

with the CA, leaving the Inspectorate to monitor, as far as it considers necessary, the independent assessments of the operating company and the CA.

4.30. In the following paragraphs (4.31 to 4.35) we set out four separate criticisms of either the regulations or the present certification system. The changes suggested are relevant both to the revised certification scheme proposed above and the current system.

4.31. The Construction & Survey Regulations as drafted appear to allow the temporary placement of unattached equipment on to an installation by an operator without his being obliged to notify the CA. A Certificate of Fitness specifies the safe working limits and conditions of loading and the operator must observe these limits. We have no evidence that there are or have been problems created by this anomaly in the regulations, which should be amended as appropriate at a suitable opportunity.

4.32. Currently "a Certifying Authority may accept as part of a major survey the results of a survey carried out otherwise than under the Regulations if satisfied that the results so obtained are equivalent to those which would have been obtained in the course of a major survey". In these circumstances it is for the Certifying Authority to accept responsibility for the work of an independent surveyor. It has been submitted to us that there is available in the United Kingdom a considerable amount of expertise in specialised engineering surveying in respect, for example, to materials certification, welding procedure and welder approval, pressure plant, lifting gear, and electrical plant and installations. It was suggested (34, 50) that the work of the Certifying Authorities could be facilitated if the Secretary of State were to grant and publish approvals of suitable specialist organisations to undertake specified surveys for the Certifying Authorities.

4.33. Although the Committee is unable to judge the extent to which this pool of expertise would be utilised if such approvals were given, we agree in principle that this suggestion should be considered. We believe however that should the Department of Energy wish to approve certain organisations in the manner suggested, it would be necessary to approve and certify individual surveyors.

4.34. It has been represented to the Committee that CAs should employ more uniform criteria in coming to their judgments (3, 12, 13, 29, 61, 62). One aim of the Department of Energy's "Guidance on design and construction" is to achieve consistency in Certification. In so far as criticism is justified, lack of uniformity could arise from the recommendation and use of different national standards, or from the fact that much "Guidance" is couched in rather general terms. In updating the Guidance notes difficulties arising from the latter cause should be borne in mind. Nevertheless, it must be remembered that Guidance notes are not mandatory and it is partly their nature to leave room for engineering judgment in their application.

4.35. It has been pointed out to us that the Regulations contain no provision for an appeal to the Secretary of State against the refusal of a Certifying Authority to grant a Certificate of Fitness in respect of a particular installation