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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Delegations will find attached document COM(2017) 655 final.

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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**on the exercise of the power to adopt delegated acts conferred on the Commission
pursuant to Directive 2013/30/EU on safety of offshore oil and gas operations
Directive 2013/30/EU**

1. INTRODUCTION

Directive 2013/30/EU¹ 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 ("Offshore Safety Directive") seeks to achieve a high safety level for carrying out these operations. Health of workers, the environment, the assets involved offshore and other economic activities as fishing and tourism shall benefit from safe offshore operations. The Directive's provisions as implemented by Member States shall help avoiding major accidents, reduce the number of incidents and an achieve an effective follow up of accidents and incidents to mitigate their consequences.

The Directive empowers the Commission to adopt delegated acts (see Articles 35 and 36) in view of adapting Annexes I, II, VI and VII to include additional information which may become necessary in light of technical progress. These annexes determine

- Information to be included in documents submitted to competent authorities, e.g. requesting approval for offshore oil and gas operations (annex I)
- Information to be included in reports of well operations (annex II)
- Information relating to priorities for co-operation between operators and owners and competent authorities (e.g. standards, guidance on best practice, annex VI)
- Information to be provided in external emergency response plans (annex VII)

2. LEGAL BASIS

This report is required under Article 36 (2) of Directive 2013/30/EU. Pursuant to this provision, the power to adopt delegated acts is conferred on the Commission for a period of five years from 18 July 2013. The Commission is required to prepare a report in respect of the delegation of power at the latest 9 months before the end of the five-year period. The delegation of power shall be automatically extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension.

3. EXERCISE OF THE DELEGATION

According to the Offshore Safety Directive, the empowerment was deemed necessary to include additional information in the context of Annexes I, II, VI and VII in light of technical progress.

To date, given the fact that the Offshore Safety Directive became applicable from 19 July 2013, that Member States had to implement the Directive by 19 July 2015, and that there are transitional periods postponing the Directive's application for certain installations until 19 July 2018 (Article 42, par. 2), the Commission has not yet considered it necessary or appropriate to adapt its Annexes I, II, VI or VII to technical progress.

¹ OJ L 178, 28 June 2013, p. 66

4. EXTENSION OF THE PERIOD FOR THE DELEGATION OF POWERS

In view of the dynamic technical developments in the offshore sector, and of the limited time yet passed to gain practical experience regarding the application of the annexes mentioned above, partially due to the application of transitional periods, the Commission sees the need to extend the empowerment by five years.

5. CONCLUSION

The Commission has over the past five years not exercised the delegated powers conferred to it under Directive 2013/30/EU, but sees the need to extend the empowerment for the reasons indicated above. With this report the Commission complies with the reporting requirement of the Offshore Safety Directive (Article 36, par. 2) and invites the European Parliament and the Council to take note of it.