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## SUBSIDIARY LEGISLATION

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### **OFFSHORE MINERALS HEALTH AND SAFETY AT WORK etc**

#### **The Reporting of Injuries, Diseases and Dangerous Occurrences Order 1998**

(S. R. & O. No. 14 of 1998)

#### ARRANGEMENT OF PROVISIONS

1. Citation and commencement
2. Interpretation
3. Application of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

#### SCHEDULE

#### **The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 in their application under article 3 of this Order**

#### ARRANGEMENT OF REGULATIONS

1. Citation and commencement
2. Interpretation
3. Notification and reporting of injuries and dangerous occurrences
4. Reporting of the death of an employee
5. Reporting of cases of disease
6. *Reporting of gas incidents*
7. Records
8. *Additional provisions relating to mines and quarries*
9. Additional provisions relating to offshore workplaces
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12. Extension outside the Falkland Islands
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**Note:** a regulation or schedule the reference to which is italicised in the above table is wholly omitted from application under the following Order

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## SUBSIDIARY LEGISLATION

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### OFFSHORE MINERALS HEALTH AND SAFETY AT WORK etc

#### The Reporting of Injuries, Diseases and Dangerous Occurrences Order 1998

(S. R. & O. No. 14 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), 36(2)(b) and 36(6) of the Offshore Minerals Ordinance 1994<sup>(a)</sup> and of all other powers enabling me 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 Reporting of Injuries, Diseases and Dangerous Occurrences Order 1998 and shall come into force on 1st February 1998.

#### Interpretation

2. In this Order, “the external application Order” means the Health and Safety at Work etc. Act 1974 (Application outside the Falkland Islands) Order 1998<sup>(b)</sup> and “the prescribed provisions of the 1974 Act” has the same meaning as it has in the external application Order.

#### Application of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

3. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995<sup>(c)</sup> in the form appearing in the Schedule to this Order shall apply to and in relation to installations and activities outside the Falkland Islands to which the prescribed provisions of the 1974 Act<sup>(d)</sup> apply by virtue of the external application Order and, so far as is required to give effect to regulation 12 in the form so appearing, they shall apply within the Falkland Islands.

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<sup>(a)</sup> No 16 of 1994

<sup>(b)</sup> S.R.&O. No. 6 of 1998

<sup>(c)</sup> SI 1995/3163

<sup>(d)</sup> 1974 c.37

Made this 23rd day of January 1998

R P Ralph  
*Governor*

## SCHEDULE

### **The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 in their application under article 3 of this Order**

#### **Citation and commencement**

1. These Regulations may be cited as the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 in their application under the law of the Falkland Islands and shall come into force on 1st February 1998.

#### **Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires—

“the 1994 Ordinance” means the Offshore Minerals Ordinance 1994<sup>(e)</sup>;

“the external application Order” means the Health and Safety at Work Act 1974 (Application outside the Falkland Islands) Order 1998<sup>(f)</sup>;

“the prescribed provisions of the 1974 Act” has the same meaning as it has in the external application Order;

“accident” includes—

(a) an act of non-consensual physical violence done to a person at work; and

(b) (omitted);

“approved” means approved for the time being in writing for the purposes of these Regulations by the Governor and published in such form as the Governor considers appropriate;

“biological agent” means any micro-organism, cell culture, or human endoparasite, including any which have been genetically modified, which may cause any infection, allergy, toxicity or otherwise create a hazard to human health;

“dangerous occurrence” means an occurrence which arises out of or in connection with work and is of a class specified in—

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<sup>(e)</sup> No. 16 of 1994

<sup>(f)</sup> S.R. & O No. 6 of 1998

(a) paragraphs 1-17 of Part I of Schedule 2;

(b) (omitted)

(c) (omitted)

(d) (omitted)

(e) (omitted)

(f) paragraphs 73-83 of Part V of Schedule 2;

“disease” includes a medical condition;

“diving contractor” and “diving operation” have the meanings they have under regulations 5 and 8(3), respectively, of the Diving Operations at Work Regulations 1997<sup>(g)</sup>;

