

Petroleum (Submerged Lands) Act 1982

## **Petroleum (Submerged Lands) (MSOF) Amendment Regulations 2011**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Petroleum (Submerged Lands) (MSOF) Amendment Regulations 2011*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Petroleum (Submerged Lands) Amendment Act 2011* section 12 comes into operation.

**3. Regulations amended**

These regulations amend the *Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007*.

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**4. Regulation 7 amended**

- (1) In regulation 7(1) and (2) delete “it is”.
- (2) In regulation 7(3) delete “it must” and insert:

the Minister must

**5. Regulation 39 amended**

In regulation 39(2) delete “it is”.

**6. Regulation 45 amended**

In regulation 45(1)(b) delete “its”.

**7. Regulation 47 amended**

In regulation 47(1)(a)(ii) delete “OHS”.

**8. Regulation 48 amended**

- (1) In regulation 48(1) delete “its intention” and insert:

the Minister’s intention

- (2) In regulation 48(2) delete “it thinks” and insert:

the Minister thinks

**9. Regulation 54 amended**

In regulation 54(1) and (2)(a) and (c) delete “OHS”.

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**10. Part 7 replaced**

Delete Part 7 and insert:

**Part 7 — Transitional provisions**

**56. Term used: amendment day**

In this Part —

***amendment day*** means the day on which the *Petroleum (Submerged Lands) (MSOF) Amendment Regulations 2011* regulation 3 comes into operation.

**57. Register of operators**

The register maintained under regulation 8 is a continuation of the register maintained under that regulation before the amendment day.

**58. Requests for information**

A request under regulation 36(1) or 43(1) before the amendment day to provide information about a matter to be included in a safety case, and not complied with before that day, continues in force for any balance of the period specified for complying with it and is to be regarded as having been issued by the Minister.

**59. Existing safety cases remain in force**

A safety case in force immediately before the amendment day is to be taken to be —

- (a) a safety case accepted by the Minister on the day nominated by the Minister; and
- (b) in force on the same terms that applied immediately before the amendment day.

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**60. Safety case submitted before amendment day**

- (1) A safety case submitted under regulation 35(1) before the amendment day but not finally dealt with before that day —
  - (a) is to be dealt with as if it had been submitted to the Minister; or
  - (b) if it had been partially dealt with — is to continue to be dealt with as if it had been submitted to, and partially dealt with by, the Minister.
- (2) The time limits for —
  - (a) the power to seek further information in regulation 36; and
  - (b) notification of a decision on the safety case under regulation 38,

continue as if the amendments made by the *Petroleum (Submerged Lands) (MSOF) Amendment Regulations 2011* had not been made.

**61. Revised safety case submitted before amendment day**

- (1) A revised safety case submitted under regulation 40, 41 or 42 before the amendment day but not finally dealt with before that day —
  - (a) is to be dealt as if it had been submitted to the Minister; or
  - (b) if it had been partially dealt with — is to continue to be dealt with as if it had been submitted to, and partially dealt with by, the Minister.

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- (2) The time limits for —
- (a) the power to seek further information under regulation 43; and
  - (b) notification of a decision on the revised safety case under regulation 45,

continue as if the amendments made by the *Petroleum (Submerged Lands) (MSOF) Amendment Regulations 2011* had not been made.

**11. Various references to “Safety Authority” amended**

In the provisions listed in the Table delete “Safety Authority” (each occurrence) and insert:

Minister

**Table**

r. 3 def. of <i>safety case in force</i> par. (a)	r. 6(2)
r. 7(1), (2), (3) and (4)	r. 8(1), (2), (3) and (4)
r. 10(2)	r. 11(2)
r. 15(1) and (3)	r. 16(5)
r. 22(1)	r. 34(1), (2) and (4)
r. 35(1) and (4)	r. 36(1) and (3)
r. 37(1), (2), (3), (4) and (5)	r. 38(1) and (2)
r. 39(1) and (2)	r. 40(1), (2) and (3)

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r. 41(1), (3), (4), (5) and (6)	r. 42(1)
r. 43(1) and (3)	r. 44(1), (2), (3), (4) and (5)
r. 45(1) and (2)	r. 47(1)
r. 48(1), (2), (3) and (4)	r. 49(2), (3), (4), (5) and (6)
r. 53(1) and (3)	r. 55(1), (2) and (3)

Note: The headings to the amended regulations listed in the Table are to read as set out in the Table.

**Table**

<b>Amended regulation</b>	<b>Regulation heading</b>
r. 15	<b>Minister may determine that safety case is not required for particular facilities</b>
r. 35	<b>Safety case to be submitted to Minister</b>
r. 36	<b>Minister may request more information</b>
r. 41	<b>Revision on Minister's request</b>
r. 43	<b>Minister may request more information</b>

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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