

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 4332 of 11 January, 2017

LEGAL NOTICE NO. 4 OF 2017.

ENVIRONMENT ACT 2005

**ENVIRONMENT (OFFSHORE OIL AND GAS) (AMENDMENT)
REGULATIONS 2017**

In exercise of the powers conferred upon it by section 18 of the Environment Act 2005 and for the purpose of further transposing into the law of Gibraltar Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC, the Government has made the following Regulations—

Title.

1. These Regulations may be cited as the Environment (Offshore Oil and Gas) (Amendment) Regulations 2017.

Commencement.

2. These Regulations come into operation the day of publication in the Gazette.

Amendment of regulations.

3.(1) The Environment (Offshore Oil and Gas) Regulations 2015 are amended in accordance with the provisions of this regulation.

(2) In regulation 6-

(a) for subregulations (7) and (8) substitute-

“(7) For the purposes of assisting applicants for licences to demonstrate evidence of their financial capacity pursuant to the subregulation (1) the competent authority shall be satisfied where the applicant demonstrates-

- (a) membership of the Offshore Pollution Liability Association Limited;
- (b) a body performing equivalent functions to that set out in paragraph (a),

but where by virtue of the geographical location of the intended operation the rules of such bodies preclude admission, the competent authority shall apply such guidance as is applicable in the United Kingdom, with such modifications as the circumstances of Gibraltar require.

- (8) For the purposes of ensuring the prompt and adequate handling of compensation claims including in respect of compensation payments for transboundary incidents, the procedures applicable in the United Kingdom shall be applied by the competent authority with such modifications as the circumstances of Gibraltar require.”;

(b) after subregulation (9) insert-

- “(10) In this regulation “Offshore Pollution Liability Association Limited” means the association of that name registered in England with number 01182588.”.

(2) For regulation 16 substitute-

“Oil and Gas Advisory Committee.

- 16.(1) There is established the Oil and Gas Advisory Committee.
- (2) The Oil and Gas Advisory Committee shall be comprised of the members set out in Part 1 of Schedule 10 and shall abide by the terms of reference set out in Part 2 of that Schedule.
 - (3) The Oil and Gas Advisory Committee shall determine its own rules and procedures.
 - (4) The Oil and Gas Advisory Committee must meet at least twice a year.”.

- (3) Regulation 34(4) is deleted.
- (4) Regulation 41(5) is deleted.
- (5) After Schedule 9 insert the following schedule-

“SCHEDULE 10

Regulation 16

OIL AND GAS ADVISORY COMMITTEE

Part 1

- 1. The Oil and Gas Advisory Committee is comprised of-
 - the Competent Authority, who shall be the chair;
 - one representative of the owners or operators;
 - one representative of the workers, which may be a trade union;
 - any such other persons as the Minister may by appoint by notice in the Gazette.
- 2. A meeting of the chair and two members shall constitute a quorum.

Part 2

Terms of reference

The Oil and Gas Advisory Committee’s terms of reference are-

- (a) enabling dialogue and cooperation between the competent authority, employers, operators, workers and other relevant stakeholder groups regarding the management and control of offshore major accident hazards;
- (b) bringing together all the regulators with an influence on the management and control of major accident

hazards associated with the offshore extraction of oil and gas, with a view to coordinating their regulatory approaches and priorities;

- (c) providing the competent authority with a mechanism to consult stakeholders on issues bearing on the management and control of offshore major accident hazards and, from time to time, in exceptional circumstances wider occupational health and safety issues;
- (d) providing the competent authority with the stakeholder's independent assessment of the standard of the management and control of offshore major accident hazards;
- (e) considering the regulatory approaches taken to establish the effective management and control of offshore major accident hazards; and
- (f) reviewing periodically the quality and effectiveness of the standards and policies available for the management and control of offshore major accident hazards, advice where improvements are required and, by exception, coordination of research or the production of guidance.”.

Dated 11th January, 2017.

F R PICARDO,
Chief Minister,
for the Government.

EXPLANATORY MEMORANDUM

These Regulations further transpose Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC.