule to, the Mineral Workings (Offshore Installations) (Isle of Man) Act 1974 (a) and of all other powers enabling it in that behalf, the following Regulations are hereby made:-

Citation, commencement and revocation

1. (1) These Regulations may be cited as the Offshore Installations (Safety Case) Regulations 1997 and, subject to section 7(7) of the Act, shall come into operation on 1st June 1997.

(2) The Offshore Installations (Safety Case) Regulations 1995 (b) are revoked.

Interpretation

2. (1) In these Regulations -

"the Act" means the Mineral Workings (Offshore Installations) (Isle of Man) Act 1974;

"the 1995 Order" means the Health and Safety at Work etc. Act 1974 (Application Outside Great Britain) Order 1995 as it has effect in the Island (c);

"approves" means approves in writing;

"combined operation" means an activity referred to in paragraph (7);

"concession owner" in relation to a fixed installation, or to a well or proposed well means the person who at any time has the right to exploit or explore for mineral resources in any area, or to store gas in any area and to recover gas so stored, if, at that time, the installation, or, as the case may be, the well or proposed well is, or is to be, used in the exercise of that right.

"construction activity" in relation to an installation means -

- (a) the construction of the installation at the place where it is to be operated;
- (b) the dismantling or demolition of the installation at the place where it was operated; or
- (c) any activity on or in connection with the installation which involves the use of a heavy lift vessel;

"decommissioning" in relation to an installation means taking the installation or any plant thereon out of use with a view to the abandonment of the installation, and "decommissioned" shall be constructed accordingly;

"Department" means the Department of Transport;

"diving bell" means any compression chamber which is capable of being manned and is used or designed for use under the surface of water in supporting human life being a chamber in which any occupant is or may be subjected to a pressure of more than 300 millibars above atmospheric pressure during normal operation;

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

"heavy lift vessel" means a vessel whose primary function is to -

- (a) lift an installation or part thereof; or
- (b) lift plant onto or off an installation;

"installation" means an offshore installation within the meaning of regulation 2 of the Offshore Installations (Health, Safety and Management) (No.2) Regulations 1995 (d);

"major accident" means -

- (a) a fire, explosion or the release of a dangerous substance involving death or serious personal injury to persons on the installation or engaged in an activity in connection with it;
- (b) any event involving major damage to the structure of the installation or plant affixed thereto or any loss in the stability of the installation;
- (c) the collision of a helicopter with the installation;
- (d) the failure of life support systems for diving operations in connection with the installation, the detachment of a diving bell used for such operations or the trapping of a diver in a diving bell or other subsea chamber used for such operations; or
- (e) any other event arising from a work activity involving death or serious personal injury to five or more persons on the installation or engaged in an activity in connection with it;

"management system" means the organisation and arrangements established by a person for managing his undertaking.

"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;

"notified" means notified in writing, and related expressions shall be construed accordingly;

"operator" in relation to -

- (a) a fixed installation means a person appointed by a concession owner to execute any function of organising or supervising any operation to be carried out by such installation or, where no such person has been appointed, the concession owner;
- (b) a mobile installation means the person for whom the owner has agreed to carry out the operation concerned, or where there is no such agreement, the owner;

"owner" in relation to -

- (a) a mobile installation means the person who controls the operation of the installation
- (b) a pipe-line means an owner within the meaning of section 33(3) of the Petroleum and Submarine Pipe-Lines Act 1975 (an Act of Parliament as it has effect in the Island) (e);

"pipe-line" has the same meaning as in regulation 2(1) of the Offshore Installations (Health, Safety and Management) (No.2) Regulations 1995;

"quantitative risk assessment" means the identification of hazards and the evaluation of the extent of risk arising therefrom incorporating calculations based upon the frequency and magnitude of hazardous events;

"relevant statutory provisions" means those relevant statutory provisions which apply to or in relation to installations or activities in connection with them;

"safety case" shall be construed in accordance with paragraph (2);

"safety-critical elements" means such parts of an installation and such of its plant (including computer programmes), or any part thereof -

- (a) the failure of which could cause or contribute substantially to; or
- (b) a purpose of which is to prevent, or limit the effect of, a major accident.

"stand-by vessel" means a vessel which is ready to give assistance in the event of an emergency on or near an installation and -

- (a) which is capable of accommodating safely on board all persons who may be on the installation at any time;**
- (b) which is equipped to provide first aid treatment for all such persons; and**
- (c) which has means for radio communication on appropriate wavelengths between it and the installation and its stand-by vessel, provided for at all times by suitable and effective equipment.**

(2) Any reference in these Regulations to a safety case is, subject to regulation 8(4), a reference to a document containing the particulars specified in regulation 8 and the Schedule referred to in the provision pursuant to which the safety case is prepared; and a safety case may contain such particulars by reference to the same particulars in an earlier safety case relating to the same installation and sent to the Department pursuant to these Regulations.

(3) Any provision of these Regulations requiring particulars to be included in a safety case which are also required to be included by virtue of a more general provision of the Regulations is without prejudice to the generality of the more general provision.

(4) Any reference in these Regulations to the Department accepting a safety case or revision is a reference to the Department notifying the person who sent the safety case or revision to the Department that it is satisfied with the case for health and safety made out in it or in the revision as appropriate.

(5) Any reference in these Regulations to operating an installation is a reference to using the installation for any of the following purposes:

- (a) for the exploitation, or exploration with a view to exploitation, of mineral resources by means of a well;**
- (b) for the storage of gas in or under the shore or bed of relevant waters or the recovery of gas so stored;**
- (c) for the conveyance of things by means of a pipe; or**
- (d) mainly for the provision of accommodation for persons who work on or from an installation.**

(6) Any reference in these Regulations to the commencement of drilling a well includes a reference to the recommencement of drilling after the well has been completed, suspended or abandoned by plugging at the sea bed.

