



Western Australia

Petroleum (Submerged Lands) Act 1982

**Petroleum (Submerged Lands) (Resource
Management and Administration)
Regulations 2015**

Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015

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Defined terms

Western Australia

Petroleum (Submerged Lands) Act 1982

Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015

Part 1 — Preliminary

1. Citation

These regulations are the *Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015*.

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* (**gazettal day**);
- (b) Part 9 — on the day on which the *Petroleum and Energy Legislation Amendment Act 2010* section 163 comes into operation;
- (c) the rest of the regulations — on the day after gazettal day.

3. Objects of regulations

The objects of these regulations are —

- (a) to ensure that operations relating to the exploration for petroleum or the recovery of petroleum in the State are —
 - (i) carried out in a proper and workmanlike manner and in accordance with good oil-field practice; and
 - (ii) compatible with the optimum long-term recovery of petroleum; and
 - (iii) carried out in a way that reduces the risk of aquifer contamination;and
- (b) to ensure that the Minister is informed, in a timely and consistent manner, of —
 - (i) the exploration for petroleum; and
 - (ii) the discovery of petroleum; and
 - (iii) the appraisal of discoveries; and
 - (iv) operations relating to the recovery of petroleum; and
 - (v) the results of those operations;and
- (c) to provide a framework for encouraging the adequate collection, retention and timely dissemination of petroleum data; and
- (d) to assist in ensuring the adequacy of the data acquired; and
- (e) to allow for the efficient management of data confidentiality and the disclosure of data on completion of the relevant confidentiality periods.

4. Terms used

In these regulations, unless the contrary intention appears —

approved field management plan means a field management plan that has been approved under regulation 44 and includes such a plan as revised from time to time under regulation 51;

approved well management plan means a well management plan that has been approved under regulation 13 and includes such a plan as revised from time to time under regulation 21;

drilling activity includes exploratory drilling, production drilling, appraisal drilling and well drilling;

each well activity, in relation to a well management plan, means each well activity to which the plan relates;

field, in relation to an approved field management plan, means an area within a title area that is subject to the plan;

instrument means any of the following —

- (a) a title;
- (b) an infrastructure licence;
- (c) a pipeline licence;
- (d) a special prospecting authority;
- (e) an access authority;
- (f) an instrument of consent under section 123 of the Act;

instrument area means any of the following —

- (a) a title area;
- (b) an area in respect of which an infrastructure licence is in force;
- (c) an area in respect of which a pipeline licence is in force;
- (d) an area in respect of which a special prospecting authority is in force;
- (e) an area in respect of which an access authority is in force;

- (f) an area to which an instrument of consent under section 123 of the Act applies;

instrument holder means any of the following —

- (a) a title holder;
- (b) an infrastructure licensee;
- (c) a pipeline licensee;
- (d) the registered holder of a special prospecting authority;
- (e) the registered holder of an access authority;
- (f) the person specified in an instrument of consent under section 123 of the Act;

integrity, in relation to a well, means that the well bore —

- (a) is under control, in accordance with an approved well management plan; and
- (b) is able to contain reservoir fluid; and
- (c) is subject only to risks that have been reduced to a level that is as low as reasonably practicable;

produced formation material means natural fluid or other natural material (for example, rock or sand) recovered from a well;

requirement, in relation to an approved field management plan or an approved well management plan, includes any condition to which the approval of the plan, or any revision of the plan, is subject;

survey means a geochemical survey, a geological survey, or a geophysical survey, the data from which is intended for use in —

- (a) the exploration for petroleum; or
- (b) the appraisal of a discovery of petroleum; or
- (c) the recovery of petroleum;

title means any of the following —

- (a) a permit;

- (b) a lease;
- (c) a licence;

title area means any of the following —

- (a) a permit area;
- (b) a lease area;
- (c) a licence area;

title holder means any of the following —

- (a) a permittee;
- (b) a lessee;
- (c) a licensee;

treatment material means fluid or other material introduced into a well for the purposes of operations carried out under a title and includes the following —

- (a) drilling fluid;
- (b) drilling mud;
- (c) stimulation fluid;
- (d) fracturing fluid;

underground formation includes a natural underground reservoir;

well activity means an activity relating to a well that is carried out during the life of the well;

well integrity hazard means an event that may —

- (a) compromise the integrity of a well; or
- (b) involve a risk of damage to —
 - (i) an underground formation that contains petroleum; or
 - (ii) an aquifer; or
 - (iii) any other part of the environment;

workover operation means a remedial operation for the purposes of maintaining or adjusting production from a well.

Part 2 — Surveys

5. Requirement for approval of survey

An instrument holder commits an offence if —

- (a) the instrument holder undertakes a survey in an instrument area; and
- (b) the instrument holder does not have the approval of the Minister under regulation 9 to undertake the survey.

Penalty: a fine of \$10 000.

6. Application for approval of survey

- (1) An instrument holder may apply to the Minister for approval to undertake a survey.
- (2) The application —
 - (a) must be in writing; and
 - (b) must include the following information —
 - (i) the instrument number (if available);
 - (ii) the type of survey;
 - (iii) the purpose of the survey;
 - (iv) the proposed name of the survey;
 - (v) the proposed distance or area to be covered by the survey;
 - (vi) the proposed start date for the survey;
 - (vii) the estimated duration of the survey;
 - (viii) details of the energy source to be used for the survey;
 - (ix) the name and address of the person conducting the survey if that person is not the instrument holder;

- (x) the name and contact details of the person who will have responsibility for communications with the Minister regarding the survey;
 - (xi) details of anything the instrument holder is aware of that is likely to prevent the instrument holder from complying with the requirements of regulation 75(2)(b) in relation to the survey;
- and
- (c) must be accompanied by a cadastral map in a form approved by the Minister showing the boundaries of any marine reserve in the area where the survey is to be undertaken.
- (3) In subregulation (2)(c) —
marine reserve has the meaning given in the *Conservation and Land Management Act 1984* section 3.

7. Time for making application

An application under regulation 6(1) must be made at least 30 days before the proposed start date for the survey.

8. Minister may request more information

- (1) If an instrument holder makes an application under regulation 6(1), the Minister may ask the instrument holder to provide further written information about the proposed survey.
- (2) A request under subregulation (1) must be in writing and describe the information that is requested.

9. Decision on application

- (1) As soon as practicable after the Minister is satisfied that there is enough information to make a decision on an application under regulation 6(1), the Minister must decide whether to give or refuse approval.
- (2) The Minister may give approval subject to conditions.

- (3) As soon as practicable after making a decision under subregulation (1), the Minister must give the instrument holder written notice of the decision specifying —
- (a) if the decision is to give approval —
 - (i) the date on which the approval takes effect; and
 - (ii) if the approval is subject to a condition — the condition and the reason for it;
 - or
 - (b) if the decision is to refuse approval — the reasons for the decision.
- (4) An approval takes effect on the date specified in respect of the approval under subregulation (3)(a)(i).

Part 3 — Management of well activities

Division 1 — Well management plan

Subdivision 1 — Requirements relating to approved well management plan

10. Requirement to have approved well management plan

- (1) A title holder commits an offence if —
- (a) the title holder undertakes a well activity in a title area; and
 - (b) the title holder does not have an approved well management plan in force for undertaking that activity in that area.

Penalty: a fine of \$10 000.

- (2) Subregulation (1) does not apply if —
- (a) there is an emergency in which there is a likelihood of any of the following —
 - (i) injury;
 - (ii) significant discharge of fluids from the well;
 - (iii) damage to —
 - (I) an underground formation that contains petroleum; or
 - (II) an aquifer; or
 - (III) any other part of the environment;and
 - (b) the title holder undertakes a well activity to avoid the injury, discharge or damage; and
 - (c) as soon as practicable, but in any case within 2 hours, after becoming aware of the emergency, the title holder gives the Minister oral or written notice of the emergency; and

- (d) as soon as practicable, but in any case within 3 days, after becoming aware of the emergency, the title holder gives the Minister written notice of the well activity undertaken.

11. Requirement to undertake well activity in accordance with approved well management plan

- (1) A title holder commits an offence if —
 - (a) the title holder undertakes a well activity in a title area; and
 - (b) the well activity is regulated by one or more requirements of an approved well management plan in force for the title area; and
 - (c) the title holder does not undertake the well activity in accordance with a requirement of the plan for the activity.

Penalty: a fine of \$10 000.

- (2) Subregulation (1) does not apply if —
 - (a) there is an emergency in which there is a likelihood of any of the following —
 - (i) injury;
 - (ii) significant discharge of fluids from the well;
 - (iii) damage to —
 - (I) an underground formation that contains petroleum; or
 - (II) an aquifer; or
 - (III) any other part of the environment;
- and
- (b) the title holder undertakes a well activity to avoid the injury, discharge or damage; and
- (c) as soon as practicable, but in any case within 2 hours, after becoming aware of the emergency, the title holder

gives the Minister oral or written notice of the emergency; and

- (d) as soon as practicable, but in any case within 3 days, after becoming aware of the emergency, the title holder gives the Minister written notice of the well activity undertaken.

Subdivision 2 — Obtaining approval of well management plan

12. Application for approval of well management plan

- (1) A title holder may apply to the Minister for approval of a well management plan.
- (2) The application —
- (a) must be in writing; and
 - (b) must be made —
 - (i) at least 30 days before the proposed start of any well activity to which the plan relates; or
 - (ii) if the Minister, in writing, allows another period — within that period;
- and
- (c) must be accompanied by the well management plan.
- (3) The well management plan —
- (a) must be in writing; and
 - (b) may apply to well activities for more than one well; and
 - (c) may be submitted, with the written permission of the Minister, in parts for particular stages of a well activity.

13. Decision on well management plan

- (1) Within 30 days after a title holder makes an application under regulation 12(1) for approval of a well management plan, the Minister must —
 - (a) approve the plan, or one or more parts of the plan, as a well management plan; or
 - (b) refuse to approve the plan; or
 - (c) give the title holder a written notice stating that the Minister is unable to make a decision without further assessment of the plan.
- (2) The approval of one or more parts of a well management plan is taken to be the rejection of any other parts of the well management plan that are not approved by the Minister.
- (3) A notice given under subregulation (1)(c) must specify —
 - (a) any further information the Minister requires to be included in the plan; and
 - (b) the date after which the Minister will commence further assessment of the plan.
- (4) The date specified under subregulation (3)(b) must give the title holder a reasonable opportunity to modify or resubmit the plan.
- (5) After commencing further assessment of the plan, the Minister may on one or more occasions give the title holder a written notice requiring the title holder —
 - (a) to provide further information to the Minister; or
 - (b) to modify or resubmit the plan,on or before a date specified in the notice.
- (6) A date specified under subregulation (5) must give the title holder a reasonable opportunity to provide the information or to modify or resubmit the plan, as the case requires.

- (7) As soon as practicable after completing further assessment of the plan, the Minister must —
- (a) approve the plan, or one or more parts of the plan, as a well management plan; or
 - (b) refuse to approve the plan.
- (8) The Minister may approve the plan subject to conditions.

14. Notice of decision

As soon as practicable after deciding to approve or refuse to approve a well management plan or to approve one or more parts of a well management plan, the Minister must give the title holder written notice of the decision specifying —

- (a) if the decision is to approve the plan or one or more parts of the plan —
 - (i) the date on which the plan takes effect; and
 - (ii) if the approval is subject to a condition — the condition and the reason for it;
- or
- (b) if the decision is to refuse to approve the plan or one or more parts of the plan — the reasons for the decision.

15. Date on which well management plan takes effect

If the Minister approves a well management plan, or one or more parts of a well management plan, the plan takes effect on the date specified in respect of the plan under regulation 14(a)(i).

16. Criteria for approval of well management plan

- (1) The Minister must approve a well management plan under regulation 13(1)(a) or (7)(a) if the Minister is satisfied that —
- (a) the plan includes the information required under regulation 17(1); and

- (b) the plan is appropriate for the nature and scale of each well activity; and
 - (c) the plan shows that the risks identified by the title holder in relation to each well activity will be managed —
 - (i) in accordance with sound engineering principles, codes, standards and specifications; and
 - (ii) in a manner that is consistent with good oil-field practice;and
 - (d) the way that each well activity will be carried out —
 - (i) will not result in the occurrence of any significant new detrimental risk to or effect on that activity or any other well activity to which the plan relates; and
 - (ii) will not result in any significant increase in a detrimental risk to or effect on that activity or any other well activity to which the plan relates that already exists.
- (2) The Minister must not approve a well management plan if the Minister is not satisfied that the plan meets the requirements of subregulation (1).

17. Content of well management plan

- (1) A well management plan must include the information listed in Schedule 1.
- (2) A well management plan may include any other information that the title holder believes is relevant.

18. Status of well management plan

- (1) If the Minister has given a title holder permission to submit a well management plan in parts —
 - (a) the first part of the plan that the Minister approves is taken to be an approved well management plan in its own right; and
 - (b) a part that is given to the Minister after that approval is taken to be a revision to which Subdivision 3 applies.
- (2) If the Minister approves one or more parts of a well management plan —
 - (a) the part of the plan that the Minister approves is taken to be an approved well management plan in its own right; and
 - (b) a part that is given to the Minister after that approval is taken to be a revision to which Subdivision 3 applies.
- (3) If the Minister approves a well management plan as a replacement for an approved well management plan, the previous approved well management plan ceases to have effect.

Subdivision 3 — Revision of well management plan

19. Application for approval of revision of well management plan

- (1) A title holder may apply to the Minister for approval of a revision of an approved well management plan.
- (2) The application must be accompanied by the proposed revision.

20. Application for approval of revision required in certain circumstances

A title holder must make an application under regulation 19(1) for approval of a revision if any of the following circumstances exists —

- (a) a change in the understanding of the geology or underground formation that may have a significant impact on the integrity of a well or a well activity to which the approved well management plan relates;
- (b) the occurrence or potential occurrence of a significant new detrimental risk to or effect on the integrity of a well or a well activity to which the approved well management plan relates;
- (c) a significant increase in a detrimental risk to or effect on the integrity of a well or a well activity to which the approved well management plan relates.

Penalty: a fine of \$10 000.

21. Decision on application for approval of revision

- (1) Within 30 days after an application is made under regulation 19(1) in respect of a revision, the Minister must —
 - (a) approve the revision if the approved well management plan as revised would meet the requirements of regulation 16(1); or
 - (b) refuse to approve the revision; or
 - (c) give the title holder a written notice stating that the Minister is unable to make a decision without further assessment of the revision.
- (2) A notice given under subregulation (1)(c) must specify —
 - (a) any further information the Minister requires to be included in the revision; and

- (b) the date after which the Minister will commence further assessment of the revision.
- (3) The date specified under subregulation (2)(b) must give the title holder a reasonable opportunity to modify or resubmit the revision.
- (4) If the Minister undertakes further assessment of the revision, the Minister must approve or refuse to approve the revision as soon as practicable after that further assessment.
- (5) The Minister may approve the revision subject to conditions.

22. Notice of decision

As soon as practicable after deciding to approve or refuse to approve a revision, the Minister must give the title holder written notice of the decision specifying —

- (a) if the decision is to approve the revision —
 - (i) the date on which the revision takes effect; and
 - (ii) if the approval is subject to a condition — the condition and the reason for it;
- or
- (b) if the decision is to refuse to approve the revision — the reasons for the decision.

23. Date on which revision takes effect

If the Minister approves a revision of an approved well management plan, then, on the date specified in respect of the revision under regulation 22(a)(i), the plan as revised replaces the existing approved well management plan as the plan in force for the relevant well activity.

24. Revision required by Minister

The Minister may give a title holder a written notice —

- (a) advising the title holder that the Minister requires the title holder to revise an approved well management plan as set out in the notice; and
- (b) setting out the technical grounds for requiring the revision; and
- (c) identifying the proposed date of effect of the revision; and
- (d) identifying the proposed date by which the title holder must submit the revision to the Minister; and
- (e) advising the title holder of the effect of regulation 25.

25. Objection to requirement to revise approved well management plan

(1) If the Minister gives a title holder a notice under regulation 24, the title holder may make an objection, in writing, to the Minister —

- (a) stating one or more of the following —
 - (i) that the revision should not occur;
 - (ii) that the revision should be in terms different from the proposed terms;
 - (iii) that the revision should take effect on a date later than the proposed date;
 - (iv) that the date by which the title holder must submit the revision should be later than the proposed date;

and

- (b) giving reasons for the objection.

(2) The title holder must make the objection within —

- (a) 21 days after receiving the notice; or

- (b) if the Minister, in writing, allows a longer period — that period.

26. Decision on objection

- (1) Within 30 days after a title holder makes an objection under regulation 25, the Minister must decide whether to accept or reject the objection.
- (2) As soon as practicable after making the decision, the Minister must give the title holder written notice of the decision specifying —
 - (a) if the decision is to accept the objection —
 - (i) whether the original notice given under regulation 24 is varied or withdrawn; and
 - (ii) if the original notice is varied — the requirements of that notice as varied;
 - or
 - (b) if the decision is to reject the objection — the reasons for the decision.

27. Title holder required to comply with notice

- (1) This regulation applies if the Minister gives a title holder a notice under regulation 24.
- (2) The title holder must comply with the requirements of the notice unless the notice is varied or withdrawn under regulation 26.
Penalty: a fine of \$10 000.
- (3) If the notice is varied under regulation 26, the title holder must comply with the requirements of the notice as varied.
Penalty: a fine of \$10 000.

Subdivision 4 — Termination of well management plan

28. Termination of well management plan

An approved well management plan ceases to be in force at the earliest of the following —

- (a) when the title holder withdraws the plan;
- (b) when the Minister approves another well management plan that replaces the plan;
- (c) when the Minister withdraws approval of the plan under Subdivision 5;
- (d) at the end of the period of 5 years starting on the date on which the plan takes effect, whether or not the plan has been revised since being approved.

Subdivision 5 — Withdrawal of approval of well management plan

29. Reasons for withdrawal of approval

The Minister may withdraw approval of a title holder's well management plan if —

- (a) the title holder has not complied with the Act, this Part or a direction given under section 101 of the Act; or
- (b) the title holder has not complied with the plan; or
- (c) the Minister is satisfied for any other reason that approval of the plan should be withdrawn.

30. Notice of proposal to withdraw approval

- (1) If the Minister believes it may be necessary to withdraw approval of a well management plan, the Minister must, at least 30 days before the Minister would withdraw approval —

- (a) give the title holder a written notice stating that the Minister is considering the withdrawal of approval; and

- (b) include in the notice —
 - (i) an explanation of the reasons why the Minister is considering the withdrawal of approval; and
 - (ii) a date by which the title holder may give the Minister any information that the title holder wants the Minister to take into account before deciding whether to withdraw approval; and
 - (iii) any other information that the Minister considers appropriate.
- (2) The Minister may give a copy of the notice to a person other than the title holder if the Minister considers it appropriate to do so.
- (3) If the Minister gives a copy of the notice to a person other than the title holder, the Minister must notify the title holder in writing that the Minister has done so.

31. Decision to withdraw approval

- (1) If the Minister gives a title holder a notice under regulation 30(1), the Minister must, as soon as practicable after the date mentioned in regulation 30(1)(b)(ii) has passed —
 - (a) withdraw approval of the well management plan; or
 - (b) decide not to withdraw approval of the plan.
- (2) The Minister must not withdraw approval unless the Minister —
 - (a) has taken any information given under regulation 30(1)(b)(ii) into account; and
 - (b) is satisfied that a reason mentioned in regulation 29 exists.
- (3) As soon as practicable after making a decision under subregulation (1), the Minister must give the title holder written notice of the decision.

- (4) If the decision is to withdraw approval, the notice under subregulation (3) must specify —
- (a) the date on which the withdrawal of approval takes effect; and
 - (b) the reasons for the decision.

32. Relationship between withdrawal and other provisions

- (1) The Minister may withdraw approval of a title holder's well management plan, even if the title holder has been convicted of an offence, because of a failure to comply with a provision of the Act, these regulations or other regulations made under the Act.
- (2) If the Minister withdraws approval of a title holder's well management plan, the withdrawal does not prevent the title holder from being convicted of an offence because of a failure to comply with a provision of the Act, these regulations or other regulations made under the Act.

Division 2 — Control of hazards and risks

33. Requirement to control well integrity hazard or risk

A title holder commits an offence if —

- (a) the title holder is operating a well in a title area; and
 - (b) either —
 - (i) a well integrity hazard has been identified for the well; or
 - (ii) there has been a significant increase in an existing risk for the well;
- and
- (c) the title holder does not control the well integrity hazard or risk.

Penalty: a fine of \$10 000.

Part 4 — Discovery assessment reports

34. Application of Part

This Part applies to a title holder who is required, under section 34 or 38J of the Act, to furnish to the Minister particulars of a discovery.

35. Minister may request additional information for discovery assessment report

- (1) The Minister may, within 7 days after receiving particulars of the discovery from the title holder, ask the title holder in writing to include additional information about the discovery in the discovery assessment report to be provided by the title holder under regulation 36.
- (2) The request must specify the information sought and the reasons for the request.
- (3) After receiving the request, the title holder may give the Minister a written statement that —
 - (a) the information is not within the title holder's knowledge; or
 - (b) the title holder is unable to obtain the information.
- (4) If the Minister is satisfied (whether or not because of a statement under subregulation (3)) that the title holder cannot comply with the request because —
 - (a) the information is not within the title holder's knowledge; or
 - (b) the title holder is unable to obtain the information,the Minister must, as soon as practicable, give the title holder a written notice withdrawing the request.

