

Health and Safety Legislation Consultation

Department of Environment, Food and Agriculture

Rheynn Chymmyltaght, Bee as Eiriny's,



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Opened 5 September 2025

Contact

The Offshore Team,
Department of Environment, Food and Agriculture,
Thie Slieau Whallian,
Foxdale Road,
St John's,
Isle of Man,
IM4 3AS

Email: DEFAOffshore@gov.im

Overview

The Isle of Man (IOM) holds jurisdiction over its territorial waters but currently lacks a comprehensive offshore health, safety, and environmental framework. To address this, the Department of Environment, Food and Agriculture (DEFA) is reviewing and updating legislation to align with UK offshore Health and Safety Executive (HSE) legislation and standards, ensuring internationally recognised safety regulations for future offshore energy developments are in place.

In order to avoid different health and safety standards applying to the same work in the Island and its territorial sea, the offshore standards will also cover onshore work activities (where that is the case in the UK). However, a phased implementation of new and updated legislation will allow IOM-based businesses time to prepare for this introduction.

DEFA will welcome stakeholder and public feedback on updated and proposed health and safety legislation through a series of public consultations to support future offshore renewable energy operations and provide clarity on the health and safety standards for onshore work.

Reasonable adjustments and alternative formats

The Department is committed to equal opportunities and our aim is to make our documents easy to use and accessible to all. The Department will take steps to accommodate any reasonable adjustments and provide such assistance as may reasonably be required to enable access or reply to this consultation. If this document is required in another format or assistance is required with accessing or replying to this consultation, please email DEFAOffshore@gov.im

Responding to this consultation and questions

This consultation can be responded to by clicking on the 'Online Survey' link below. Alternatively you can download a paper version of this consultation from the links on the consultation hub and email it to DEFAOffshore@gov.im or post it to:

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Background – UK Offshore Health and Safety Law

The core UK Health and Safety (H&S) legislation that applies to onshore business activities also applies to offshore energy production; be that oil, gas or wind. This is primarily the Health and Safety at Work etc. Act 1974 (HSWA) and supported by the following legislation:

- **Management of Health and Safety at Work Regulations 1999** – Risk assessments, preventive measures, and safety systems
- **Construction (Design and Management) Regulations 2015** – Defines roles and responsibilities across project phases

This core UK legislation is extended into UK territorial waters via the **Health and Safety at Work etc. Act 1974 (Application Outside Great Britain) Order 2013**, covering, offshore installations, wells, pipelines, gas importation/storage and energy production from water or wind.

The HSWA has been applied to the Island so it also forms the core of the Island's H&S legislation.

When considering regulation and enforcement, offshore energy development is primarily regulated by the UK HSE, with marine oversight coordinated through a Memorandum of Understanding (MoU) between UK HSE, Maritime and Coastguard Agency (MCA), and Marine Accident Investigation Branch (MAIB).

Implementation Strategy for Health & Safety Legislation

New core Manx H&S legislation will be subject to consultation and submitted to Tynwald for approval, with the aim of it being approved by July 2026.

It is proposed that the core H&S legislation that will amend the application to the Island of the UK's HSWA, as well as legislation that will apply that Act to the specific premises (specific physical locations or facilities) and activities in the territorial sea, will come into force immediately if it receives Tynwald approval. However, the majority of the other legislation that will affect offshore energy production would be planned to come into operation over a much longer timeframe to align with any offshore development activities.

This phased implementation strategy is designed to give industry, regulators, and Government departments the time they need for the introduction of this new legislative framework.

Consultation Stage-1

The consultation process for the new and updated legislation will be carried out in stages. The first batch of legislation to be consulted upon is as follows:

- Health and Safety at Work (Amendment) Order 2025
- Health and Safety at Work etc Act 1974 (Application to the Territorial Sea) Order 2025

Health and Safety at Work (Amendment) Order 2025

The Department of Environment, Food and Agriculture, has produced this guidance to explain the purpose and effect of the:

Health and Safety at Work (Amendment) Order 2025 ('the Amendment Order')

The Amendment Order makes specific updates to the Health and Safety at Work Order 2024 to ensure that health and safety law remains clear, modern, and fit for purpose across both land-based and offshore environments.