(7) For the purposes of these Regulations two or more installations shall be treated as engaged in a combined operation with each other if an activity carried out from, by means of or on one of the installations -

- (a) is carried out temporarily for a purpose related to the other installation or installations; and
- (b) could affect the health or safety of persons on any of the installations or of persons engaged in an activity in connection with any of the installations.

(8) Any reference in these Regulations to a verification scheme is a reference to a suitable written scheme for ensuring that the safety-critical elements have been identified and for ensuring, by means described in paragraph (9), that those elements -

- (a) are or, where they remain to be provided, will be suitable; and
- (b) where they have been provided, remain in good repair and condition.

(9) The means referred to in paragraph (8) are:

- (a) examination, including testing where appropriate, of the safety-critical elements by independent and competent persons;
- (b) examination of any design, specification, certificate, CE marking or other document, marking or standard relating to those elements by such persons;
- (c) examination by such persons of work in progress;
- (d) the taking of appropriate action following reports by such persons;
- (e) the taking of such other steps as may properly be provided for pursuant to regulation 20 and Schedule 9; and
- (f) the taking of any steps incidental to the means described in subparagraphs (a) to (e) of this paragraph.

(10) For the purposes of paragraph (9) and regulations 17 and 19 a person shall not be treated as an independent person in relation to any thing in respect of which an independent and competent person may be given a function under those provisions -

- (a) his function will not involve the consideration by him of an aspect, of a thing liable to be examined, for which he bears or has borne such responsibility as might compromise his objectivity; and
- (b) he will be sufficiently independent of a management system, or of a part thereof, which bears or has borne any responsibility for an aspect, which he might consider, of a thing liable to be examined, to ensure that he will be objective in discharging his function.

(11) Any reference in these Regulations to an activity in connection with an installation is a reference to an activity in connection with an offshore installation specified in Article 4(1)(b) of the 1995 Order.

(12) Where an operator or owner of an installation is succeeded by a new operator or owner, anything done in compliance with these Regulations by the operator or owner in relation to the installation shall, for the purposes of these Regulations, be treated as having been done by his successor.

Application

3. These Regulations apply to installations in Manx territorial waters.

Safety cases for fixed installations

4. (1) The operator of a fixed installation which is to be established shall-
- (a) prepare a safety case containing the particulars specified in regulation 8 and Schedule 1; and
 - (b) send the safety case to the Department;

at such time before completion of the design of the installation as will enable him to take account in the design of any matters relating to health and safety raised by the Department within 3 months of that time.

- (2) The operator of a fixed installation shall ensure that it is not operated unless -
 - (a) he has prepared a safety case containing the particulars specified in regulation 8 and Schedule 2;
 - (b) he has sent the safety case to the Department at least 6 months before commencing the operation; and
 - (c) the Department has accepted the safety case.
- (3) For the purposes of paragraph (2) the operation of an installation shall be treated as having commenced -
 - (a) on the commencement of the first well drilling operation from the installation which may involve the release of hydrocarbons from beneath the sea-bed; or
 - (b) when hydrocarbons are brought onto the installation for the first time through a pipe-line or well,

whichever is earlier.

- (4) A safety case prepared pursuant to paragraph (2) may be prepared in relation to more than one fixed installation where the Department so approves, and where a safety case is to be so prepared in relation to installations with different operators it shall be sufficient compliance with paragraph (2)(a) and (b) if the operators prepare and agree the safety case containing the particulars referred to in that paragraph and one of them sends it to the Department in accordance with paragraph (2)(b).

Safety case for mobile installations

5. The owner of a mobile installation shall ensure that the installation is not moved in Manx territorial waters with a view to its being operated there unless -

- (a) he has prepared a safety case containing the particulars specified in regulation 8 and Schedule 3;
- (b) he has sent the safety case to the Department at least 3 months before the movement of the installation in those waters with a view to its being operated there; and
- (c) the Department has accepted the safety case.

Safety case for combined operations

6. (1) In preparing a safety case for an installation pursuant to regulation 4(2) or 5 or a revision thereof pursuant to regulation 9 account need not be taken of the fact that the installation is or is to be engaged in a combined operation with another installation.

(2) The operator of a fixed installation shall ensure that the installation is not engaged in a combined operation with a mobile installation, and the owner of a mobile installation shall ensure that the installation is not engaged in a combined operation with a fixed or mobile installation unless -

- (a) the operators of the installations so engaged and the owner of every mobile installation so engaged have prepared and (unless they are the same person) agreed a safety case containing the particulars specified Schedule 4;
- (b) the safety case has been sent by an operator to the Department -
 - (i) in a case where a mobile installation is to carry out an operation on a well connected to a fixed installation (other than a well which is beneath or immediately adjacent to the installation), at least 4 weeks,
 - (ii) in any other case 6 weeks,before the combined operation is commenced; and
- (c) the Department has accepted the safety case.

Safety case for abandonment of fixed installations

7. The operator of a fixed installation shall ensure that the installation is not decommissioned unless-

- (a) he has prepared a safety case containing the particulars specified in

- regulation 8 and Schedule 5;
- (b) he has sent the safety case to the Department at least 6 months before the commencement of the decommissioning; and
- (c) the Department has accepted the safety case.

