

FURTHER INFORMATION

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For information about health and safety ring HSE's InfoLine Tel: 08701 545500 Fax: 02920 859260 e-mail: hseinformationservices@natbrit.com or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG. You can also visit HSE's website: www.hse.gov.uk

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

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Regulating health and safety in the UK offshore oil and gas fields

Who does what?



WHO IS RESPONSIBLE FOR HEALTH AND SAFETY?

This leaflet is aimed at seafarers and offshore workers. It will tell you who is responsible for enforcing health and safety law and where you can obtain further guidance.

The Health and Safety Executive (HSE), the Maritime and Coastguard Agency (MCA) and the Marine Accident Investigation Branch (MAIB) are responsible for different aspects of the law applied to offshore oil and gas.

HSE and MCA are responsible for regulating health and safety while MAIB is responsible for investigating accidents to or on board all UK vessels and other vessels within UK territorial waters. However, the actual achievement of safety is the responsibility of all those who work offshore and in maritime activities. So if you work offshore, whether on a vessel or an installation, you have a responsibility to contribute towards a safe and healthy place to work.

It is the responsibility of HSE and MCA to ensure that you are protected by consistent health and safety standards:

- MCA enforces maritime health and safety law, which covers the operation of ships worldwide;
- HSE enforces health and safety law applying to offshore installations and associated activities.

The two sets of law overlap where ships are carrying out activities such as drilling or cargo handling, but they do not conflict. HSE and MCA are committed to promoting good health and safety practices and work closely together to do this.

The work of HSE, MCA and MAIB may overlap in some situations, for example, enforcement or accident investigation on a mobile installation in transit to a working station, or to loading or unloading from a vessel to an offshore installation.

WHAT DOES HSE DO?

HSE ensures that risks to people's health and safety from work activities are properly controlled. It does this through a programme of inspection, assessment, investigation, enforcement, advice and education. HSE is primarily responsible for regulating the safety of offshore installations, wells, pipelines and for those engaged in related activities.

WHAT DOES MCA DO?

MCA is responsible for regulating the safety of ships and their crews including their construction, safe navigation and operation, carriage of cargoes and prevention of pollution, crew competence and health and safety on board.

MCA investigates incidents involving ships to determine whether a significant breach of regulations has occurred and to recommend enforcement action and also has responsibilities for search and rescue.

WHAT DOES MAIB DO?

MAIB's aim in investigating marine accidents is to determine their circumstances and causes, and make recommendations which, if implemented, should prevent their recurrence.

MAIB is not a regulatory or an enforcement body. MAIB and MCA are independent of each other.

HOW DO HSE, MCA AND MAIB COORDINATE THEIR ACTIVITIES?

There is a Memorandum Of Understanding (MoU) between HSE, MCA and MAIB, which ensures co-ordination where their duties for health and safety enforcement and accident investigation overlap. A copy of the MoU can be found at www.hse.gov.uk/spd/content/spdmar.htm and on the MCA website www.mcga.gov.uk under 'Publications Statutory'.

WHAT LEGISLATION APPLIES TO OFFSHORE HEALTH AND SAFETY?

The main health and safety legislation comes under the Health and Safety at Work Act 1974 (HSWA) and the

Merchant Shipping Act 1995 (MSA) both of which have broadly similar general duties.

MSA applies to ships regardless of where they work or what activities they are carrying out. HSWA and specific offshore legislation applies to offshore installations, wells and pipelines and to connected activities such as loading and unloading. This includes:

- installations which may be classed as ships e.g. mobile offshore drilling units, flotels and floating production storage and offtake units; and
 - other ships such as heavy lifting vessels, pipe layers, diving support vessels and supply vessels.
- This means that at times, these installations and ships will have to comply with both offshore law and maritime law, but HSE, MCA and MAIB work together to avoid duplicating burdens on duty holders.

HSWA and MSA place a duty on every employer to ensure so far as is reasonably practicable, the health safety and welfare at work of all employees. Individual workers have responsibility under the HSWA to take reasonable care of themselves and others.

WHO INVESTIGATES ACCIDENTS AND INCIDENTS OFFSHORE OR AT SEA?

MAIB and/or MCA investigate accidents and incidents related to ships and crew. HSE investigates land based and offshore accidents and incidents.

Where there is an overlap, HSE, MCA and MAIB will agree who will be the lead investigator.

WHO DO I GO TO IF I AM WORRIED ABOUT HEALTH AND SAFETY ON MY SHIP OR INSTALLATION?

You should discuss it with your employer, manager or supervisor. Alternatively, you may wish to discuss it with your safety representative, the safety officer if on board ship, union official or contact the relevant authority – HSE, MCA or MAIB