



MEMBER COUNTRY PROFILE

Country name	Australia
Organisation:	National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA)
Country Representative(s):	Cameron Grebe (IOPER Chair)
Primary Contact:	cameron.grebe@nopsema.gov.au secretariat@nopsema.gov.au (Secretariat)
Regime scope:	<p>NOPSEMA is Australia's national regulator of offshore energy operations encompassing petroleum, greenhouse gas storage, offshore renewable energy and offshore electricity infrastructure activities.</p> <p>NOPSEMA has primary responsibilities over the entire project lifecycle for the regulation of:</p> <ul style="list-style-type: none">• health and safety and facility integrity• well integrity• environmental management <p>NOPSEMA is also appointed as the Offshore Infrastructure Regulator and therefore regulator of offshore renewables.</p>
Governance arrangements:	<p>NOPSEMA is an independent regulatory authority established under statute. It is a Commonwealth (Federal) Government agency with a Chief Executive Officer (CEO) who reports directly to the Commonwealth Minister for Resources in relation to petroleum and greenhouse gas operations and to the Commonwealth Minister for Climate Change and Energy in relation to offshore renewable energy and offshore electricity infrastructure operations.</p> <p>An advisory board with functions to provide advice to the Resources Minister and to the CEO in relation to petroleum and greenhouse gas storage matters is established under legislation.</p> <p>NOPSEMA is subject to formal independent operational reviews every five years.</p>
Legislation type:	<p>The <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i> provides the legislative framework for all offshore petroleum and greenhouse gas operations in Australia's Commonwealth waters. The Act and its supporting regulations cover matters including safety, well integrity, diving, and environmental management.</p> <p>The <i>Offshore Electricity Infrastructure Act 2021</i> provides the legislative framework for all offshore renewable energy and offshore electricity infrastructure operations in Australia's Commonwealth waters including</p>



	<p>matters relating to work health and safety, infrastructure integrity and environmental management.</p>
<p>Links to relevant legislation:</p>	<p>Offshore Petroleum and Greenhouse Gas Storage Act 2006</p> <p>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009</p> <p>Offshore Electricity Infrastructure Act 2021</p> <p>Other information on relevant legislation available on NOPSEMA's website - Legislation-and-regulations</p>
<p>Extent of government approval:</p>	<p>NOPSEMA regulates offshore energy activities primarily by assessing, and accepting where appropriate, prescribed dutyholder management plans and subsequently by undertaking a range of compliance monitoring and enforcement functions. The prescribed management plans must be accepted prior to a dutyholder commencing any activity.</p> <p>The prescribed plans include:</p> <ul style="list-style-type: none">• safety cases• well operations management plans• diving safety management systems• environment plans• offshore electricity infrastructure management plans
<p>Nature of duties imposed:</p>	<p>General duties are imposed on operators of facilities, licence holders, persons in control of particular work, employers and others.</p> <p>Regulations require that prior to commencing relevant activities, duty holders must have accepted by NOPSEMA (i) a safety case for facilities (ii) a well operations plan and (iii) an environment plan.</p> <p>Duties are performance based, with health and safety, facility integrity and well integrity risks required to be reduced to a level that is as low as reasonably practicable (ALARP) and environmental impacts reduced to ALARP and acceptable levels.</p> <p>Once prescribed management plans have been accepted, dutyholders must operate in accordance with the arrangements documented within the relevant plan.</p> <p>Environmental management-related duties imposed on titleholders include the prevention of waste or escape of petroleum; response to control, recover, remediate and monitor any marine pollution arising from the escape of petroleum; pay associated pollution costs and maintain sufficient financial assurance.</p> <p>In addition, environment regulations provide for further duties in relation to environmental management for specific petroleum activities under an environment plan that ensures activities are carried out in a manner consistent with the principles of ecologically sustainable development and that affected persons are appropriately consulted.</p>