Management of health and safety and control of major accident hazards

8. (1) An operator or owner who prepares a safety case pursuant to these Regulations (in this regulation referred to as "the duty holder") shall, subject to paragraphs (2), (3) and (4), include in the safety case sufficient particulars to demonstrate that-

- (a) his management system is adequate to ensure that the relevant statutory provisions will (in respect of matters within his control) be complied with in relation to the installation and any activity in connection with it;
- (b) he has established adequate arrangements for the audit and for the making of reports thereof;
- (c) all hazards with the potential to cause a major accident have been identified; and
- (d) risks have been evaluated and measures have been, or will be, taken to reduce the risks to persons affected by those hazards to the lowest level that is reasonably practicable.

(2) The particulars required by paragraph (1) shall include a summary of the record kept pursuant to regulation 5(3) of the Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995 (*f*).

(3) Paragraph (1) shall only require the particulars in the safety case to demonstrate the matters referred to in that paragraph to the extent that it is reasonable to expect the duty holder to address them at the time of sending the safety case to the Department.

(4) In this regulation -

- (a) "audit" means systematic assessment of the adequacy of the management system to achieve the purpose referred to in paragraph (1) (a) carried out by persons who are sufficiently independent of the system (but who may be employed by the duty holder) to ensure that such assessment is objective.
- (b) "management system" means the organisation and arrangements established by the duty holder for managing his undertaking.

Revision of safety cases

9. (1) An operator or owner who has prepared a safety case pursuant to these Regulations shall revise its contents as often as may be appropriate; but nothing in this paragraph shall require the revision to be sent to the Department.

(2) Where a revision to be made under paragraph (1) (other than a revision to a safety case prepared pursuant to regulation 4(1)) will render the safety case materially different from the last version sent to the Department pursuant to these Regulations the revision will not be made unless-

- (a) the safety case incorporating the proposed revision has been sent to the Department at least 3 months before the revision is to be made; and
- (b) the Department has accepted the revision,

and for the purposes of this paragraph in determining whether a revision will render the safety case materially different from the version referred to above, regard shall be had to the cumulative effect of any previous revisions made under paragraph (1) but not subject to this paragraph.

(3) Where the revision -

- (a) relates to the drilling of a well or the carrying out of any other operation on a well, the period referred to in paragraph (2)(a) shall be 21 days,
- (b) is of a safety case prepared pursuant to regulation 6(2) and does not relate to the matters referred to in sub-paragraph (a), the period referred to in paragraph (2)(a) shall be 6 weeks),

instead of 3 months.

(4) Where an operator or owner has prepared a safety case in respect of an installation in accordance with regulation 4(2) or 5 or made a revision thereof in accordance with this paragraph, no person shall operate the installation beyond a period of 3 years from the date on which the last safety case or revision was accepted by the Department unless during that period-

- (a) the operator or owner who prepared the safety case or revision has revised the safety case and sent the revision to the Department at least 3 months before that period has expired; and
- (b) the Department has accepted the revision.

Duty to conform with safety case

10 (1) Where-

- (a) an operator or owner has prepared a safety case pursuant to these Regulations (except regulation 4(1)) or made a revision thereof pursuant to regulation 9;
- (b) the safety case or revision describes any health or safety procedures or arrangements to be followed; and
- (c) the Department has accepted the safety case under the regulation concerned or in the case of a revision subject to regulation 9(2) or (4) has accepted it under that regulation;

he shall ensure that those procedures and arrangements are followed.

(2) In criminal proceedings for a contravention of paragraph (1) it shall be a defence for the accused to prove that -

- (a) in the particular circumstances of the case it was not in the best interests of the health and safety of persons to follow the procedures or arrangements concerned and there was insufficient time to revise the safety case pursuant to regulation 9, or
- (b) the commission of the offence was due to a contravention by another person of regulation 13 and the accused had taken all reasonable precautions and exercised all due diligence to ensure that the procedures or arrangements were followed.

Notification of well operations

11. (1) The operator of a fixed installation shall ensure that the drilling of any well from the installation is not commenced unless at least 21 days before its commencement he has sent to the Department a notification containing the particulars specified in Schedule 6.

(2) The operator of a mobile installation shall ensure that the carrying out of any operation in relation to a well or proposed well from the installation (including the drilling of a well) is not commenced unless at least 21 days before its commencement he has sent the Department a notification containing the particulars specified in Schedule 6.

(3) Where there is a material change in any of the particulars notified pursuant to paragraph (1) or (2), the operator of the installation concerned shall notify the Department of that change as soon as is practicable thereafter.

(4) Where an operation is to be carried out in relation to a well or proposed well by means of a vessel which is not an installation, the well-operator shall ensure that the carrying out of the operation is not commenced unless at least 21 days before its commencement he has sent to the Department a notification containing the particulars specified in Schedule 7.

(5) Where there is a material change in any of the particulars notified pursuant to paragraph (4), the person who, at the time of that change, would have had the duty under paragraph (4) to notify those particulars, if they had been required at the time of that change, shall notify the Department of that change as soon as is practicable after that change.

(6) In this regulation "well-operator", in relation to a well or proposed well, means the person appointed by the concession owner for the well or proposed well to execute the function of organising and supervising all operations to be carried out by means of such well or where no such person has been appointed, the concession owner.

Notification of construction activities

12. The Operator of an installation shall ensure that the carrying out of any construction activity is not commenced unless at least 28 days before its commencement he has sent to the Department a notification containing the particulars specified in Schedule 8.

Co-operation

13. (1) Every person to whom this regulation applies shall co-operate with the operator and owner of an installation (in this regulation referred to as the first-mentioned installation) and with the operator and owner of an installation engaged in a combined operation with it, so far as is necessary to enable them to comply with the provisions of these Regulations.

