



Statutory Document 170/97

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

**OFFSHORE INSTALLATIONS (REGISTRATION)
REGULATIONS 1997**

Approved by Tynwald : 20th May 1997

Coming into operation : 1st June 1997

In exercise of the powers conferred on the Department of Transport by sections 2, 6 and 7 of and the Schedule to, the Mineral Workings (Offshore Installations) (Isle of Man) Act 1974 (a) and of all other enabling powers, the following Regulations are hereby made -

Citation and commencement

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

Interpretation

2. (1) In these Regulations -

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

"concession owner" 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 is, or is to be, used in the exercise of that right;

"controlled waters" has the meaning given by section 1(3) of the Act;

"Department" means the Department of Transport;

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

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

(a) 1974 c. 33

(b) SD 342/95

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"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;

(2) Nothing in these Regulations shall apply to dredging installations which are registered as vessels (whether in the Island or elsewhere).

Registration of Installations

3. (1) The Department shall maintain a Register of installations which are stationed in controlled waters.

(2) Applications for the registration or reregistration of installations shall be made in writing and shall include the particulars specified in Schedule 1 and shall, if the Department so requests, include such supplementary information and evidence as will show that the installation is one to which these Regulations apply.

(3) Subject to paragraph (4), upon receiving an application for registration or reregistration and being satisfied that the installation may properly be registered or re-registered, as the case may be, the Department shall register the installation. On registering the installation the Department shall issue two copies of a certificate of registration.

(4) The Department may refuse to register or re-register an installation if -

- (a) the person or persons applying are not in a position to discharge the duties imposed on the owner by or under the Act, or
- (b) the name or other designation submitted for registration is likely to be confused with that of any other installation already registered under these Regulations.

(5) The Department may wherever it appears necessary or appropriate to do so for giving effect to these Regulations or for bringing up to date or otherwise correcting particulars on the register, amend the register and issue an amended certificate of registration.

(6) The fees specified in Schedule 2 shall be payable in respect of an application to register or re-register an installation under these Regulations or for the issue of a further copy of a certificate of registration.

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Duty To Secure Registration of Offshore Installations

4. On or after the date on which these regulations take effect,
- (a) no fixed installation shall be stationed in controlled waters, and
 - (b) no mobile installation shall be brought into those waters with a view to its being stationed there,

unless it is registered pursuant to these Regulations.

Obligation to Notify The Department of Changed Particulars

5. (1) The owner of an installation shall notify the Department forthwith -
- (a) if the installation is converted from a mobile installation to a fixed installation or vice versa;
 - (b) if the installation is dismantled, abandoned or destroyed;
 - (c) if the installation is combined with another installation or is divided so as to constitute two separate installations;
 - (d) in the case of an installation not on station in controlled waters at the date of registration of its arrival on station there;
 - (e) if the installation is removed to a new station in controlled waters or removed to a place outside those waters;
 - (f) if the person or any of the persons whose name the installation is registered cease to be in a position to discharge the duties imposed on the owner by or under the Act;
 - (g) if any person or persons acquire rights enabling him or them to discharge or join in the discharging of the duties imposed on the owner by or under the Act; or
 - (h) if any error is discovered in any information furnished to the Department pursuant to these Regulations or if any other event occurs which makes the information so furnished incorrect in any material respect.

(2) Any other notification made pursuant to paragraph (1) shall include sufficient information for the registered particulars to be amended where appropriate.

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Cancellation of Registration

6. The Department may cancel the registration of an installation if it appears to it that -
- (a) the installation has been dismantled, abandoned, destroyed or combined with another installation, or
 - (b) any person or persons in whose name the installation is registered are no longer in a position to discharge the duties imposed on the owner by or under the Act or
 - (c) any other person or persons have acquired rights enabling him or them to discharge or join in the discharge of those duties.