“major injury” means an injury or condition specified in Schedule 1;

“offshore installation” has the meaning assigned to it by section 36(5)(a) of the Offshore Minerals Ordinance 1994;

“pipeline” and “pipeline works” have the meaning assigned to them by sections 36(5)(c) and (d) respectively of the 1994 Ordinance;

“responsible person” means—

(a) in the case of-

(i) (omitted)

(ii) (omitted)

(iii) (omitted)

(iv) an offshore installation (otherwise than in the case of a disease reportable under regulation 5), the duty holder for the purposes of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995<sup>(h)</sup> in their application under the law of the Falkland Islands<sup>(i)</sup> provided that for the purposes of this provision regulation 3(2)(c) of those Regulations shall be deemed not to apply;

(v) a dangerous occurrence at a pipeline (being an incident to which paragraph 14(a)-(f) of Part I of Schedule 2 applies), the owner of that pipeline;

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<sup>(g)</sup> SI 1997/2776

<sup>(h)</sup> SI 1995/738

<sup>(i)</sup> under S. R. & O. No. 8 of 1998

(vi) a dangerous occurrence at a well, the person appointed by a concession owner to execute any function of organising or supervising any operation to be carried out by the well or, where no such person has been appointed, the concession owner (and for this purpose "concession owner" means the person who at any time has the right to exploit or explore mineral resources in any area, or to store gas in any area and to recover gas so stored if, at any time, the well is, or is to be, used in the exercise of that right);

(vii) a diving operation (otherwise than in the case of a disease reportable under regulation 5), the diving contractor;

(viii) (omitted)

(b) (where sub-paragraph (a) above does not apply) in the case of the death of or other injury to an employee reportable under regulation 3 or of a disease suffered by an employee reportable under regulation 5, his employer; and

(c) (omitted)

“well” includes any structures and devices on top of a well;

(2) In these Regulations, unless the context otherwise requires, any reference to—

(a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered;

(b) a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which that reference appears; and

(c) an accident or a dangerous occurrence which arises out of or in connection with work shall include a reference to an accident, or as the case may be, a dangerous occurrence attributable to the manner of conducting an undertaking, the plant or substances used for the purposes of an undertaking and the condition of the premises so used or any part of them.

(3) For the purposes of these Regulations, a person who is at his place of work shall be deemed to be at work at all times when he is at that place in connection with his work.

### **Notification and reporting of injuries and dangerous occurrences**

**3.—**(1) Subject to regulation 10, where—

(a) any person dies as a result of an accident arising out of or in connection with work;

(b) any person at work suffers a major injury as a result of an accident arising out of or in connection with work;

(c) any person not at work suffers an injury as a result of an accident arising out of or in connection with work and that person is taken from the site of the accident to a hospital for treatment in respect of that injury;

(d) any person not at work suffers a major injury as a result of an accident arising out of or in connection with work at a hospital; or

(e) there is a dangerous occurrence,

the responsible person shall—

(i) forthwith notify the Governor thereof by the quickest practicable means; and

(ii) within 10 days send a report thereof to the Governor on a form approved for the purposes of this sub-paragraph, unless within that period he makes a report thereof to the Governor by some other means so approved.

(2) Subject to regulation 10, where a person at work is incapacitated for work of a kind which he might reasonably be expected to do, either under his contract of employment, or, if there is no such contract, in the normal course of his work, for more than three consecutive days (excluding the day of the accident but including any days which would not have been working days) because of an injury resulting from an accident arising out of or in connection with work (other than one reportable under paragraph (1)), the responsible person shall as soon as practicable and, in any event, within 10 days of the accident send a report thereof to the Governor on a form approved for the purposes of this regulation, unless within that period he makes a report thereof to the Governor by some other means so approved.

### **Reporting of the death of an employee**

4. Subject to regulation 10, where an employee, as a result of an accident at work, has suffered an injury reportable under regulation 3 which is a cause of his death within one year of the date of that accident, the employer shall inform the Governor in writing of the death as soon as it comes to his knowledge, whether or not the accident has been reported under regulation 3.

