

versely an organisation with responsibility for the majority of industrial safety matters will naturally tend to view any individual industry in a wide context and formulate guidelines and regulations applicable across the whole of industry. The consequences of such an approach are greater rigidity and a slower response.

4.19. There are precedents for excluding a single industry from the general remit of the HSC/HSE. Aviation safety and merchant shipping safety are satisfactorily administered by the Civil Aviation Authority and the D/Trade respectively. Both industries operate in special environments and the offshore industry shares the marine environment with shipping.

4.20. The assumption by D/Energy of full offshore safety responsibility would entail consideration of the enforcement of the 1974 Act. At present the HSC/HSE have a statutory duty to make arrangements for its administration and enforcement and this is achieved via the agency agreement. The options seem to be to disapply the 1974 Act offshore or to amend it in such a way as to make D/Energy responsible for its administration and enforcement offshore. The first of these options would be a retrograde step as there are a number of workers who are not covered by the 1971 and 1975 Acts. Furthermore the 1974 Act provides for the participation of recognised Trades Unions in developing safety arrangements. We believe this should continue and that D/Energy should accept the responsibility to provide for tripartite consultation involving employers, unions and government similar to that currently being developed onshore.

A review of overlapping safety legislation

4.21. The selected single agency will need to review the present legislative position. There are as we have noted three different Acts of Parliament under which safety controls and arrangements can be developed. The 1971 and 1975 Acts deal specifically with offshore installations and pipelines. The 1974 Act which imposes a general duty on employers and employees has a slightly wider application. The further development of safety regulations could in theory be undertaken under either the specific Acts or the 1974 Act, although the wider application of the 1974 Act makes it preferable.

4.22. The 1971 Act does however contain features that might need to be retained. The first concerns the appointment, responsibilities and authority of the manager of the installation. We discuss later (in paras 4.41-4.43) some problems concerning the responsibilities given in regulations to the manager but approve of the concept of one person, like the Master of a ship, being in an overall position of responsibility and authority in relation to safety on an offshore installation. Secondly the obligation on the owner of an installation to provide transport for an inspector is unique to the 1971 Act and should be retained.

4.23. The HSE have told us that since the 1974 Act it has been engaged on the very large task of reviewing onshore specific legislation with a view to its rationalisation with the 1974 Act. Progress is admitted to be slow; if HSE is selected as the single agency the review of offshore legislation will no doubt take the same pace. By contrast D/Energy would find the review a much more