What this Order Does

The Amendment Order clarifies how provisions of the Health and Safety at Work etc. Act 1974 ('the 1974 Act') apply in the Isle of Man, with particular focus on the territorial sea and offshore activities. By adapting sections of the Act, the Amendment Order ensures that modern protections can be properly extended while avoiding unnecessary duplication. It also strengthens the legal framework by adding key statutes relevant to offshore operations.

Practical Implications

The changes made by the Amendment Order have several practical effects for employers, workers, and regulators:

- Bespoke offshore provision – Section 84 of the 1974 Act is applied, giving the Department of Environment, Food and Agriculture the authority to make an order which controls how the 1974 Act applies to the territorial sea.
- Territorial application – if an order mentioned above is made, health and safety regulations will only apply to ships, aircraft in flight, offshore installations and submarine cables/pipelines where explicitly stated.
- Employment law links – Certain provisions of the Employment Act 2006 that relate to health and safety are brought within scope, allowing them to be modified or repealed alongside health and safety legislation when necessary
- Strengthened statutory framework – The Mineral Workings (Offshore Installations)

(Isle of Man) Act 1974 and section 6 of the Petroleum Act 1986 (to the extent that it has been used to apply health and safety legislation to the Island) are added to the list of relevant statutory provisions for the purposes of the 1974 Act, reinforcing offshore health and safety regulation

Changes to the Order

The Health and Safety at Work (Amendment) Order 2025 will amend how the UK Health and Safety at Work etc. Act 1974 ('the HSWA') applies on the Island. Specifically, it will apply further sections of the UK Act for the following reasons:

- To allow further legislation to be made that will ensure that the 1974 Act and H&S regulations apply to the territorial sea in the same way as they apply to the UK territorial sea. For instance, it will ensure that aircraft in flight over the territorial sea are not covered where this would be inappropriate
- To allow H&S regulations to be able to modify sections 61 and 115 of the Employment Act 2006, which relate to health and safety cases. This is so that any relevant regulations can change those sections to ensure that, if the regulations require health and safety consultation with employees, employees are not subject to any negative treatment by the employer as a consequence of taking part in that consultation
- To extend the list of 'existing statutory provisions' to include the Mineral Workings (Offshore Installations) (Isle of Man) Act 1974 and section 6 of the Petroleum Act 1986 so far as it enables the application of UK health and safety regulations. This will allow H&S regulations to be able to more effectively replace older health and safety legislation on the Island by allowing it to be revoked by the regulations rather than in separate legislation

All the above changes provide additional legislative powers, or amend how those powers can be exercised. As such, if Tynwald approves the legislation, there will be no immediate change to the Island's existing health and safety practices.

1. Do you have any comments on the Health and Safety at Work (Amendment) Order 2025 draft legislation?

Please select only one item:

☐ Yes

☐ No

If yes, please share any comments:

Health and Safety at Work etc Act 1974 (Application to the Territorial Sea) Order 2025

The Department of Environment, Food and Agriculture, has produced this guidance to explain the purpose and practical effect of the:

- **Health and Safety at Work etc. Act 1974 (Application to the Territorial Sea) Order 2025**

The Order aims to help employers, workers, and stakeholders understand how the extension of the Act to the Isle of Man's territorial sea ensures that offshore activities are subject to the same modern health and safety protections as those on land. By setting out clear duties and consistent standards across industries such as renewable energy, oil and gas, subsea operations, and diving projects, the guidance provides clarity on responsibilities, strengthens worker protections, and supports the safe growth of offshore industries.

What this Order does

The Health and Safety at Work etc. Act 1974 (Application to the Territorial Sea) Order 2025 formally extends the Health and Safety at Work etc. Act 1974 (as it applies in the Isle of Man) to cover activities, workers, and structures within the territorial sea (up to 12 nautical miles offshore). This ensures that offshore operations – such as drilling, renewable energy production, subsea pipelines, and diving projects – fall under the same safety standards as those on land. It also revokes older legislation so that the law is clear, modern, and comprehensive.

