



# Offshore Petroleum (Safety) Amendment Regulations 2010 (No. 1)<sup>1</sup>

## Select Legislative Instrument 2010 No. 122

---

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

Dated 3 June 2010

QUENTIN BRYCE  
Governor-General

By Her Excellency's Command

MARTIN FERGUSON  
Minister for Resources and Energy

---

## Regulation 1

---

### **1 Name of Regulations**

These Regulations are the *Offshore Petroleum (Safety) Amendment Regulations 2010 (No. 1)*.

### **2 Commencement**

These Regulations commence on the day after they are registered.

### **3 Amendment of *Offshore Petroleum (Safety) Regulations 2009***

Schedule 1 amends the *Offshore Petroleum (Safety) Regulations 2009*.

## **Schedule 1 Amendments**

(regulation 3)

### **[1] Regulation 1.1**

*substitute*

#### **1.1 Name of Regulations**

These Regulations are the *Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009*.

### **[2] Subregulations 1.4 (1) to (3)**

*omit*

offshore petroleum

---

[3] **Subregulation 1.5 (1), definition of *diving operation***

*after*

offshore petroleum operation

*insert*

or greenhouse gas storage operation

[4] **Subregulation 1.5 (1), definition of *facility***

*substitute*

***facility*** has the meaning given by clause 3 of Schedule 3 to the Act.

[5] **Subregulation 1.5 (1), after definition of *member of the workforce***

*insert*

***offshore greenhouse gas storage operations*** has the meaning given by section 643 of the Act.

[6] **Subregulation 1.5 (1), definition of *operator***

*substitute*

***operator*** has the meaning given by clause 3 of Schedule 3 to the Act.

[7] **Subregulation 1.5 (1), definition of *pipe*, paragraph (a)**

*after*

petroleum

*insert*

or a greenhouse gas substance

**[8] Subregulation 1.5 (1), definition of *pipe*, subparagraph (b) (i)**

*substitute*

- (i) a petroleum or greenhouse gas pipeline; and

**[9] Subregulation 1.5 (1), definition of *titleholder***

*substitute*

***titleholder*** means:

- (a) a greenhouse gas assessment permittee; or
- (b) a greenhouse gas holding lessee; or
- (c) a greenhouse gas injection licensee; or
- (d) an infrastructure licensee; or
- (e) a petroleum exploration permittee; or
- (f) a petroleum production licensee; or
- (g) a petroleum retention lessee; or
- (h) a pipeline licensee.

**[10] Regulation 1.6, table, item 11**

*omit*

petroleum

**[11] Subregulation 1.7 (1), table, item 8**

*omit*

petroleum

**[12] Regulation 2.2**

*omit*

---

**[13] Subregulation 2.3 (1)**

*omit*

an operator

*insert*

the operator

**[14] Subregulation 2.3 (2)**

*omit*

**[15] Subregulation 2.3 (3)**

*substitute*

- (3) The Safety Authority must reject the nomination if the Safety Authority is not satisfied that the nominee has, or will have, the day-to-day management and control of:
- (a) the facility or proposed facility; and
  - (b) operations at the facility or proposed facility.

**[16] Subregulations 2.4 (1) and (2)**

*omit each mention of*

registered

**[17] Paragraph 2.4 (4) (a)**

*after*

day-to-day

*insert*

management and

**[18] Subparagraph 2.17 (2) (d) (iii)**

*omit*

**[19] Subregulation 2.24 (1)**

*omit*

the facility

*insert*

a facility

**[20] After subregulation 2.24 (4)**

*insert*

- (5) However, the operator may submit the safety case before the operator and the Safety Authority have agreed on the scope of the validation for the facility if the safety case is for a proposed facility that is:
- (a) proposed to be or is being constructed at a place outside Safety Authority waters; and
  - (b) proposed to be installed and operated in Commonwealth waters or in designated coastal waters of a State or the Northern Territory.
- (6) The Safety Authority may at any time inform the operator that it will not assess the safety case for the proposed facility unless the operator and the Safety Authority have agreed on the scope of the validation for the proposed facility.

**[21] Regulation 2.43, heading**

*substitute*

**2.43 Facility must have operator**

**[22] Subregulation 2.43 (1)**

*omit*

- (1) A person

*insert*

A person

---

**[23] Paragraphs 2.43 (1) (a) to (f)**

*after*

facility

*insert*

or part of the facility

**[24] Subregulation 2.43 (2)**

*omit*

**[25] Subregulation 2.44 (1)**

*omit*

(1) A person

*insert*

A person

**[26] Paragraphs 2.44 (1) (a) to (f)**

*after*

facility

*insert*

or part of the facility

**[27] Subregulation 2.44 (2)**

*omit*

**[28] Paragraphs 2.45 (1) (a) to (f)**

*after*

facility

*insert*

or part of the facility

**[29] Subregulation 2.45 (2)**

*omit*

**[30] Subregulations 2.45 (3) and (4)**

*renumber as subregulations 2.45 (2) and (3)*

**[31] Paragraphs 2.46 (1) (a) to (f)**

*after*

facility

*insert*

or part of the facility

**[32] Subregulation 2.46 (2)**

*omit*

**[33] Subregulation 2.46 (3)**

*renumber as subregulation 2.46 (2)*

**[34] Subregulation 4.22 (3)**

*omit*

subregulation (2).

*insert*

the circumstance in paragraph (2) (a) that the person is not qualified as a supervisor under ADAS.

**[35] Further amendments**

<i>Provision</i>	<i>omit each mention of</i>	<i>insert</i>
Regulation 1.6, table, item 10	petroleum	petroleum or greenhouse gas substance



<i>Provision</i>	<i>omit each mention of</i>	<i>insert</i>
Subregulation 1.7 (1), table, item 7	petroleum	petroleum or greenhouse gas substance
Subparagraph 2.5 (1) (d) (ii)	petroleum	petroleum or greenhouse gas substance
Subregulation 2.21 (1)	petroleum	petroleum or greenhouse gas substance
Paragraph 2.30 (1) (e)	petroleum	petroleum or greenhouse gas substance
Subregulation 2.41 (2), table, item 9	petroleum	petroleum or greenhouse gas substance
Schedule 3.1, Form 1	<i>Offshore Petroleum (Safety) Regulations 2009</i>	<i>Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009</i>
Schedule 3.1, Form 2	<i>Offshore Petroleum (Safety) Regulations 2009</i>	<i>Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009</i>
Schedule 3.1, Form 3	<i>Offshore Petroleum (Safety) Regulations 2009</i>	<i>Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009</i>
Schedule 3.1, Form 4	<i>Offshore Petroleum (Safety) Regulations 2009</i>	<i>Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009</i>
Schedule 3.1, Form 5	<i>Offshore Petroleum (Safety) Regulations 2009</i>	<i>Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009</i>
Schedule 3.2, Part 3, note	offshore petroleum operations	offshore petroleum operations or offshore greenhouse gas operations

## Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.