### **Reporting of cases of disease**

5.—(1) Subject to paragraphs (2) and (3) and to regulation 10, where—

(a) a person at work suffers from any of the occupational diseases specified in column 1 of Part I of Schedule 3 and his work involves one of the activities specified in the corresponding entry in column 2 of that Part; or

(b) a person at an offshore workplace suffers from any of the diseases specified in Part II of Schedule 3, the responsible person shall forthwith send a report thereof to the Governor on a form approved for the purposes of this regulation, unless he forthwith makes a report thereof to the Governor by some other means so

approved.

(2) Paragraph (1) shall apply only if—

(a) in the case of an employee, the responsible person has received a written statement prepared by a registered medical practitioner diagnosing the disease as one of those specified in Schedule 3; or

(b) in the case of a self-employed person, that person has been informed, by a registered medical practitioner, that he is suffering from a disease so specified.

(3) In the case of a self-employed person, it shall be a sufficient compliance with paragraph (1) if that person makes arrangements for the report to be sent to the relevant enforcing authority by some other person.

### **Reporting of gas incidents**

6. (omitted)

### **Records**

7.—(1) The responsible person shall keep a record of—

(a) any event which is required to be reported under regulation 3, which shall contain the particulars specified in Part I of Schedule 4;

(b) any case of disease required to be reported under regulation 5(1), which shall contain the particulars specified in Part II of Schedule 4; and

(c) such other particulars as may be approved by the Governor for the purpose of demonstrating that any approved means of reporting under regulations 3 or 5(1) has been complied with.

(2) Any record of deaths, injuries at work or disease which the responsible person keeps for any other purpose shall, if it covers the injuries recordable under these Regulations and includes the particulars specified in Schedule 4, be sufficient for the requirements of paragraph (1).

(3) The record referred to in paragraph (1) shall be kept either at the place where the work to which it relates is carried on or at the usual place of business of the responsible person and an entry in such a record shall be kept for at least three years from the date on which it was made.

(4) The responsible person shall send to the Governor such extracts from the record required to be kept under paragraph (1) as the Governor may from time to time require.



## **Additional provisions relating to mines and quarries**

8. (omitted)

## **Additional provisions relating to offshore workplaces**

9. The provisions of Schedule 6 (which contains additional provisions relating to offshore workplaces) shall have effect.

## **Restrictions on the application of regulations 3, 4 and 5**

10.—(1) The requirements of regulation 3 relating to the death or injury of a person as a result of an accident shall not apply to an accident causing death or injury to a person arising out of the conduct of any operation on, or any examination or other medical treatment of, that person which is administered by, or conducted under the supervision of, a registered medical practitioner or a registered dentist (and for the purposes of this paragraph)—

(a) a registered medical practitioner is a person who is—

(i) for the time being registered on the principal list of the register of medical practitioners maintained by the registrar of the General Medical Council pursuant to section 2(2)(a) of the Medical Act 1983(j); or

(ii) a person who is registered as a medical practitioner pursuant to the Medical Practitioners, Midwives and Dentists Ordinance(k);

(b) a registered dentist is a person who is—

(i) registered as a dentist in the register maintained by the registrar of the General Dental Council pursuant to section 14(2) of the Dentists Act 1984(l); or

(ii) a person who is registered as a dentist pursuant to the Medical Practitioners, Midwives and Dentists Ordinance.

(2) (omitted)

(3) (omitted)

(4) (omitted)

(5) Regulation 3(1)(i) shall not apply to a self-employed person who is injured at premises of which he is the owner or occupier, but regulation 3(1)(ii) shall apply to such a self-employed person (other than in the case of death) and it shall be sufficient compliance with that sub-paragraph if that self-employed person makes arrangements for the report to be sent to the Governor by some other person.

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(j) 1983 c.54

(k) 1984 c.24

(l) Cap. 45 Laws of the Falkland Islands, 1950 Edition

### **Defence in proceedings for an offence of contravening these Regulations**

**11.** It shall be a defence in proceedings against any person for an offence under these Regulations for that person to prove that he was not aware of the event requiring him to notify or send a report to the Governor and that he had taken all reasonable steps to have all such events brought to his notice.

