

(32). In principle we feel that there should be provision for an appeal system although there is no evidence to suggest that the lack of it is a serious problem.

Powers of enforcement

4.36. It is a characteristic of all the legislation affecting offshore safety that the powers of government appointed inspectors to take punitive action are set out at much greater length than are their normal duties. Reference to the functions, or duties of inspectors, as distinct from their "powers" are limited to the following:

- 4.36.1. The Offshore Installations (Inspectors and Casualties) Regulations describe their function as being to ensure that the provisions of the Act and of the regulations thereunder are complied with, to investigate a casualty and generally to assist the Secretary of State in the execution of the Act.
- 4.36.2. The Petroleum and Submarine Pipelines Act (Inspectors, etc) Regulations refer to "assisting the Secretary of State in the execution of Part III of the Act", which is that Part concerned with submarine pipelines, their authorisation, construction and safety.
- 4.36.3. The Health and Safety at Work Act (Section 19) states their purpose as being to carry into effect the relevant statutory provisions within the field of responsibility of the enforcing authority.

4.37. We think that it is in the best interests of safety and health offshore that good relations should prevail between the Industry and the Inspectorate. To this end the Inspectorate should command respect by being well-qualified, knowledgeable in the circumstances and problems that prevail, and skilled in the execution of their duties.

4.38. The appropriate skills of the Inspectorate in practice would appear to be in their:

- 4.38.1. Knowledge of the law and its practical application;
- 4.38.2. Ability to judge the success or otherwise of designers, constructors and operators, including employers and employed, in complying with the law, and to give relevant advice;
- 4.38.3. Ability to investigate, or to direct the investigation, of accidents and failures.

A broad view is more appropriate than a preoccupation with detail, although random checks at the detailed level are justified in pursuit of the main purpose.

4.39. This statement of normal objectives of an inspectorate implies a relatively small body of well-qualified and experienced persons, capable individually of dealing satisfactorily with a variety of matters. In view of the problems associated with travelling to and from offshore installations, it is much to be preferred that one inspector is able to deal with a wide range of subjects on a, possibly somewhat prolonged, visit rather than that a number of different inspectors deal with the same subject range in a series of short visits. It appears to us that the Department of Energy's Inspectorate works towards these objectives and we would encourage such aims.