36. Requirement to provide discovery assessment report

(1) In this regulation —

discovery assessment report means a report that includes the following information —

- (a) the title area in which the discovery was made;
- (b) a preliminary estimate of the location and areal extent of the petroleum pool;
- (c) details of the geological structure or underground formation in which the petroleum is located;
- (d) the results of all assessments of the discovery;
- (e) if the rate or quantity of production of petroleum and water from the well that resulted in the discovery has been determined — that rate or quantity;
- (f) the data used to estimate the quantity of petroleum in the petroleum pool;
- (g) a preliminary estimate of the quantity of recoverable petroleum in the petroleum pool;
- (h) details of the title holder's plans for further evaluation of the discovery, including the work that the title holder proposes to carry out in the title area in the next 12 months from the date of the report;
- (i) if the Minister has issued a request to the title holder under regulation 35 and the request has not been withdrawn — the information specified in the request.

(2) The title holder must give the Minister a discovery assessment report for the title area within —

- (a) 90 days after the date of the discovery; or
- (b) if the Minister authorises the title holder to give the report within another period — the other period.

Penalty: a fine of \$10 000.

Part 5 — Annual assessment reports

37. Requirement to provide annual assessment report

- (1) A title holder must give the Minister a report (an *annual assessment report*) providing the required information for each year of a term of the title, within —
 - (a) 30 days after the day on which the year of the term ends; or
 - (b) if the Minister authorises the title holder to give the annual assessment report within another period — the other period.

Penalty: a fine of \$10 000.

- (2) For the purposes of subregulation (1), the required information is —
 - (a) in the case of a permittee — the information listed in Schedule 2 Division 1; or
 - (b) in the case of a lessee — the information listed in Schedule 2 Division 2; or
 - (c) in the case of a licensee — the information listed in Schedule 2 Division 3.
- (3) An annual assessment report may include any other information that the title holder believes is relevant to the title.

38. Reports may be combined

A title holder with more than one title may combine the annual assessment reports into a single document with the written agreement of the Minister.

39. Assessment report for part of year

- (1) This regulation applies if —
 - (a) a title ceases to be in force (whether because the title has expired or because the title has been surrendered, cancelled, revoked or terminated); and
 - (b) the term of the title was not a whole number of years.
- (2) The Minister may, by written notice, require the title holder to give an assessment report to the Minister for the period at the end of the term that was not a year of the term.
- (3) The notice must specify —
 - (a) the information that must be provided in the report; and
 - (b) the date by which the report must be given.
- (4) For the purposes of subregulation (3)(a), only information that would be required from the title holder in an annual assessment report under regulation 37(1) may be specified.
- (5) For the purposes of subregulation (3)(b), the date must be at least 30 days after the day on which the notice is given.
- (6) A title holder must comply with a notice given to the title holder under subregulation (2).

Penalty for an offence under this subregulation: a fine of \$10 000.

Part 6 — Field management plans

Division 1 — Preliminary

40. Term used: licence area

In this Part —

licence area means —

- (a) in relation to a licensee — the area constituted by the block or blocks that are the subject of the licence; or
- (b) in relation to an applicant for a licence — the area constituted by the block or blocks that will be the subject of the licence if the licence is granted.

Division 2 — Field management plan requirements

41. Requirement to have approved field management plan

A licensee must not undertake the recovery of petroleum from a petroleum pool in the licence area unless —

- (a) the recovery is on an appraisal basis; or
- (b) at the time of the recovery of the petroleum, the licensee has —
 - (i) an approved field management plan in force for a field that includes the petroleum pool; or
 - (ii) an approval, under regulation 59(1), to undertake the recovery of petroleum without an approved field management plan.

Penalty: a fine of \$10 000.

42. Requirement to undertake well activity in accordance with approved field management plan

If an approved field management plan is in force for a field in a licence area, the licensee must undertake each well activity in

the licence area in a way that is consistent with the field management plan.

Penalty: a fine of \$10 000.

Division 3 — Obtaining approval of field management plan

43. Application for approval of field management plan

- (1) A licensee or an applicant for a licence may apply to the Minister for approval of a field management plan.
- (2) The application must be accompanied by the field management plan.

44. Decision on field management plan

- (1) As soon as practicable after an application is made under regulation 43(1) in respect of a field management plan, the Minister must —
 - (a) approve the plan; or
 - (b) refuse to approve the plan; or
 - (c) give the applicant a written notice stating that the Minister is unable to make a decision without further assessment of the plan.
- (2) A notice given under subregulation (1)(c) must specify —
 - (a) any further information the Minister requires to be included in the plan; and
 - (b) the date after which the Minister will commence further assessment of the plan.
- (3) The date specified under subregulation (2)(b) must give the applicant a reasonable opportunity to modify or resubmit the plan.
- (4) If the Minister undertakes further assessment of the plan, the Minister must approve or refuse to approve the plan as soon as practicable after that further assessment.

- (5) The Minister may approve the plan subject to conditions.