### **Extension outside the Falkland Islands**

**12.** These Regulations shall apply to and in relation to the premises and activities outside the Falkland Islands to which the prescribed provisions of the 1974 Act apply by virtue of the external application Order and so far only as may be necessary to give effect to or is reasonably incidental to the foregoing application, they apply within the Falkland Islands.

### **Certificates of exemption**

**13.—(1)** Subject to paragraph (2), the Governor may, by a certificate in writing, exempt any person or class of persons from any requirement imposed by these Regulations and any such exemption may be granted subject to conditions and with or without limit of time and may be revoked by a certificate in writing at any time.

**(2)** The Governor shall not grant any such exemption unless, having regard to the circumstances of the case and, in particular, to—

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any enactments which apply to the case,

he is satisfied that the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

### **Repeal and amendment of provisions in the Regulation of Railways Act 1871, the Railway Employment (Prevention of Accidents) Act 1900 and the Transport and Works Act 1992**

**14.** (omitted)

### **Revocations, amendments and Savings**

**15.** (omitted)

## **SCHEDULE 1**

Regulation 2(1)

### **MAJOR INJURIES**

1. Any fracture, other than to the fingers, thumbs or toes.
2. Any amputation.
3. Dislocation of the shoulder, hip, knee or spine.

4. Loss of sight (whether temporary or permanent).
5. A chemical or hot metal burn to the eye or any penetrating injury to the eye.
6. Any injury resulting from an electric shock or electrical burn (including any electrical burn caused by arcing or arcing products) leading to unconsciousness or requiring resuscitation or admittance to hospital for more than 24 hours.
7. Any other injury—
  - (a) leading to hypothermia, heat-induced illness or to unconsciousness,
  - (b) requiring resuscitation, or
  - (c) requiring admittance to hospital for more than 24 hours.
8. Loss of consciousness caused by asphyxia or by exposure to a harmful substance or biological agent.
9. Either of the following conditions which result from the absorption of any substance by inhalation, ingestion or through the skin—
  - (a) acute illness requiring medical treatment; or
  - (b) loss of consciousness.
10. Acute illness which requires medical treatment where there is reason to believe that this resulted from exposure to a biological agent or its toxins or infected material.

## SCHEDULE 2

(Regulation 2(1))

### DAINGEROUS OCCURRENCES

#### PART I

##### *General*

#### **Lifting machinery, etc.**

1. The collapse of, the overturning of, or the failure of any load-bearing part of any—
  - (a) lift or hoist;
  - (b) crane or derrick;
  - (c) mobile powered access platform;
  - (d) access cradle or window-cleaning cradle;
  - (e) excavator;

(f) pile-driving frame or rig having an overall height, when operating, of more than 7 metres; or

(g) fork lift truck.

### **Pressure systems**

2. The failure of any closed vessel (including a boiler or boiler tube) or of any associated pipework, in which the internal pressure was above or below atmospheric pressure, where the failure has the potential to cause the death of any person.

### **Freight containers**

3.—(1) The failure of any freight container in any of its load-bearing parts while it is being raised, lowered or suspended.

(2) In this paragraph, "freight container" means a container as defined in regulation 2(1) of the Freight Containers (Safety Convention) Regulations 1984<sup>(m)</sup>.

### **Overhead electric lines**

4. Any unintentional incident in which plant or equipment either—

(a) comes into contact with an uninsulated overhead electric line in which the voltage exceeds 200 volts; or

(b) causes an electrical discharge from such an electric line by coming into close proximity to it.

### **Electrical short circuit**

5. Electrical short circuit or overload attended by fire or explosion which results in the stoppage of the plant involved for more than 24 hours or which has the potential to cause the death of any person.

