

Lord Hunt
Parliamentary Under Secretary (Lords)
Department for Work and Pensions

Proposals for new Offshore Installations (Safety Case) Regulations 2005

I am writing to send you the Health and Safety Commission's proposals for new regulations on safety cases for offshore installations. Enclosed are draft regulations and a regulatory impact assessment for your signature. Also enclosed is a submission with annex providing the background to this work.

The new regulations would replace the 1992 Offshore Safety Case Regulations introduced following Lord Cullen's inquiry into the Piper Alpha disaster of July 1988. The major benefits include the removal of excessive bureaucracy and excessive regulatory complexity; the speeding up of the safety case process and the opportunity to provide greater stimulus for continuous improvement in safety. The key objectives of the regulations remain the same; that is a safety case must be accepted by HSE before an offshore installation can be operated in UK waters.

The regulations would introduce a right of appeal to the Secretary of State against HSE regulatory decisions, such as a refusal to accept a safety case. While we expect such a right to be exercised very rarely, we consider it will add greatly to public confidence in the regime.

The new regulations would also make small but important amendments to other offshore legislation such as the Offshore Installations (Prevention of Fire and Explosion and Emergency Response) Regulations 1995 and the Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989.

There has been extensive dialogue with stakeholders on these proposals, including a major conference in November 2003 as well as the consultation exercise last year. The offshore industry is keen to see the new regulations in place as soon as possible.

Given the need for time to adjust to the new arrangements and to publish supporting guidance it would be helpful to sign the regulations this September to come into force by April 2006.

I would welcome approval of the regulations and the regulatory impact assessment.

Bill Callaghan
Chair, Health and Safety Commission