Who is affected

The Order applies to a wide range of industries and activities in the territorial sea. This includes:

- Renewable energy installations such as wind farms and tidal or wave power devices, as well as the cables transmitting electricity to shore
- Ship-to-structure transfers, supply operations, vessel fueling, and certain repair/refit activities carried out offshore
- Oil and gas platforms and associated supply vessels
- Offshore drilling operations and well maintenance
- Subsea pipelines for transporting gas or other materials, including construction, repair, and decommissioning
- Offshore mining operations (if any are licensed in future)
- Gas import and storage, including conversion of seabed features for gas storage

and recovery of stored gas

- Diving projects, including survey, construction, inspection, and repair activities

Why it matters

Extending the Health and Safety at Work etc. Act 1974 offshore ensures consistency and modernises protections for those who work offshore. It provides legal certainty for businesses and strengthens the rights of workers. The benefits include:

- Offshore workers gain the same level of legal health and safety protection as workers onshore
- Employers have clear duties to manage risks in offshore environments, including extreme weather, confined spaces, and hazardous substances
- The Isle of Man Government can take legal action for health and safety breaches offshore, without relying on outdated legislation
- It supports growth in renewable energy by ensuring clear safety standards for offshore wind and tidal power developments

What this means in practice

In practical terms, the Order clarifies that offshore operators and employers must apply the same health and safety systems as if the work were taking place on land. Workers offshore will be entitled to safe working practices, training, and protective equipment.

Changes to the Order

The Health and Safety at Work etc Act 1974 (Application to the Territorial Sea) Order 2025 will extend the reach of the 1974 Act to certain activities and premises (i.e. physical locations or structures) located in the Island's territorial sea. These include offshore installations, wells, pipelines, cable installation and the production of renewable energy. Should these types of activities take place in the territorial sea, the Order will allow H&S regulations to be extended to them so that they can be carried out as safely as possible.

Summary

The Health and Safety at Work etc. Act 1974 (Application to the Territorial Sea) Order 2025 Order delivers consistency, legal certainty, and stronger safeguards for all offshore work. It ensures that employers understand their obligations, workers know their rights, and regulators can enforce modern standards effectively. By aligning offshore operations with onshore protections, the Order aims to support safer workplaces at sea while enabling sustainable development of the Isle of Man's offshore industries.

1. Do you have any comments on the Health and Safety at Work Act etc 1974 (Application to the Territorial Sea) Order 2025 draft legislation?

Please select only one item:

☐ Yes

☐ No

If yes, please share any comments:

General Questions on this Consultation

1. Do you agree that the Isle of Man should follow UK standards and processes for offshore health and safety laws and its regulation?

Please select only one item:

- ☐ Yes
☐ No

Please tell us why you agree or disagree:

2. Are there any parts of the legislation being consulted upon that require more clarity to aid understanding and assist with compliance?

Please select only one item:

- ☐ Yes
☐ No

If yes, please tell us which areas and why:

3. Is the proposed implementation strategy and timescale appropriate for industry readiness?

Please select only one item:

☐ Yes

☐ No

Please provide any comments that you may have:

4. Are there any specific support mechanisms (e.g., guidance, training, transitional arrangements) that would help your organisation prepare for the new legislation?

Please select only one item:

☐ Yes

☐ No

If yes, please tell us what kind of support would be most helpful:

5. Should health and safety regulations be able to amend the Employment Act 2006 to provide legal protections for employees involved in health and safety consultation?

Please select only one item:

☐ Yes

☐ No

Please tell us why you agree or disagree:

6. Is there anything else you'd like to tell us about the proposed changes or the consultation process?

Please select only one item:

☐ Yes

☐ No

Please provide any comments / feedback:

About you

You are only required to answer question 4 at the bottom of this page. All other questions on this page are optional.

1. Which option best describes your interest in responding to this consultation?

Please select only one item:

- ☐ Member of public
- ☐ Isle of Man Government
- ☐ Business owner or Stakeholder
- ☐ Member of Tynwald
- ☐ Other (please specify)

Other:

2. Are you responding on behalf of an organisation or industry?

Please select only one item:

- ☐ Yes
- ☐ No

Organisation:

Number of people or organisations represented:

3. Are you happy for us to contact you regarding your response if we need to?

Please select only one item:

☐ Yes

☐ No

Name:

Email:

4. May we publish your response?

Please read our [Privacy Policy](#) for more details and your rights.

More information

- **Publish in full** - your organisation name, or the industry you represent, along with full answers **will** be published on the hub (your email will **not** be published)
- **Publish anonymously** – only your responses **will** be published on the hub (your organisation name, or the industry you represent, and email will **not** be published)
- **Do not publish** – **nothing will** be published publically on the hub (your response will only be part of a larger summary response document)

(Required)

Please select only one item:

☐ Yes, you can publish my response in full

☐ Yes, you may publish my response anonymously

☐ No, please do not publish my response