### **Explosives**

6.—(1) Any of the following incidents involving explosives—

(a) the unintentional explosion or ignition of explosives other than one—

(i) caused by the unintentional discharge of a weapon where, apart from that unintentional discharge, the weapon and explosives functioned as they were designed to do; or

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<sup>(m)</sup> SI 1984/1890

(ii) where a fail-safe device or safe system of work functioned so as to prevent any person from being injured in consequence of the explosion or ignition;

(b) a misfire (other than one at a mine or quarry or inside a well or one involving a weapon) except where a fail-safe device or safe system of work functioned so as to prevent any person from being endangered in consequence of the misfire;

(c) the failure of the shots in any demolition operation to cause the intended extent of collapse or direction of fall of a building or structure;

(d) the projection of material (other than at a quarry) beyond the boundary of the site on which the explosives are being used or beyond the danger zone in circumstances such that any person was or might have been injured thereby;

(e) any injury to a person (other than at a mine or quarry or one otherwise reportable under these Regulations) involving first-aid or medical treatment resulting from the explosion or discharge of any explosives or detonator.

(2) In this paragraph “explosives” means any explosive of a type which would, were it being transported, be assigned to Class 1 within the meaning of the Classification and Labelling of Explosives Regulations 1983<sup>(n)</sup> and “danger zone” means the area from which persons have been excluded or forbidden to enter to avoid being endangered by any explosion or ignition of explosives.

### **Biological agents**

7. Any accident or incident which resulted or could have resulted in the release or escape of a biological agent likely to cause severe human infection or illness.

### **Malfunction of radiation generators, etc.**

8.—(1) Any incident in which—

(a) the malfunction of a radiation generator or its ancillary equipment used in fixed or mobile industrial radiography, the irradiation of food or the processing of products by irradiation, causes it to fail to de-energise at the end of the intended exposure period; or

(b) the malfunction of equipment used in fixed or mobile industrial radiography or gamma irradiation causes a radioactive source to fail to return to its safe position by the normal means at the end of the intended exposure period.

(2) In this paragraph, “radiation generator” has the same meaning as in regulation 2 of the Ionising Radiations Regulations 1985<sup>(o)</sup>.

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<sup>(n)</sup> SI 1983/1140

<sup>(o)</sup> SI 1985/1333

### **Breathing apparatus**

9.—(1) Any incident in which breathing apparatus malfunctions—

(a) while in use, or

(b) during testing immediately prior to use in such a way that had the malfunction occurred while the apparatus was in use it would have posed a danger to the health or safety of the user.

(2) This paragraph shall not apply to breathing apparatus while it is being—

(a) (omitted)

(b) maintained or tested as part of a routine maintenance procedure.

### **Diving operations**

10. Any of the following incidents in relation to a diving operation—

(a) the failure or the endangering of—

(i) any lifting equipment associated with the diving operation, or

(ii) life support equipment, including control panels, hoses and breathing apparatus,

which puts a diver at risk;

(b) any damage to, or endangering of, the dive platform, or any failure of the dive platform to remain on station, which puts a diver at risk;

(c) the trapping of a diver;

(d) any explosion in the vicinity of a diver; or

(e) any uncontrolled ascent or any omitted decompression which puts a diver at risk.

### **Collapse of scaffolding**

11. The complete or partial collapse of—

(a) any scaffold which is—

(i) more than 5 metres in height which results in a substantial part of the scaffold falling or overturning; or

(i) erected over or adjacent to water in circumstances such that there would be a risk of drowning to a person falling from the scaffold into the water; or

- (b) the suspension arrangements (including any outrigger) of any slung or suspended scaffold which causes a working platform or cradle to fall.

### **Train collisions**

12. (omitted)

### **Wells**

13. Any of the following incidents in relation to a well (other than a well sunk for the purpose of the abstraction of water)—

- (a) a blow-out (that is to say an uncontrolled flow of well-fluids from a well);
- (b) the coming into operation of a blow-out prevention or diversion system to control a flow from a well where normal control procedures fail;
- (c) the detection of hydrogen sulphide in the course of operations at a well or in samples of well-fluids from a well where the presence of hydrogen sulphide in the reservoir being drawn on by the well was not anticipated by the responsible person before that detection;
- (d) the taking of precautionary measures additional to any contained in the original drilling programme following failure to maintain a planned minimum separation distance between wells drilled from a particular installation; or
- (e) the mechanical failure of any safety critical element of a well (and for this purpose the safety critical element of a well is any part of a well whose failure would cause or contribute to, or whose purpose is to prevent or limit the effect of, the unintentional release of fluids from a well or a reservoir being drawn on by a well).

