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## SUBSIDIARY LEGISLATION

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### OFFSHORE MINERALS HEALTH AND SAFETY

#### Provision and Use of Work Equipment Order 2008

S. R. & O. No: 9 of 2008

*Made: ..... 6 March 2008*

*Published: ..... 12 March 2008*

*Coming into force: in accordance with article 2*

IN EXERCISE of my powers under section 27(1), 36(2)(b) and 36(6) of the Offshore Minerals Ordinance 1994 (No 16 of 1994) and with the consent of the Secretary of State for Foreign and Commonwealth Affairs, I make the following Order —

#### **1. Title**

This Order is the Provision and Use of Work Equipment Order 2008

#### **2. Commencement**

This Order will come into force on a date appointed by the Governor by notice published in the *Gazette*.

#### **3. Interpretation**

In this Order —

“the 1998 Regulations” means the Provision and Use of Work Equipment Regulations 1998 (SI 1998/2306); and

“the external application order” means the Health and Safety at Work etc Act 1974 (Application outside the Falkland Islands) Order 2008 (SR&O No 6 of 2008).

#### **4. Application of Regulations**

The 1998 Regulations shall, subject to the exceptions and modifications specified in the Schedule to this Order, apply to and in respect of offshore installations and places of work to which the external application Order applies.

#### **5. Revocation**

The Provision and Use of Work Equipment Order 1998 (SR&O No 10 of 1998) is hereby revoked.

Made 6<sup>th</sup> March 2008

P. L. Martinez,  
*Acting Governor*

## **SCHEDULE**

### **Exceptions and modifications in relation to the application of the 1998 Regulations under article 4 of this Order**

#### **Exceptions**

1. Regulations 12(5), 32(5), 36, 37, 38 and 39 and Schedule 4 are omitted.

#### **Modifications**

2. Regulation 1 is modified by omitting the words “and shall come into force on 5<sup>th</sup> December 1998”.
3. Regulation 3 is modified in paragraph (1) by —
  - (a) by omitting paragraph (a), and
  - (b) by replacing paragraph (b) with —

“(b) outside the Falkland Islands as sections 1 to 59 and 80 to 82 of the 1974 Act apply by virtue of the Health and Safety at Work etc Act 1974 (Application outside the Falkland Islands) Order 2008 (“the 2008 Order”).
4. Regulation 3 is modified in paragraph (10) by replacing the words “Great Britain” with the words “Falkland Islands”.
5. Regulation 10 is modified by inserting the following paragraph after paragraph 2 —

“(2A) Paragraphs (1) and (2) shall have effect as if —

  - (a) any such instrument mentioned in paragraph (1) as does not otherwise form part of the law of the Falkland Islands formed part thereof (but only for the purpose of giving full effect to these Regulations and not further or otherwise);”.

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### **EXPLANATORY NOTE**

*(not forming part of the above Order)*

This Order applies to and in relation to offshore installations and places of work to which the Health and Safety at Work) etc Act 1974 (Application outside the Falkland Islands) Order 20078 applies the provisions of the Provision and Use of Work Equipment Regulations 1998 (SI 1998/2306). It revokes the Provision and Use of Work Equipment Order 1998 (SR&O No 10 of 1998) which applied the provisions of the Provision and Use of Work Equipment Regulations 1992 (SI 1992/2932).