Period of Validity of Registration

7. Unless previously cancelled, registration under these Regulations shall remain effective for a period of 25 years in the case of a fixed installation and for a period up to but not exceeding 10 years in the case of a mobile installation on the payment of the annual registration fee specified in Schedule 2.

Display of Certificate

8. One copy of the current certificate of registration issued under these Regulations shall be retained on the board the installation to which it relates in such a position that it can be readily produced to an authorised officer of the Department.

Display of Registered Name of Installation

9 (1) Save where the nature of the structure makes it impracticable, an installation registered in accordance with these Regulations shall display its registered name or other designation in such a manner as to make the installation readily identifiable on approach by sea or air.

(2) No installation shall display any name, letters or figures likely to be confused with a registered name or other designation.

Offences and Penalties

10. (1) A contravention of Regulation 4 shall be an offence for which the owner of the relevant installation and the concession owner shall each be liable on summary conviction to a fine not exceeding £1,000.

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(2) A contravention of any requirement of Regulation 5, 8, or 9 shall be an offence for which the owner of the relevant installation shall be liable on summary conviction to a fine not exceeding £1,000.

(3) A contravention of any requirement of Regulation 3, 8, or 9 shall be an offence for which the installation manager in charge of the relevant installation at the time of the contravention shall be liable on summary conviction to a fine not exceeding £500.

(4) A person who wilfully makes or signs a false statement for the purposes of these Regulations shall (without prejudice to any other penalty) be liable on summary conviction to a fine not exceeding £1,000.

Offshore Installations (Registration) Regulations 1997

Regulation 3

SCHEDULE 1

CONTENTS OF APPLICATIONS FOR REGISTRATION

1. An application for the first registration of an installation shall include the following particulars -

- (a) the name and address of the person or persons seeking to register it;**
- (b) where the address furnished pursuant to head (a) is not an address in the Island or the United Kingdom, an address in the Island to which communications for the owner may be sent;**
- (c) a name or other designation for the installation,**
- (d) particulars of any other registration of the installation (whether as a vessel or otherwise and whether in the Island or elsewhere) ;**
- (e) an indication of the nature and the function or proposed function of the installation;**
- (f) an indication whether the installation is a mobile or a fixed installation and, in the case of a mobile installation, whether it has its own motive power;**
- (g) if the application relate to a part of an installation, particulars of any major additions expected to be made;**
- (h) an indication of the location and block number at which the installation is stationed or intended to be stationed in controlled waters;**
- (i) an indication of the period for which it is expected the installation will be stationed at the location mentioned pursuant to head (h); and**
- (j) in the case of a mobile installation, its tonnage.**

2. An application to register an installation shall include sufficient information to identify the installation and particulars of the respects (if any) in which any particulars previously supplied about that installation are no longer correct.

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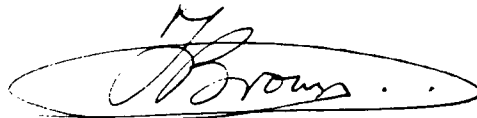
Regulation 3

SCHEDULE 2

REGISTRATION FEES

- | | | |
|----|---|------|
| 1. | On application for the first Registration of an installation and annual renewal registration thereafter | £500 |
| 2. | On application for reregistration following the expiration or cancellation of a previous registration | £500 |
| 3. | On application for a further copy of a certificate of registration | £25 |

Made 18th April, 1997



Minister for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the registration of offshore installations which are stationed in the Territorial Waters of the Isle of Man.

A Register of such installations is to be maintained at the Marine Administration, Department of Transport and registration will be obligatory. A fee will be payable on application for registration. The Regulations require that the Department be notified of changes to the registered particulars, including changes in the location of installations. They also require certificates of registration to be retained on board installations and the registered name or designation to be displayed.

Registration of an installation may be cancelled if there is a change of ownership, or if it is dismantled, abandoned, destroyed or combined with another installation. Registration subject to the payment of the annual registration fee otherwise expires at the end of a period of 25 years in the case of a fixed installation and 10 years in the case of a mobile installation.