Commonwealth Coat of Arms

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Safety Case and Environment Plan Levies) Regulation 2013

Select Legislative Instrument No. 273, 2013

I, Quentin Bryce AC CVO, Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003*.

Dated 12 December 2013

Quentin Bryce

Governor‑General

By Her Excellency’s Command

Ian Macfarlane

Minister for Industry

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1 Name of regulation

This regulation is the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Safety Case and Environment Plan Levies) Regulation 2013*.

2 Commencement

This regulation commences on 1 January 2014.

3 Authority

This regulation is made under the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003.*

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Regulations 2004

1 Paragraph 21(3)(a)

Omit “regulation 48”, substitute “regulation 60”.

2 Paragraph 29(3)(a)

Omit “regulation 49”, substitute “regulation 60”.

3 Paragraph 59C(3)(b)

Omit “$3 000”, substitute “$3 600”.

4 Paragraph 59C(4)(b)

Omit “$3 000”, substitute “$3 600”.

5 Subregulation 59C(7) (table)

Repeal the table, substitute:

| Activity and compliance ratings | | | |
| --- | --- | --- | --- |
| Item | Petroleum activity | Activity rating | Compliance rating |
| 1 | Operation of a facility that is used for the recovery or processing of petroleum | 25 | 22 |
| 2 | Operation of a facility that is used for the storage of petroleum but not for the recovery or processing of petroleum | 14 | 9 |
| 3 | Recovery of petroleum using a subsea installation that:  (a) is not by itself a facility mentioned in item 1; and | 12 | 6 |
|  | (b) is not connected to a facility mentioned in item 1 or 2 that is located in the same production licence area; and |  |  |
|  | (c) is not connected to a licensed pipeline that is located in the same production licence area |  |  |
| 4 | Operation of a licensed petroleum pipeline | 6 | 3 |
| 5 | Construction or installation of a facility mentioned in item 1 or 2 | 25 | 18 |
| 6 | Construction or installation of a licensed petroleum pipeline | 16 | 13 |
| 7 | Decommissioning, dismantling or removing a facility mentioned in item 1 or 2 | 22 | 14 |
| 8 | Decommissioning, dismantling or removing a licensed petroleum pipeline | 16 | 14 |
| 9 | Significant modification of a facility mentioned in item 1 or 2 | 23 | 17 |
| 10 | Significant modification of a licensed petroleum pipeline | 16 | 13 |
| 11 | Drilling | 27 | 14 |
| 12 | Seismic survey | 17 | 9 |
| 13 | Other survey | 10 | 3 |
| 14 | Any other petroleum‑related operations or works carried out under an instrument, authority or consent granted or issued under the OPGGS Act | 9 | 3 |
| 15 | Any other activity relating to petroleum exploration or development which may have an impact on the environment | 9 | 3 |

6 Paragraph 59G(3)(b)

Omit “$3 000”, substitute “$3 600”.

7 Paragraph 59G(4)(b)

Omit “$3 000”, substitute “$3 600”.

8 Subregulation 59G(7) table

Repeal the table, substitute:

| Activity and compliance ratings | | | |
| --- | --- | --- | --- |
| Item | Petroleum activity | Activity rating | Compliance rating |
| 1 | Operation of a facility that is used for the recovery or processing of petroleum | 25 | 22 |
| 2 | Operation of a facility that is used for the storage of petroleum but not for the recovery or processing of petroleum | 14 | 9 |
| 3 | Recovery of petroleum using a subsea installation that:  (a) is not by itself a facility mentioned in item 1; and | 12 | 6 |
|  | (b) is not connected to a facility mentioned in item 1 or 2 that is located in the same production licence area; and |  |  |
|  | (c) is not connected to a licensed pipeline that is located in the same production licence area |  |  |
| 4 | Operation of a licensed petroleum pipeline | 6 | 3 |
| 5 | Construction or installation of a facility mentioned in item 1 or 2 | 25 | 18 |
| 6 | Construction or installation of a licensed petroleum pipeline | 16 | 13 |
| 7 | Decommissioning, dismantling or removing a facility mentioned in item 1 or 2 | 22 | 14 |
| 8 | Decommissioning, dismantling or removing a licensed petroleum pipeline | 16 | 14 |
| 9 | Significant modification of a facility mentioned in item 1 or 2 | 23 | 17 |
| 10 | Significant modification of a licensed petroleum pipeline | 16 | 13 |
| 11 | Drilling | 27 | 14 |
| 12 | Seismic survey | 17 | 9 |
| 13 | Other survey | 10 | 3 |
| 14 | Any other petroleum‑related operations or works carried out under an instrument, authority or consent granted or issued under an Act of a State or Territory that substantially corresponds to the OPGGS Act | 9 | 3 |
| 15 | Any other activity relating to petroleum exploration or development which may have an impact on the environment | 9 | 3 |

9 Clause 2.3 of Schedule 1 (table)

Repeal the table, substitute:

| Applicable facility rating | | |
| --- | --- | --- |
| Item | Facility or proposed facility | Facility rating |
| 1 | Floating liquefied natural gas facility | 25 |
| 2 | Large platform with drilling or workover capability | 12 |
| 3 | Platform, other than a platform mentioned in item 2 or 10, with accommodation facilities when drilling or workover facilities are in commission | 8 |
| 4 | Platform, other than a platform mentioned in item 2 or 10, with accommodation facilities when drilling or workover facilities are not in commission | 5 |
| 5 | Floating production storage and offloading facility | 6 |
| 6 | Mobile offshore drilling unit or drill‑ship | 6 |
| 7 | Vessel for laying pipes for a petroleum or a greenhouse gas substance | 5 |
| 8 | Vessel or structure used for:  (a) doing work on an existing pipe; or | 3 |
|  | (b) the erection, dismantling or decommissioning of a facility; or |  |
|  | (c) the provision of accommodation for persons working on another facility |  |
| 9 | Floating storage unit linked to a production platform | 3 |
| 10 | Monopod, well head platform or other small production or injection facility with no accommodation | 1 |
| 11 | Vessel or structure not otherwise listed above | 3 |

Note: Items 3 and 4 are variable‑rating facilities.

10 Clause 2.6 of Schedule 1

Omit “$31 000”, substitute “$35 000”.

11 Clause 3.3 of Schedule 1 (table item 1)

Omit “$150 000”, substitute “$170 000”.

12 Clause 3.3 of Schedule 1 (table item 2)

Omit “$100 000”, substitute “$113 000”.

13 Clause 3.3 of Schedule 1 (table item 3)

Omit “$150 000”, substitute “$170 000”.

14 Clause 3.3 of Schedule 1 (table item 4)

Omit “$100 000”, substitute “$113 000”.

15 Clauses 2 and 3 of Schedule 2

Repeal the clauses, substitute:

2 Vessel used for:

(a) doing work on an existing pipe; or

(b) laying pipes for petroleum, or a greenhouse gas substance

3 Vessel or structure used for the erection, dismantling or decommissioning of a facility

4 Accommodation facility used for persons working on another facility

Note: A mobile facility mentioned in this Schedule may operate intermittently. NOPSEMA may remit part of an amount of safety case levy imposed by the Regulatory Levies Act in respect of a safety case for a mobile facility: see regulations 25 and 33.

16 Clause 1.3 of Schedule 3

Omit “$10 000”, substitute “$14 000”.

17 Clause 2.2 of Schedule 3

Omit “$40 000”, substitute “$56 000”.