



Scottish Council for
Development and Industry

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29 August 2012

Ms Paula Pinho
Member of Cabinet
Cabinet of Commissioner Oettinger
Office BERL 09/70
European Commission
1049 Brussels
Belgium

Dear Ms Pinho

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The Scottish Council for Development and Industry (SCDI) is an independent membership network that strengthens Scotland's competitiveness by formulating policies to encourage sustainable economic prosperity. SCDI's membership is drawn from businesses, local authorities, trades unions, educational institutions and the voluntary sector across Scotland.

Thank you for your reply of the 1st August on behalf of Commissioner Oettinger. This was discussed by SCDI's North East Committee at its meeting on the 23rd August and by SCDI's national Board at a meeting in Aberdeen on the 28th August. Following those meetings, I have been asked to make clear that SCDI continues to have serious concerns.

The Commission may assert that it does not foresee the wholesale withdrawal and replacement of safety legislation and cases built up over the last four decades in the UKCS, but it has not published its legal reasoning. In contrast, the UK Government and UK Regulator clearly stated in their published legal documents and in public statements and conversations with SCDI that this will indeed be necessitated by the proposed Regulation. Given the position of the UK authorities and the absence of a legal opinion to the contrary from the Commission, SCDI must conclude that such a process - which will inevitably be bureaucratic and confusing and divert resources from operational safety - will be required.

SCDI welcomes the Commission's commitment to constructive discussions with Member States. However, we do not recognise in your letter the UK's position as relayed to SCDI. While the text may be better than it was, the UK's position is clearly opposed to Regulation. Support for the alternative of a Directive is now shared by a large number of Member States. Norway, in which over half of Europe's oil production is located, has also decided that it will not implement the proposed Regulation. SCDI would suggest that the Commission's commitment to constructive discussions with Member States, the industry and workforce representatives should, therefore, be on the drafting of a Directive which causes no damage to the world-leading safety and environmental protection regime in

the UKCS, shares its high standards with other areas of production, and does not threaten a hiatus in investment, with consequent risks to employment and the long-term future of the industry.

Yours sincerely

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cc

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