(2) This regulation applies to -

- (a) the operator of the first-mentioned installation insofar as paragraph (1) requires him to co-operate with the owner of that installation and with the operator and owner of an installation engaged in a combined operation with it;
- (b) the owner of the first-mentioned installation insofar as paragraph (1) requires him to co-operate with the operator of that installation and with the operator and owner of an installation engaged in a combined operation with it;
- (c) any other employer of persons and a self-employed person carrying out an activity on the first-mentioned installation or in connection with it;
- (d) the operator and owner of an installation connected by a pipe-line to the first-mentioned installation;

- (e) the person in control of a stand-by vessel for the first-mentioned installation;
- (f) the person in control of a heavy lift vessel used in relation to the first-mentioned installation;
- (g) the owner of a pipe-line connected to the first-mentioned installation; and
- (h) the manager of the first-mentioned installation.

Transitional provision relating to verification

14. The provisions of regulations 17 to 20 shall be deemed not to be in force in relation to an installation while provisions of the Offshore Installations (Construction and Survey) Regulations 1995 (*g*) are deemed to have effect in relation to that installation by virtue of regulation 24 of the Offshore Installations and Wells (Design and Construction, etc.) Regulations 1997 (*h*).

Keeping of documents

15. (1) An operator or owner who prepares a safety case pursuant to these Regulations shall -

- (a) ensure that when the safety case is sent to the Department it is notified of an address in the Island for the purposes of sub-paragraphs (b), (c) and (g) below;
- (b) keep a copy of the safety case and any revision thereof at the address referred to in sub-paragraph (a) above and on the installation to which the safety case relates;
- (c) keep a copy of each audit report at that address;
- (d) ensure that in respect of each audit report a written statement is made recording -
 - (i) the main findings of the report;
 - (ii) the recommendations in the report;
 - (iii) the action proposed to implement those recommendations including the timescales involved;
- (e) keep a copy of that statement on the installation to which it relates;
- (f) ensure that a record is made of any action taken in consequence of an audit report; and

- (g) keep a copy of the report at the address referred to in subparagraph (a) above and on the installation to which it relates.

(2) The copy of the audit report, record and written statement referred to in paragraph (1) shall be kept for a period of 3 years after it has been made, and the copy of the safety case and revision referred to in that paragraph shall be kept for so long as it is current.

(3) The operator or owner of an installation shall ensure that -

- (a) its verification scheme, any modification of that scheme, and any note made pursuant to regulation 17(1)(d) or (3)(d) or regulation 19(b), is kept, at an address in the Island notified to the Department, until the expiration of six months after such scheme or, as the case may be, modification of that scheme, has ceased to be current; and
- (b) records, sufficient to show the matters described in paragraph 5 of Schedule 9, are kept at the address notified pursuant to sub-paragraph (a) of this paragraph until the expiration of six months after the scheme, pursuant to which they were compiled, has ceased to be current.

(4) It shall be sufficient compliance with sub-paragraphs (b), (c), (e) and (g) of paragraph (1) and with paragraph (3) for the information in the documents referred to in those sub-paragraphs to be kept at the place referred to therein on film or by electronic means provided that the information is capable of being reproduced as a written copy at that place and it is secure from loss or unauthorised interference.

(5) In this regulation "audit report" means a report made pursuant to the arrangements referred to in regulation 8(1)(b).

Exemptions

16. (1) Subject to paragraph (2), the Department may, by a certificate in writing, exempt any person, installation, or class of persons or installations from any requirement or prohibition imposed by these Regulations and any such exemption may be granted subject to conditions and with or without limit of time and may be revoked by a certificate in writing at any time.

(2) Without prejudice to the generality of paragraph (1), where any requirement or prohibition of these Regulations makes reference to -

- (a) either a time or period for sending a safety case to the Department, the Department may, subject to paragraph (3) and in the particular case, specify a later time or shorten the period,
- (b) a period beyond which something shall not be done, the Department may, subject to paragraph (3) and in the particular case, lengthen the period;

and the exercise of such a power shall have effect as an exemption granted by the Department subject to the condition that the requirement or prohibition is observed with the later time or shorter or longer period substituted for that referred to in it.

(3) The Department shall not grant any such exemption unless, having regard to the circumstances of the case, and in particular to -

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any enactment which applies to the case,

it is satisfied that the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

Verification schemes for safety-critical elements

17. (1) Subject to paragraph (2), the operator of a fixed installation shall, at such time before completion of the design as is identified by regulation 4(1), ensure that -

- (a) a record is made of the safety-critical elements;
- (b) comment on the record by an independent and competent person is invited;
- (c) a verification scheme is drawn up by or in consultation with such person;
- (d) a note is made of any reservation expressed by such person as to the contents of -
 - (i) the record; or
 - (ii) the scheme; and
- (e) such scheme is put into effect.

(2) Where, in the case of a fixed installation, the time referred to in paragraph (1) has at the coming into force of this regulation expired, the operator shall ensure that the installation is not operated unless the provision of sub-paragraphs (a) to (e) of paragraph (1) and regulation 18 have been complied with.

(3) Subject to paragraph (4), the owner of a mobile installation shall, before the installation is moved in Manx waters with a view to its being operated there, ensure that -

- (a) a record is made of the safety-critical elements;
- (b) comment on the record by an independent and competent person is invited;
- (c) a verification scheme is drawn up by or in consultation with such person;

- (d) a note is made of any reservation expressed by such person as to the contents of -
 - (i) the record; or
 - (ii) the scheme; and
- (e) such scheme is put into effect.

(4) Where, at the coming into force of this regulation, a mobile installation is being operated, the owner shall ensure that it does not continue to be operated unless the provisions of sub-paragraphs (a) to (e) of paragraph (3) and regulation 18 have been complied with.

