

Mr Robert Atkins
Minister for the Economy and the Environment
Department of Economic Development
Netherleigh
Massey Avenue
Belfast BT4 2JP

22 December 1992

Dear

With reference to your letter of 14 December asking the Health and Safety Commission ("the Commission") to enter into an agreement with the Northern Ireland Department of Economic Development, the Commission in exercise of powers conferred on it by section 13(1)(c) and (g) of the Health and Safety at Work etc. Act 1974, agrees as follows:

1. The Health and Safety Executive ("the Executive") will make available to the Department, on behalf of the Commission, such officers and servants of the Executive as may be agreed between the Executive and the Department for the purpose of their being appointed Inspectors under Article 21(1) of the Health and Safety at Work (Northern Ireland) Order 1978 and carrying out inspection duties on behalf of the Department in relation to work activities offshore in the territorial waters adjacent to Northern Ireland.
2. Where any person is appointed to be such an Inspector by virtue of this agreement, the Department will revoke the appointment on receiving reasonable notice in writing from the Executive.
3. Where a person has been made available by the Executive by virtue of this agreement, the Executive shall remain responsible for the payment of that person's remuneration.
4. The Department shall accept full responsibility for anything contained in any report or recommendation made and for any requirement imposed by an inspector arising from or in consequence of a visit or inspection in Northern Ireland and for any other thing done or omitted by an inspector in the exercise or performance of his functions in pursuance of this agreement.
5. The Department shall, if the Executive so requests, pay to the Executive the full cost as determined by the Executive in accordance with guidance issued by Her Majesty's Treasury, of the carrying out of the powers, duties and functions given to any inspector in pursuance of this agreement.

The Commission is prepared to enter into this agreement on the basis that the Executive will make no charge to the Department of Economic Development for the services provided on the basis of the existing anticipated workload (a main grade inspector for five days for a new pipe-line, with a day a year thereafter). The Executive however reserves the right to make a charge in the event that an amount of work significantly in excess of this is required from its inspectors. The Department also undertakes to make all necessary arrangements and to

meet the cost of travel and accommodation for any inspector carrying out functions in accordance with this agreement.

I should be grateful for your confirmation that the terms of the agreement are acceptable to you.

I am copying this to Gillian Shephard together with a copy of your letter.

Yours sincerely

SIR JOHN CULLEN FEng PhD
Chairman