

Offshore Petroleum and Greenhouse Gas Storage Legislation (Repeal and Consequential Amendments) Regulations 2024

I, the Honourable Sam Mostyn AC, Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated: 5 December 2024

Sam Mostyn AC

Governor‑General

By Her Excellency’s Command

Madeleine King

Minister for Resources

Contents

1 Name 1

2 Commencement 1

3 Authority 1

4 Schedules 2

Schedule 1—Repeals 3

Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009 3

Schedule 2—Amendments of certain instruments 4

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Regulations 2022 4

Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011 4

Schedule 3—Other amendments 6

Offshore Petroleum and Greenhouse Gas Storage (Greenhouse Gas Injection and Storage) Regulations 2023 6

1 Name

This instrument is the *Offshore Petroleum and Greenhouse Gas Storage Legislation (Repeal and Consequential Amendments) Regulations 2024*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table | The day after this instrument is registered. | 10 December 2024 |
| 2. Schedules 1 and 2 | At the same time as the *Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2024* commence.  However, the provisions do not commence at all if that instrument does not commence. | 12 June 2025 |
| 3. Schedule 3 | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of items 36 and 37 of Schedule 2 to the *Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Act 2024*. |  |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the following:

(a) the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;

(b) the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Repeals

Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009

1 The whole of the instrument

Repeal the instrument.

Schedule 2—Amendments of certain instruments

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Regulations 2022

1 Section 4 (definition of *disregarded facility*)

Repeal the definition, substitute:

***disregarded facility***: a facility is a ***disregarded facility*** for a year if the facility:

(a) is proposed to be, or is being, constructed at a location outside NOPSEMA waters; and

(b) is proposed to be installed and operated at a location in Commonwealth waters or in the designated coastal waters of a State or the Northern Territory; and

(c) does not enter NOPSEMA waters during the year.

2 Section 4 (definition of *Safety Regulations*)

Omit “*2009*”, substitute “*2024*”.

3 Subsections 21(3) and 29(3)

Repeal the subsections, substitute:

(3) For the purposes of paragraph (2)(c), if a facility in relation to which the safety case is in force during the year is a facility that:

(a) is proposed to be, or is being, constructed at a location outside NOPSEMA waters; and

(b) is proposed to be installed and operated at a location in Commonwealth waters or in the designated coastal waters of a State or the Northern Territory; and

(c) enters NOPSEMA waters during the year;

the safety case is taken to come into force in relation to the facility on the day the facility first enters NOPSEMA waters.

4 Section 60

Repeal the section.

5 Paragraph 66(c)

Omit “(see section 60 of this instrument)”.

Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011

6 Regulation 11B.01 (table items 1, 2, 3, 8 and 9, column 2, paragraph (c))

Omit “*2009*”, substitute “*2024*”.

7 Regulation 11B.01 (table items 10, 16, 18, 23, 24 and 25, column 2)

Omit “*2009*”, substitute “*2024*”.

8 Regulation 11B.01 (after table item 17)

Insert:

|  |  |  |
| --- | --- | --- |
| 17AA | Subparagraph 646A(1)(e)(ii) | *Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2024* |

9 Regulation 11B.01 (cell at table item 26, column 1)

Repeal the cell, substitute:

|  |
| --- |
| Paragraph (d) of the definition of ***titleholder’s safety‑related obligations*** in clause 3 of Schedule 3 |

Schedule 3—Other amendments

Offshore Petroleum and Greenhouse Gas Storage (Greenhouse Gas Injection and Storage) Regulations 2023

1 Subclause 6(1) of Schedule 1

Omit “, over the period mentioned in subsection 21(3) of the Act,”.