Matters to be included in a verification scheme

18. A verification scheme shall provide for the matters contained in Schedule 9.

Review and revision of verification schemes

19. The operator, in the case of a fixed installation and the owner, in the case of a mobile installation, shall ensure that, as often as may be appropriate -

- (a) the verification scheme is reviewed and, where necessary, revised by or in consultation with an independent and competent person;
- (b) a note is made of any reservation expressed by such person in the course of drawing it up.

Continuing effect of verification schemes

20. The operator of a fixed installation, and the owner of a mobile installation, shall ensure that effect continues to be given to its verification scheme, or any revision or replacement of it, while the installation remains in being.

Offences

21. (1) It is an offence for a person -
- (a) to fail to discharge a duty to which he is subject by virtue of these Regulations;
 - (b) to contravene or fail to comply with any provision of these Regulations;
 - (c) to fail to comply with any requirement imposed under these Regulations.

(2) Where the commission by any person of an offence under these Regulations is due to the act or fault of some other person, that other person shall be guilty of the offence, and a person may be charged with and proceedings are taken against the first mentioned person.

Defence

22. (1) In any proceedings for an offence for a contravention of these Regulations it shall, subject to paragraph (2), be a defence for the person charged to prove -

- (a) that the commission of the offence was due to the act or default of another person not being one of his employees (hereinafter called "the other person"); and
- (b) that he took all reasonable precautions, and exercised all due diligence, to avoid the commission of the offence.

(2) the person charged shall not, without leave of the court, be entitled to rely on the defence in paragraph (1) unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of the other person as was then in his possession.

SCHEDULES

Regulation 4(1)

SCHEDULE 1

**PARTICULARS TO BE INCLUDED IN A SAFETY CASE FOR THE DESIGN OF
A FIXED INSTALLATION**

1. The name and address of the operator of the installation.
2. A general description of the means by which the management system of the operator, referred to in regulation 8, will ensure that the structure and plant of the installation will be designed, selected, constructed and commissioned in a way which will reduce risks to health and safety to the lowest level that is reasonably practicable.
3. A description, with scale diagrams, of -
 - (a) the main and secondary structure of the installation;
 - (b) its plant;
 - (c) the layout and configuration of its plant;
 - (d) the connections to be made to any pipe-line or installation; and
 - (e) any wells to be connected to the installation.
4. A scale plan of the intended location of the installation and of anything to be connected to it, and particulars of -
 - (a) the meteorological and oceanographic conditions to which the installation may foreseeably be subjected; and
 - (b) the properties of the sea-bed and subsoil at its location.
5. Particulars of the types of operation, and activities in connection with an operation, which the installation is to be capable of performing.
6. The maximum number of persons -
 - (a) expected to be on the installation at any time; and
 - (b) for whom accommodation is to be provided.
7. Particulars of the plant and arrangements for the control of the operations on a well including those -
 - (a) to control the pressure in a well;
 - (b) to prevent the uncontrolled release of hazardous substances; and
 - (c) to minimise the effects of damage to subsea equipment by drilling equipment.

8. A description of any pipe-line with the potential to cause a major accident, including -
 - (a) the fluid which it conveys;
 - (b) its dimensions and layout;
 - (c) its contained volume at declared maximum allowable operating pressure; and
 - (d) any apparatus and works intended to secure safety.

9. Particulars of plant and arrangements for -
 - (a) the detection of the presence of toxic or flammable gas;
 - (b) the detection, prevention, or mitigation of fires.

10. A description of the arrangements to be made for protecting persons on the installation from hazards of explosion, fire, heat, smoke toxic gas or fumes during any period while they may need to remain on the installation following an incident which is beyond immediate control and for enabling such persons to be evacuated from the installation where necessary, including provision for -
 - (a) temporary refuge;
 - (b) routes from locations where persons may be present to temporary refuge and for egress therefrom to points from where the installation may be evacuated;
 - (c) means of evacuation at those points; and
 - (d) facilities within temporary refuge for the monitoring and control of the incident and for organising evacuation.

11. A statement of performance standards which have been established in relation to the arrangements referred to in paragraph 10 (including performance standards which have been established for structures and plant provided pursuant to such arrangements), and a statement of the minimum period for which the arrangements as a whole are intended to be effective following an incident referred to in that paragraph.

12. A demonstration, by reference to the results of suitable and sufficient quantitative risk assessment, that the measures taken or to be taken in relation to the hazards referred to in paragraph 10, including the arrangements mentioned in that paragraph, will reduce risks to the health and safety of persons to the lowest level that is reasonably practicable.

13. Particulars of the intended methods of design and construction, and of the principal codes of practice to be observed in relation to them.

14. A description of -

- (a) the principal features of the design of the installation, and the arrangements and procedures for its completion; and
- (b) the arrangements and procedures for the construction and commissioning of the installation,

which are intended to ensure that risks from a major accident will be at the lowest level that is reasonably practicable.

Regulation 4(2)

SCHEDULE 2

**PARTICULARS TO BE INCLUDED IN A SAFETY CASE FOR THE OPERATION
OF A FIXED INSTALLATION**

1. **The name and address of the operator of the installation.**
2. **A description, with scale diagrams, of**
 - (a) **the main and secondary structure of the installation and its materials;**
 - (b) **its plant;**
 - (c) **the layout and configuration of its plant;**
 - (d) **and the connections to be made to any pipe-line or installation; and**
 - (e) **any wells to be connected to the installation.**
3. **A scale plan of the location of the installation and of anything to be connected to it, and particulars of -**
 - (a) **the meteorological and oceanographic conditions to which the installation may foreseeably be subjected; and**
 - (b) **the properties of the sea-bed and subsoil at its location.**
4. **Particulars of the types of operation, and activities in connection with an operation, which the installation is capable of performing.**
5. **The maximum number of persons -**
 - (a) **expected to be on the installation at any time; and**
 - (b) **for whom accommodation is to be provided.**
6. **Particulars of plant and arrangements for the control of the operations on a well, including those -**
 - (a) **to control the pressure in a well;**
 - (b) **to prevent the uncontrolled release of hazardous substances; and**
 - (c) **to minimise the effect of damage to subsea equipment by drilling equipment.**
7. **A description of any pipe-line with the potential to cause a major accident, including -**
 - (a) **the fluid which it conveys;**
 - (b) **its dimensions and layout;**
 - (c) **its contained volume at declared maximum allowable operating pressure; and**

(d) any apparatus and works intended to secure safety.