### **Pipelines or pipeline works**

14. The following incidents in respect of a pipeline or pipeline works—

- (a) the uncontrolled or accidental escape of anything from, or inrush of anything into, a pipeline which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours;
- (b) the unintentional ignition of anything in a pipeline or of anything which, immediately before it was ignited, was in a pipeline;
- (c) any damage to any part of a pipeline which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours;

(d) any substantial and unintentional change in the position of a pipeline requiring immediate attention to safeguard the integrity or safety of a pipeline;

(e) any unintentional change in the subsoil or seabed in the vicinity of a pipeline which has the potential to affect the integrity or safety of a pipeline;

(f) any failure of any pipeline isolation device, equipment or system which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours; or

(g) any failure of equipment involved with pipeline works which has the potential to cause the death of, major injury or damage to the health of any person.

#### **Fairground equipment**

15. (omitted)

#### **Carriage of dangerous substances by road**

16. (omitted)

17. (Omitted)

### **DANGEROUS OCCURRENCES WHICH ARE REPORTABLE EXCEPT IN RELATION TO OFFSHORE WORKPLACES**

(omitted)

#### **PART II**

### **DANGEROUS OCCURRENCES WHICH ARE REPORTABLE IN RELATION TO MINES**

(omitted)

#### **PART III**

### **DANGEROUS OCCURRENCES WHICH ARE REPORTABLE IN RELATION TO QUARRIES**

(omitted)

#### **PART IV**



DANGEROUS OCCURRENCES WHICH ARE REPORTABLE IN RESPECT OF  
RELEVANT TRANSPORT SYSTEMS

(omitted)

PART V

DANGEROUS OCCURRENCES WHICH ARE REPORTABLE IN RESPECT OF  
AN OFFSHORE WORKPLACE

**Release of petroleum hydrocarbon**

73. Any unintentional release of petroleum hydrocarbon on or from an offshore installation which—

(a) results in—

(i) a fire or explosion; or

(ii) the taking of action to prevent or limit the consequences of a potential fire or explosion; or

(b) has the potential to cause death or major injury to any person.

**Fire or explosion**

74. Any fire or explosion at an offshore installation, other than one to which paragraph 73 above applies, which results in the stoppage of plant or the suspension of normal work.

**Release or escape of dangerous substances**

75. The uncontrolled or unintentional release or escape of any substance (other than petroleum hydrocarbon) on or from an offshore installation which has the potential to cause the death of, major injury to or damage to the health of any person.

**Collapses**

76. Any unintended collapse of any offshore installation or any unintended collapse of any part thereof or any plant thereon which jeopardises the overall structural integrity of the installation.

**Dangerous occurrences**

77. Any of the following occurrences having the potential to cause death or major injury—

(a) the failure of equipment required to maintain a floating offshore installation on station;

(b) the dropping of any object on an offshore installation or on an attendant vessel or into the water adjacent to an installation or vessel; or

(c) damage to or on an offshore installation caused by adverse weather conditions.

### **Collisions**

78. Any collision between a vessel or aircraft and an offshore installation which results in damage to the installation, the vessel or the aircraft.

79. Any occurrence with the potential for a collision between a vessel and an offshore installation where, had a collision occurred, it would have been liable to jeopardise the overall structural integrity of the offshore installation.

### **Subsidence or collapse of seabed**

80. Any subsidence or local collapse of the seabed likely to affect the foundations of an offshore installation or the overall structural integrity of an offshore installation.

### **Loss of stability or buoyancy**

81. Any incident involving loss of stability or buoyancy of a floating offshore installation.

### **Evacuation**

82. Any evacuation (other than one arising out of an incident reportable under any other provision of these Regulations) of an offshore installation, in whole or part, in the interests of safety.

### **Falls into water**

83. Any case of a person falling more than 2 metres into water (unless the fall results in death or injury required to be reported under sub-paragraphs (a)-(d) of regulation 3(1)).