45. Notice of decision

As soon as practicable after deciding to approve or refuse to approve a field management plan, the Minister must give the applicant written notice of the decision specifying —

- (a) if the decision is to approve the plan —
- (i) the date on which the plan takes effect; and
 - (ii) if the approval is subject to a condition — the condition and the reason for it;
- or
- (b) if the decision is to refuse to approve the plan — the reasons for the decision.

46. Date on which field management plan takes effect

If the Minister approves a field management plan, the plan takes effect on the date specified in respect of the plan under regulation 45(a)(i).

47. Criteria for approval of field management plan

- (1) The Minister must approve a field management plan under regulation 44(1)(a) or (4) if the Minister is satisfied that —
- (a) the plan includes the information required under regulation 48(1); and
 - (b) the plan demonstrates that the applicant will manage the field —
 - (i) in accordance with sound engineering principles, codes, standards and specifications; and
 - (ii) in a manner that is consistent with good oil-field practice and compatible with optimum long-term recovery of the petroleum.

- (2) The Minister must not approve a field management plan if the Minister is not satisfied that the plan meets the requirements of subregulation (1).

48. Content of field management plan

- (1) A field management plan must include the information listed in Schedule 3.
- (2) A field management plan may include any other information that the applicant believes is relevant.

Division 4 — Revision of approved field management plan

49. Application for approval of revision of field management plan

- (1) A licensee may apply to the Minister for approval of a revision of an approved field management plan.
- (2) The application must be accompanied by the proposed revision.

50. Application for approval of revision required before major change

- (1) In this regulation —
- major change*, in relation to the recovery of petroleum from a field, means any of the following —
- (a) the licensee changes the development strategy or management strategy of the field or a petroleum pool in the field;
 - (b) the licensee changes the plan for the development of additional petroleum pools in the field;
 - (c) the licensee ceases production, permanently or for the long term, before the date proposed in the approved field management plan for the field;

- (d) the licensee introduces new methods for the recovery of petroleum from the field, such as enhanced recovery and injection of fluids.
- (2) A licensee must make an application under regulation 49(1) in respect of an approved field management plan at least 90 days before the licensee makes a major change in relation to the recovery of petroleum from the field to which the plan applies.
Penalty: a fine of \$10 000.

51. Decision on application for approval of revision

- (1) As soon as practicable after an application is made under regulation 49(1) in respect of a revision, the Minister must —
 - (a) approve the revision if the approved field management plan as revised would meet the requirements of regulation 47(1); or
 - (b) refuse to approve the revision; or
 - (c) give the licensee a written notice stating that the Minister is unable to make a decision without further assessment of the revision.
- (2) A notice given under subregulation (1)(c) must specify —
 - (a) any further information the Minister requires to be included in the revision; and
 - (b) the date after which the Minister will commence further assessment of the revision.
- (3) The date specified under subregulation (2)(b) must give the licensee a reasonable opportunity to modify or resubmit the revision.
- (4) If the Minister undertakes further assessment of the revision, the Minister must approve or refuse to approve the revision as soon as practicable after that further assessment.
- (5) The Minister may approve the revision subject to conditions.

52. Notice of decision

As soon as practicable after deciding to approve or refuse to approve a revision, the Minister must give the licensee written notice of the decision specifying —

- (a) if the decision is to approve the revision —
 - (i) the date on which the revision takes effect; and
 - (ii) if the approval is subject to a condition — the condition and the reason for it;
- or
- (b) if the decision is to refuse to approve the revision — the reasons for the decision.

53. Date on which revision takes effect

If the Minister approves a revision of an approved field management plan, then, on the date specified in respect of the revision under regulation 52(a)(i), the plan as revised replaces the existing approved field management plan as the plan in force for the field.

54. Revision required by Minister

- (1) The Minister may give a licensee a written notice —
 - (a) requiring the licensee to submit to the Minister a revision of an approved field management plan as set out in the notice; and
 - (b) setting out the technical grounds for requiring the revision; and
 - (c) identifying the proposed date of effect of the revision; and
 - (d) identifying the proposed date by which the licensee must submit the revision to the Minister; and
 - (e) advising the licensee of the effect of regulation 55.

- (2) A revision submitted by the licensee in accordance with the notice (or the notice as varied under regulation 56) is to be taken to be an application under regulation 49(1) and regulations 51, 52 and 53 apply accordingly.