8 Particulars of plant and arrangements for -

- (a) the detection of the presence of toxic or flammable gas; and
- (b) the detection, prevention or mitigation of fires.

9. A description of the arrangements made or to be made for protecting persons on the installation from hazards of explosion, fire, heat, smoke, toxic gas or fumes during any period while they may need to remain on the installation following an incident which is beyond immediate control and for enabling such persons to be evacuated from the installation where necessary, including provision for -

- (a) temporary refuge;
- (b) routes from locations where persons may be present to a temporary refuge and for egress therefrom to points from where the installation may be evacuated;
- (c) means of evacuation at those points;
- (d) facilities within the temporary refuge for the monitoring and control of the incident and for organising evacuation.

10. A description of arrangements made for protecting persons on the installation from toxic gas at all times, other than during the period described in paragraph 9.

11. A statement of performance standards which have been established in relation to the arrangements referred to in paragraph 9 (including performance standards which have been established for structures and plant provided pursuant to such arrangements), and a statement of the minimum period for which the arrangements as a whole are intended to be effective following an incident referred to in that paragraph.

12. A demonstration, by reference to the results of suitable and sufficient quantitative risk assessment, that the measures taken or to be taken in relation to the hazards referred to in paragraph 9, including the arrangements mentioned in that paragraph, will reduce risks to the health and safety of persons to the lowest level that is reasonably practicable.

13. Particulars of the main requirements in the specification for the design of the installation and its plant, including any limits for safe operation or use specified therein.

14. Sufficient particulars to demonstrate that the design of the installation, its plant and the pipelines connected to it is such that the risks from a major accident are at the lowest level that is reasonably practicable.

15. Particulars concerning any remedial work to be carried out to the installation or the plant referred to in the preceding paragraphs, and the time by which it will be done.

Regulation 5

SCHEDULE 3

**PARTICULARS TO BE INCLUDED IN A SAFETY CASE FOR A MOBILE
INSTALLATION**

1. **The name and address of the owner of the installation.**
2. **A description, with scale diagrams, of**
 - (a) **the main and secondary structure of the installation and its materials;**
 - (b) **its plant; and**
 - (c) **the layout and configuration of its plant.**
3. **Particulars of the types of operation, and activities in connection with an operation, which the installation is capable of performing.**
4. **The maximum number of persons -**
 - (a) **expected to be on the installation at any time; and**
 - (b) **for whom accommodation is to be provided.**
5. **Particulars of the plant and arrangements for the control of the operations on a well, including those -**
 - (a) **to control the pressure in a well;**
 - (b) **to prevent the uncontrolled release of hazardous substances; and**
 - (c) **to minimise the effects of damage to subsea equipment by drilling equipment.**
6. **Particulars of the plant and arrangements for -**
 - (a) **the detection of the presence of toxic or flammable gas; and**
 - (b) **the detection, prevention or mitigation of fires.**
7. **A description of the arrangements made or to be made for protecting persons on the installation from hazards of explosion, fire, heat, smoke, toxic gas or fumes during any period while they may need to remain on the installation following an incident which is beyond immediate control and for enabling such persons to be evacuated from the installation where necessary, including provision for -**
 - (a) **temporary refuge;**
 - (b) **routes from locations where persons may be present to temporary refuge and for egress therefrom to points from where the installation may be evacuated;**
 - (c) **means of evacuation at those points;**

- (d) facilities within temporary refuge for the monitoring and control of the incident and for organising evacuation.

8. A description of arrangements made for protecting persons on the installation from toxic gas at all times, other than during the period described in paragraph 7.

9. A statement of the performance standards which have been established in relation to the arrangements referred to in paragraph 7 (including performance standards which have been established for structures and plant provided pursuant to such arrangements), and a statement of the minimum period for which the arrangements as a whole are intended to be effective following an incident referred to in that paragraph.

10. A demonstration, by reference to the results of suitable and sufficient quantitative risk assessment, that the measures taken or to be taken in relation to the hazards referred to in paragraph 7, including the arrangements mentioned in that paragraph, will reduce risks to the health and safety of persons to the lowest level that is reasonably practicable.

11. Particulars of the main requirements in the specification for the design of the installation and its plant, including any limits for safe operation and use specified therein.

12. Particulars of -

- (a) the limits of the environmental conditions beyond which the installation cannot safely be stationed or operated;
- (b) the properties of the sea bed and subsoil which are necessary for the safe stationing and operation of the installation; and
- (c) the locations in which the installation may be stationed and operated safely.

13. Sufficient particulars to demonstrate that the design of the installation and its plant is such that the risks from a major accident are at the lowest level that is reasonably practicable.

14. Particulars concerning any remedial work to be carried out to the installation or the plant referred to in the preceding paragraphs, and the time by which it will be done.

