IN 1278 – Revised UK Offshore Regulations

Information Note Published on **8 July 2015**

IMCA Contact:

Margaret Fitzgerald
Head of Legal & Regulatory Affairs

Committees:

Europe & Africa

Tags:

#Health, Safety & Security

1. Introduction

Changes to the UK offshore regulations are due to take effect on 19 July 2015. The changes are being made to take account of the requirements of the new EU Directive on the Safety of Offshore Oil and Gas Operations (Directive 2013/30/EU).

The EU Directive is aimed at reducing major accidents related to offshore oil and gas operations, and introduces a harmonised EU regime for offshore safety cases. The Directive came into force in July 2013 and EU member states with offshore drilling operations have had until July of this year to implement the Directive into their national regulations.

As a member of European Economic Area, Norway has the right to implement the Directive, but has chosen not to. Other EU states, in addition to the UK, are implementing the Directive's requirements. However, as the UK changes are likely to affect the largest number of offshore projects, this Information Note focuses on the UK changes.

The EU Directive is largely based on the UK offshore drilling safety regime, but a number of changes have still been needed to the UK regulations. The Safety Case Regulations and the Merchant Shipping Oil Pollution Preparedness Regulations have been updated, and a new regulation on offshore petroleum licensing is being introduced.

2. Main changes

The EU requirements reflect many of the principles of the previous UK regulations, but with a couple of key differences:

- **Environmental aspects** – The Safety Case has been expanded to also address the environmental aspects of potential incidents, and the existing requirement for independent verification of safety critical equipment has been extended to also cover environmentally critical equipment. These changes are addressed by the updated Safety Case Regulations. There are also new environmental requirements relating to internal emergency response plans; these have necessitated changes to the requirements for oil pollution emergency plans in the Marine Shipping Oil Pollution Preparedness Regulations.

- **Accident prevention** – There is a new requirement for installation owners and operators to produce a corporate major accident prevention policy, and for operators to report details of major hazard indicators to the national regulatory body in charge of overseeing offshore drilling safety (the 'competent authority').

These changes are also incorporated in the updated Safety Case Regulations/

- **New UK regulators** – The UK offshore competent authority is the newly created Offshore Safety Directive Regulator (OSDR), which is a partnership between the Health and Safety Executive (HSE)'s Energy Division and the Department of Energy and Climate Change (DECC)'s Offshore Oil and Gas Environment and Decommissioning Team. There is also a new UK licensing authority, the UK Oil and Gas Authority (OGA).

- **Offshore licensing requirements** – The EU Directive requires a much greater range of considerations to be taken into account before granting a license to explore for or produce petroleum. The new UK licensing authority, the OGA, in conjunction with the OSDR, will have to consider a licensee's safety and environmental performance and the safety and environmental management systems and structure. The OSDR will also have to assess the capacity of oil and gas operators to undertake their duties. These changes are being introduced via the new Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015.

Although the main principles of the UK Safety Case regime remain unchanged, contractors may find that the clients will require additional information on vessel related activities for considerations in the client's Safety Case.

3. Find out more

The Safety Case Regulations (SCR) 2005 will be replaced by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (SCR 2015). The new regulations are available online.

Accompanying guidance on the new Safety Case Regulations is expected to be published shortly.

The Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 will be replaced by the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) (Amendment) Regulations 2015, which are also available online.

Information on the new regulatory authorities is available at the web links below:

- Offshore Safety Directive Regulator (OSDR)
- North Sea Transition Authority (NSTA).

MPRA Committee

Technical Library