Physical objects in the regime:	Approximately 33 platforms, 8 FPSO/FSOs, 7 MODUs, 6 vessels and 91 pipeline facilities
Compliance assurance mechanisms:	<p>NOPSEMA:</p> <ul style="list-style-type: none">• assesses dutyholder management plans against prescribed acceptance criteria• conducts inspections of dutyholder compliance at regulated offshore and onshore premises• investigates accidents, incidents and dangerous occurrences• undertakes compliance enforcement action utilising a range of statutory enforcement options• provides advice to industry and other stakeholders on compliance with relevant requirements <p>Inspections of facilities by NOPSEMA Inspectors based on accepted plans, issuance and follow-up of recommendations arising from inspections, issuance and publication of certain enforcement action where appropriate, environmental analysis required prior to acceptance, environmental performance reporting, notifications for recordable environmental incidents and NOPSEMA-wide investigations function.</p>
Financial basis:	Full cost recovery through prescribed levies, cost-based levy on major investigations and fees for services specifically provided for under legislation.
Environmental regulation responsibilities:	<p>Environmental regulation responsibilities of NOPSEMA commenced on January 2012. The Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 ensure that any offshore petroleum activity is carried out in a manner consistent with the principles of ecologically sustainable development and in accordance with an accepted environment plan that has appropriate environmental performance objectives and standards and measurement criteria for determining whether the objectives and standards have been met. The plan can only be accepted where NOPSEMA is reasonably satisfied that the titleholder is in compliance with the duty to maintain sufficient financial assurance required under the <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i>.</p> <p>Since 28 February 2014, NOPSEMA has been the sole environment regulator of offshore petroleum activities in Commonwealth waters of Australia following streamlining under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i></p>
Oil spill response:	NOPSEMA is the Statutory Agency responsible for the regulatory oversight of response actions to pollution events arising from offshore petroleum activities in Commonwealth waters. Oil pollution emergency plans (OPEP) are required to be submitted to NOPSEMA as part of the environment plan prior to commencement of an activity. The environment plan must provide for the maintenance of the OPEP, which must be tested in accordance with the



agreed testing program. These arrangements implement part of Australia's obligations under the [International Convention on Oil Pollution Preparedness, Response and Co-operation 1990](#) (OPRC 90) and are part of Australia's cooperative framework for oil spill response established under [the National Plan for Maritime Emergencies](#) (NatPlan).

Under the NatPlan, the offshore petroleum titleholder is the control agency for a marine pollution response. NOPSEMA's role is to provide regulatory oversight of the titleholder's response and assist the government in strategic coordination. NOPSEMA is not an oil spill combat agency but has legislated powers to direct and/or intervene in a significant incident

Transparency:

Environment submissions made to NOPSEMA for offshore energy activities are available on NOPSEMA's [website](#) to enable stakeholders to:

- view and comment on environment plan proposals that are open for public comment
- view all environment plan submissions that are under assessment by NOPSEMA
- access specific information about environment plans of interest
- search for approved activities and projects. an opportunity to identify where they should have been consulted by a titleholder or where they wish to make a submission.

Information is released on NOPSEMA's website and regular publications including numerical inspection and incident data, aggregated health and safety statistics, safety case information, well integrity and environment plan guidance notes and information brochures. NOPSEMA is also bound by government accountability processes and participates in various public forums.

Research:

NOPSEMA does not undertake, or commission research however it is in a unique position to identify key research gaps and priorities (related to science and research) across industry that lead to uncertainty in risk and impact assessments and activity management.

NOPSEMA has been promoting industry-wide collaborative approaches for addressing key research priorities in recent years, and have now formalised our approach in the [NOPSEMA Research Strategy](#).

The strategy aims to provide industry with a clear vision for enhanced research outcomes and includes NOPSEMA's goals and role in supporting that vision. The Research Strategy will be accompanied by a regularly updated list of research priorities, based on current and emerging issues, to help guide industry and research community funding and design decisions.

Profile date:

February 2024