Regulation 6(2)

SCHEDULE 4

PARTICULARS TO BE INCLUDED IN A SAFETY CASE FOR COMBINED OPERATIONS

1. The names and addresses of the operators and owners preparing the safety case.
2. Particulars which, were it not for regulation 6(1), would be contained in the safety cases prepared for the installations pursuant to regulation 4(2) or 5 or in a revision thereof pursuant to regulation 9.
3. Sufficient particulars to demonstrate that the management systems referred to in those safety cases pursuant to regulation 8 will be co-ordinated so as to reduce the risks from a major accident to the lowest level that is reasonably practicable.
4. Particulars of any plant installed solely for the purpose of permitting the installations to engage in the combined operation.
5. A demonstration that any limits for the safe operation or use of plant which are contained in the specifications for the design of the installations or their plant will not be exceeded while the installations are engaged in the combined operation.
6. A programme of work for the combined operation.
7. The date when the installations will cease to be engaged in the combined operation.

Regulation 7

SCHEDULE 5

**PARTICULARS TO BE INCLUDED IN A SAFETY CASE FOR THE
ABANDONMENT OF A FIXED INSTALLATION**

1. **The name and address of the operator of the installation.**
2. **A description, with scale diagrams, of -**
 - (a) **the main and secondary structure of the installation and its materials;**
 - (b) **its plant;**
 - (c) **the layout and configuration of its plant;**
 - (d) **the connections to be made to any pipe-line or installation; and**
 - (e) **any wells connected to the installation..**
3. **A scale plan of the location of the installation and of anything connected to it, and particulars of -**
 - (a) **the meteorological and oceanographic conditions to which the installation may foreseeably be subjected; and**
 - (b) **the properties of the sea-bed and subsoil at its location.**
4. **Particulars of the operations which were being carried out, including activities on and in connection with the installation relating to each operation.**
5. **The maximum number of persons at work on the installation during decommissioning.**
6. **Particulars of the plant and arrangements for the control of the operations on a well, including those -**
 - (a) **to control pressure in a well;**
 - (b) **to prevent the uncontrolled release of hazardous substances; and**
 - (c) **to minimise the effects of damage to subsea equipment by drilling equipment.**
7. **A description of any pipe-line with the potential to cause a major accident, including -**
 - (a) **the fluid which it conveys;**
 - (b) **its dimensions and layout;**
 - (c) **its contained volume at declared maximum allowable operating pressure; and**
 - (d) **any apparatus and works intended to secure safety.**

8. Particulars of plant and arrangements for -
 - (a) the detection of the presence of toxic or flammable gas;
 - (b) the detection, prevention or mitigation of fires; and
 - (c) the protection of persons from their consequences.

9. Particulars of escape routes, embarkation points and means of evacuation to enable the full and safe evacuation and rescue of persons to take place in an emergency.

10. Sufficient particulars to demonstrate that the proposed arrangements, methods and procedures for -
 - (a) dealing by way of abandonment or otherwise, with any wells to which the installation is connected;
 - (b) decommissioning the installation and connected pipe-lines; and
 - (c) demolishing or dismantling the installation and connected pipe-lines,take adequate account of the design and method of construction of the installation and its plant, and reduce risks from a major accident to the lowest level that is reasonably practicable.

Regulation 11

SCHEDULE 6

**PARTICULARS TO BE INCLUDED IN NOTIFICATION OF WELL OPERATIONS
FROM AN INSTALLATION**

1. The name and address of the operator of the installation.
2. Particulars of the fluids to be used to control the pressure of the well.
3. Particulars of any plant, not described in the current safety case for the installation, which is to be used in connection with the operations on the well.
4. Particulars of the type of well, its number, and any slot number, and the name of any field development of which it may be part.
5. Particulars, with scale diagrams, of -
 - (a) the location of the top of the well;
 - (b) the directional path of the well-bore;
 - (c) its terminal depth and location; and
 - (d) its position, and that of nearby wells, relative to each other.
6. A description of the operations on the well or, in the case of a fixed installation, of the operations involved in the drilling of the well, and a programme of works which includes -
 - (a) the dates on which the operations are expected to commence and finish; and
 - (b) the intended operational state of the well at the end of the operations.
7. A description of -
 - (a) any activities on or in connection with the installation, during operations on the well described pursuant to paragraph 6, which will involve any hazards with the potential to cause a major accident;
 - (b) such hazards.
8. In the case of a well which is to be drilled -
 - (a) particulars of the geological strata and formations, and of fluids within them, through which it will pass, and of any hazards with the potential to cause a major accident which they may contain.
 - (b) the procedures for effectively monitoring the direction of the well-bore, and for minimising the likelihood and effects of intersecting nearby wells; and
 - (c) a description of the design of the well, including the limits on its safe operation and use.

9. In the case of an existing well -

- (a) a diagram of the well;
- (b) a summary of earlier operations in relation to it;
- (c) the purposes for which it has been used
- (d) its current operational state;
- (e) its state of repair;
- (f) the physical conditions within it; and
- (g) its production capacity.

10. Where operations in relation to a well are to be carried out from a mobile installation, particulars of -

- (a) the meteorological and oceanographic conditions to which the installation may foreseeably be subjected;
- (b) the depth of water; and
- (c) the properties of the sea-bed and subsoil,

at the location at which the operations will be carried out.

11. Where operations in relation to a well are to be carried out from a mobile installation, sufficient particulars to demonstrate that the arrangements and procedures of the operator and owner of the installation for managing the operations are co-ordinated to reduce risks from a major accident to the lowest level that is reasonably practicable.