## REPORTABLE DISEASES

### PART I

#### *Occupational Diseases*

Any disease or condition mentioned in the first column of Part I of Schedule 3 of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995<sup>(p)</sup> and caused by any activity mentioned in the second column of that Part which is an activity undertaken in an offshore workplace to which the Reporting of Injuries, Diseases and Dangerous Occurrences Order 1998 applies.

### PART II

#### *Diseases additionally reportable in respect of Offshore Workplaces*

48. Chickenpox.
49. Cholera.
50. Diphtheria.
51. Dysentery (amoebic or bacillary).
52. Acute encephalitis.
53. Erysipelas.
54. Food poisoning.
55. Legionellosis.
56. Malaria.
57. Measles.
58. Meningitis.
59. Meningococcal septicaemia (without meningitis).
60. Mumps.
61. Paratyphoid fever.
62. Plague.
63. Acute poliomyelitis.
64. Rabies.
65. Rubella.
66. Scarlet fever.
67. Tetanus.
68. Tuberculosis.
69. Typhoid fever.
70. Typhus.
71. Viral haemorrhagic fevers.
72. Viral hepatitis.

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<sup>(p)</sup> SI 1995/3163

## RECORDS

### PART I

*Particulars to be kept in records of any event which is reportable under regulation 3*

1. Date and time of the accident or dangerous occurrence.
2. In the event of an accident suffered by a person at work, the following particulars of that person—
  - (a) full name;
  - (b) occupation; and
  - (c) nature of injury.
3. In the event of an accident suffered by a person not at work, the following particulars of that person (unless they are not known and it is not reasonably practicable to ascertain them)—
  - (a) full name;
  - (b) status (for example “passenger”, “customer”, “visitor” or “bystander”); and
  - (c) nature of injury.
4. Place where the accident or dangerous occurrence happened.
5. A brief description of the circumstances in which the accident or dangerous occurrence happened.
6. The date on which the event was first reported to the Governor.
7. The method by which the event was reported.

### PART II

*Particulars to be kept in records of instances of any of the diseases specified in Schedule 3 and reportable under regulation 5*

1. Date of diagnosis of the disease.
2. Name of the person affected.
3. Occupation of the person affected.
4. Name or nature of the disease.

5. The date on which the disease was first reported to the Governor.
6. The method by which the disease was reported.

#### SCHEDULE 5

(Regulation 8)

#### ADDITIONAL PROVISIONS RELATING TO MINES AND QUARRIES

(omitted)

#### SCHEDULE 6

(Regulation 9)

#### ADDITIONAL PROVISIONS RELATING TO OFFSHORE WORKPLACES

##### **Disturbance of site**

1.—(1) In any case where any person, as a result of an accident arising out of or in connection with work at an offshore workplace, dies or suffers a major injury, no person shall disturb the place where it happened or tamper with anything at that place before—

(a) the expiration of 3 clear days after the matter has been notified in accordance with these Regulations; or

(b) the place has been visited by an inspector;

whichever is the sooner.

(2) Nothing in sub-paragraph (1) of this paragraph shall prohibit the doing of anything by or with the consent of an inspector or the doing of anything necessary to secure the safety of the workplace or of any person, plant or vessel.

#### SCHEDULE 7

(Regulation 10(4))

#### ENACTMENTS OR INSTRUMENTS REQUIRING THE NOTIFICATION OF EVENTS WHICH ARE NOT REQUIRED TO BE NOTIFIED OR REPORTED UNDER THESE REGULATIONS

(omitted)

#### SCHEDULE 8

(Regulation 15)

PART I  
*Revocations*

(omitted)

PART II  
*Amendments*

(omitted)

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EXPLANATORY NOTE  
*(not forming part of the above Order or Regulations)*

The Reporting of Injuries, Diseases and Dangerous Occurrences Order 1998 applies to offshore mineral operations, and so far only as relevant to such operations to the Falkland Islands themselves, with modifications and exceptions, the provisions of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. In the Schedule to the Order (the Regulations as they are to so apply) provisions which have no relevance to offshore operations have been omitted.