
SUBSIDIARY LEGISLATION

OFFSHORE MINERALS HEALTH AND SAFETY AT WORK etc

The Provision and Use of Work Equipment Order 1998

(S.R. & O. No. 10 of 1998)

Made: 23 January 1998
Published: 30 January 1998
Coming into force: 1st February 1998

IN EXERCISE of my powers under section 27(1) and section 36(2)(b) and (6) of the Offshore Minerals Ordinance 1994(a), and of all other powers me enabling in that behalf, and with the consent of the Secretary of State for Foreign and Commonwealth Affairs, I make the following Order—

Citation and commencement

1. This Order may be cited as the Provision and Use of Work Equipment Order 1998 and shall come into force on 1st February 1998.

Interpretation

2. In this Order—

“the 1992 Regulations” means the Provision and Use of Work Equipment Regulations 1992(b); and

“the external application Order” means the Health and Safety at Work etc. Act 1974 (Application outside the Falkland Islands) Order 1998(c);

“offshore installation” has the same meaning as it has under section 36(5)(a) of the Offshore Minerals Ordinance 1994(d); and

Application of the 1992 Regulations

3. The 1992 Regulations shall, subject to the exceptions and modifications specified in the Schedule to these Regulations, apply to and in respect of offshore installations and places of work to which the external application Order applies.

(a) No. 16 of 1994

(b) SI 1992/2932

(c) S. R. & O. No. 6 of 1998

(d) i.e. section 36(5)(a) of the Offshore Minerals Ordinance 1994 as amended by the Offshore Minerals (Amendment) Ordinance 1997 (No. 16 of 1997)

Made this 23rd day of January 1998

R P Ralph
Governor

SCHEDULE

Exceptions and modifications in relation to the application of the 1992 Regulations under article 3 of this Order

Exceptions

1. Regulations 1(2) and (3), 4(2)(c), 10(3), 12(5), 25, 26 and 27 and Schedule 2 to the Regulations shall not apply.

Modifications

2. Regulation 10(1) shall have effect as if the following words appeared at the end of that paragraph—

“and this paragraph and paragraph (2) shall have effect as if—

(a) any such enactment which does not otherwise form part of the law of the Falkland Islands formed part of such law by virtue of the provisions of section 81A of the Interpretation and General Clauses Ordinance 1977^(f), subject only to such modifications as are required by virtue of section 76(4) of that Ordinance^(g); and

(b) the relevant Community Directives applied in respect of the Falkland Islands to the same extent as they apply in respect of Great Britain.”

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 1998 applies the provisions of the Provision and Use of Work Equipment Regulations 1992 (SI 1992/2932) subject to the exceptions and modifications specified in the Schedule to the Order.

^(f) No. 14 of 1977. The present form of section 81A was inserted by No. 17 of 1992 and has the effect of applying to the Falkland Islands, subject to the provisions of the section, English legislation which was in effect and of general application on 22nd May 1900 but, where that legislation has been repealed, has been amended, modified or augmented, it applies, subject to the provisions of the section, the current English law on the subject matter

^(g) i.e. “such modifications as to names, designations, localities, courts, public bodies, officers, persons, moneys or penalties as are specified in the Schedule to this Ordinance and, in so far as not so specified, otherwise as may be necessary to render the same applicable to the circumstances of the Falkland Islands”