Regulation 11(4)

SCHEDULE 7

**PARTICULARS TO BE INCLUDED IN NOTIFICATION OF WELL OPERATIONS
FROM A VESSEL**

1. The name and address of the person notifying the particulars in this Schedule.
2. The name of the vessel by means of which the operation is to be carried out (in this Schedule referred to as "the vessel").
3. Particulars of the fluids to be used to control the pressure of the well.
4. Particulars of the type of well, its number, and slot number, and the name of any field development of which it may be part.
5. Particulars, with scale diagrams, of -
 - (a) the location of the top of the well;
 - (b) the directional path of the well-bore;
 - (c) its terminal depth and location; and
 - (d) its position, and that of nearby wells, relative to each other.
6. A description of the operations on the well and a programme of works which includes-
 - (a) the dates on which the operations are expected to commence and finish; and
 - (b) the intended operational state of the well at the end of the operations.
7. A description of -
 - (a) any activities on or in connection with the vessel during operations on the well described pursuant to paragraph 6, which will involve any hazards with the potential to cause a major accident;
 - (b) such hazards.
8. In the case of an existing well -
 - (a) a diagram of the well;
 - (b) a summary of earlier operations in relation to it;
 - (c) the purposes for which it has been used;
 - (d) its current operational state;
 - (e) its state of repair;

- (f) the physical conditions within it; and
- (g) its production capacity.

9. Particulars of -

- (a) the meteorological and oceanographic conditions to which the vessel may foreseeably be subjected.
- (b) the depth of water; and
- (c) the properties of the sea-bed and subsoil,

at the location at which the operations will be carried out.

10. Sufficient particulars to demonstrate that the arrangements and procedures of the person notifying the particulars in this Schedule, and of the operator and owner of the vessel for managing the operations are co-ordinated to reduce risks from a major accident to the lowest level that is reasonably practicable.

Regulation 12

SCHEDULE 8

**PARTICULARS TO BE INCLUDED IN NOTIFICATION OF CONSTRUCTION
ACTIVITIES**

1. **The name and address of the operator of the installation.**
2. **The location at which the construction activity is to take place.**
3. **The name of any installation or heavy lift vessel to be involved in the construction activity (including one providing accommodation for persons engaged in the activity).**
4. **The dates on which the construction activity is expected to commence and finish.**
5. **A description of the nature of the construction activity and of the hazards with the potential to cause a major accident which it involves.**
6. **Particulars of the proposed programme of work.**
7. **The name of an individual who will be able to make arrangements to facilitate any inspection of the construction activity, and details of how that person can be contacted.**

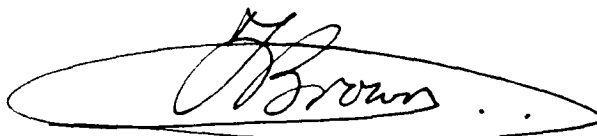
Regulation 18

SCHEDULE 9

MATTERS TO BE PROVIDED FOR IN A VERIFICATION SCHEME

1. The principles to be applied by the duty holder for the installation in selecting persons -
 - (a) to perform functions under the scheme; and
 - (b) to keep the scheme under review.
2. Arrangements for the communication of information necessary for the proper implementation, or revision, of the scheme to the persons referred to in paragraph 1.
3. The nature and frequency of examination and testing.
4. Arrangements for review and revision of the scheme.
5. The arrangements for the making and preservation of records showing -
 - (a) the examination and testing carried out;
 - (b) the findings;
 - (c) remedial action recommended; and
 - (d) remedial action performed.
6. Arrangements for communicating the matters contained in sub-paragraphs (a) to (d) of paragraph 5 to an appropriate level in the management system of the duty holder for the installation.

Made 18th April, 1997



Minister for Transport.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the preparation of safety cases for offshore installations and for the notification of specified activities to the Department of Transport.

A safety case is defined in the Regulations as a document containing specified information relating to the management of health and safety and the control of major accident hazards and containing the particulars specified in the Schedule referred to in the provision of the Regulations under which it is prepared (*regulations 2(2) and 8*).

The Regulations -

- (a) require a safety case to be sent to the Department before the completion of the design of a fixed installation (*regulation 4(1) and Schedule 1*);
- (b) prohibit the operation of a fixed installation unless a safety case has been sent to and accepted by the Department (*regulation 4(2) and Schedule 2*);
- (c) prohibit the movement of a mobile installation in Manx waters with a view to its being operated there unless a safety case has been sent to and accepted by the Department (*regulations 5 and Schedule 3*);
- (d) prohibit the engagement of an installation in a combined operation with another unless a safety case has been sent to and accepted by the Department (*regulation 6 and Schedule 4*);
- (e) prohibit the decommissioning of a fixed installation unless a safety case has been sent to and accepted by the Department (*regulation 7 and Schedule 5*);
- (f) require a safety case to be revised as often as may be appropriate and at 3 yearly intervals, such revision to be accepted by the Department where it is made at the 3 yearly interval or where it renders the safety case materially different from the last version sent to the Department (*regulation 9*);
- (g) require any procedures or arrangements in safety cases to be followed and provide for specified defences for contravention of the requirement (*regulation 10*);
- (h) require well operations and specified construction activities to be notified to the Department, such notifications to contain specified particulars (*regulations 11 and 12 and Schedules 6 and 7*);

- (i) impose requirements on specified persons to co-operate with the operator and owner of an offshore installation to enable them to comply with the provisions of the Regulations (*regulation 13*);
- (j) contain transitional provisions relating to verification schemes under Regulations 17 to 20 (*regulation 14*);
- (k) impose requirements with respect to the making and keeping of documents (*regulation 15*);
- (l) provide for the granting of exemptions from the Regulations by the Department (*regulation 16*);
- (m) provide for a verification scheme for safety-critical elements and the matters to be included in such a scheme (*regulations 17 and 18 and Schedule 9*);
- (n) provide for the review and revision of verification schemes and for their continuing effect (*regulations 19 and 20*); and
- (o) regulation 21 provides a defence for contravention of the Regulations.