

AGREEMENT BETWEEN THE HEALTH AND SAFETY EXECUTIVE FOR NORTHERN IRELAND AND THE HEALTH AND SAFETY EXECUTIVE RELATING TO THE EU OFFSHORE SAFETY DIRECTIVE

This agreement is made between the Health and Safety Executive for Northern Ireland ("HSENI") and the Health and Safety Executive ("HSE"), respectively, under Article 15 of the Health and Safety at Work (Northern Ireland) Order 1978 (HSW NI Order) and section 13 of the Health and Safety at Work etc. Act 1974.

INTRODUCTION

(A) Article 8 of Directive 2013/30/EU on safety of offshore oil and gas operations ("**the Directive**") requires the appointment of a competent authority responsible for regulating offshore major hazards, which may be comprised of more than one body.

(B) The Competent Authority for United Kingdom will be OSDR.

(C) In Great Britain the competent authority is comprised of HSE and the Department for Business, Energy and Industrial Strategy ("BEIS"), (who perform the functions as the Offshore Safety Directive Regulator].

(D) In Northern Ireland the competent authority is comprised of BEIS and HSENI with support from HSE in accordance with this agreement.

(E) This agreement describes the basis on which HSE provides operational support to HSENI in connection with HSENI's competent authority functions.

AGREEMENT

1. At the request of HSENI, the HSE shall select a member of HSE staff ("**HSE staff member**") having suitable qualifications as the HSE thinks necessary for carrying into effect the relevant statutory provisions within HSENI's field of responsibility as competent authority under the Directive in Northern Ireland ("**NI competent authority RSPs**").
2. HSE shall make the HSE staff member available to carry into effect the NI competent authority RSPs, but only if that HSE staff member is appointed as an inspector by HSENI for that purpose. The appointed HSE Inspector will be indemnified under Article 28 of the HSW NI Order.
3. HSE's costs in making the HSE staff member available to carry into effect the NI competent authority RSPs shall be met by HSENI and recovered in accordance with the Schedule.
4. HSE shall provide support and assistance to an HSE staff member who is made available to carry into effect the NI competent authority RSPs. HSE's costs in providing such support and assistance shall be recovered in accordance with the Schedule.

5. A request under paragraph 1 may specify only some (rather than all) of the relevant statutory provisions within HSENI's field of responsibility as competent authority under the Directive in Northern Ireland, and if so, this agreement (apart from this paragraph) shall apply in respect of that request as if the term "NI competent authority RSPs" was a reference only to those specified relevant statutory provisions and as if the term "HSE staff member" were a reference to a member of HSE staff in relation only to those specified relevant statutory provisions.
6. HSENI shall only act on advice or guidance, provided by an HSE staff member made available to carry into effect the NI competent authority RSPs, in relation to the purpose for which it was provided.
7. HSENI shall provide an HSE staff member made available to carry into effect the NI competent authority RSPs with (so far as are reasonably required in connection with carrying into effect the NI competent authority RSPs):
 - 7.1. Flights from Great Britain to Northern Ireland and from Northern Ireland to Great Britain; and
 - 7.2. Assistance, including accommodation, office facilities and transport.
 - 7.3. Legal advice as appropriate and agreed by HSENI.
8. In this agreement, unless the contrary intention appears, words in the singular include the plural and words in the plural include the singular.
9. This agreement comes into force on 17 December 2018. It shall terminate on the expiry of six months' written notice of termination given by either party to the other, or such shorter period as they may agree.

Signed by:



Dr Bryan Monson

Deputy Chief Executive of the Health and Safety Executive Northern Ireland, a person duly authorised to sign on behalf of the Health and Safety Executive Northern Ireland.

Date: 17 December 2018

Signed by:



Chris Flint

Director of Energy Division of the Health and Safety Executive, a person duly authorised to sign on behalf of the Health and Safety Executive

Date: 10 December 2018

Signed by:



Mike Day

Commercial Director of the Health and Safety Executive, a person duly authorised to sign on behalf of the Health and Safety Executive.

Date: 10 December 2018