55. Objection to requirement to revise approved field management plan

- (1) If the Minister gives a licensee a notice under regulation 54, the licensee may make an objection, in writing, to the Minister —
- (a) stating one or more of the following —
 - (i) that the revision should not occur;
 - (ii) that the revision should be in terms different from the proposed terms;
 - (iii) that the revision should take effect on a date later than the proposed date;
 - (iv) that the date by which the licensee must submit the revision should be later than the proposed date;
 - and
 - (b) giving reasons for the objection.
- (2) The licensee must make the objection within —
- (a) 21 days after receiving the notice; or
 - (b) if the Minister, in writing, allows a longer period — that period.

56. Decision on objection

- (1) As soon as practicable after a licensee makes an objection under regulation 55, the Minister must decide whether to accept or reject the objection.

- (2) As soon as practicable after making the decision, the Minister must give the licensee written notice of the decision specifying —
- (a) if the decision is to accept the objection —
 - (i) whether the original notice given under regulation 54 is varied or withdrawn; and
 - (ii) if the original notice is varied — the requirements of that notice as varied;
 - or
 - (b) if the decision is to reject the objection — the reasons for the decision.

57. Requirement to comply with notice

- (1) This regulation applies if a licensee is given a notice under regulation 54.
- (2) The licensee must comply with the requirements of the notice unless the notice is varied or withdrawn under regulation 56.
Penalty: a fine of \$10 000.
- (3) If the notice is varied under regulation 56, the licensee must comply with the requirements of the notice as varied.
Penalty: a fine of \$10 000.

Division 5 — Recovery of petroleum before field management plan approved

58. Application for approval to undertake recovery of petroleum without approved field management plan

- (1) A licensee may apply, in writing, to the Minister for permission to undertake the recovery of petroleum from a petroleum pool in the licence area for a period of up to 3 months without having an approved field management plan in force for a field that includes the petroleum pool.

- (2) The application must include —
- (a) the reason why it is necessary for the licensee to undertake the recovery without having an approved field management plan; and
 - (b) the period in respect of which the permission is sought; and
 - (c) details of any proposed extended production test; and
 - (d) details of any proposed disposal or flaring of produced petroleum; and
 - (e) details of any proposed disposal of produced formation material.

59. Decision on application

- (1) As soon as practicable after an application is made under regulation 58(1), the Minister must —
- (a) approve the application; or
 - (b) refuse to approve the application; or
 - (c) give the licensee a written notice stating that the Minister is unable to make a decision without further information.
- (2) A notice given under subregulation (1)(c) must specify the further information that the Minister requires.
- (3) As soon as practicable after receiving the information, the Minister must approve or refuse the application.
- (4) The Minister may approve the application subject to conditions.

60. Notice of decision on application

As soon as practicable after deciding to approve or refuse to approve an application made under regulation 58(1), the Minister must give the licensee written notice of the decision specifying —

- (a) if the decision is to approve the application —
 - (i) the period for which the licensee may undertake the recovery of petroleum; and
 - (ii) if the approval is subject to a condition — the condition and the reason for it;
- or
- (b) if the decision is to refuse to approve the application — the reasons for the decision.

61. Permitted period

- (1) The period specified under regulation 60(a)(i) (the *permitted period*) must not exceed 3 months after the date of the Minister's approval under regulation 59(1).
- (2) However, the Minister may, on written application by the licensee, extend the permitted period by not more than 3 months.
- (3) The Minister may, under subregulation (2), extend the permitted period more than once.

Part 7 — Notification of significant events

62. Requirement to notify Minister of significant event

(1) In this regulation —

significant event means any of the following —

- (a) a change in the understanding of the characteristics of the geology or underground formation that may have a significant impact on the optimum long-term recovery of petroleum;
- (b) a new or increased risk to the recovery of petroleum within the licence area;
- (c) a new or increased risk to the recovery of petroleum outside the licence area caused by the development of petroleum pools in the licence area;
- (d) a new or increased risk of activities in the licence area causing effects outside the licence area (for example, aquifer depletion caused by petroleum extraction);
- (e) a change to the proposed option for the development of petroleum pools in the licence area, including any tie-in opportunity with nearby licence areas.

(2) This regulation applies if a licensee becomes aware that a significant event has occurred in, or in relation to, the licence area.

(3) The licensee must give the Minister oral notice of the significant event as soon as practicable, but in any case within 2 hours, after becoming aware of it.

Penalty: a fine of \$10 000.

(4) The licensee must give the Minister written notice of the significant event, in accordance with subregulation (5), as soon as practicable, but in any case within 3 days, after becoming aware of it.

Penalty: a fine of \$10 000.

- (5) The notice under subregulation (4) must include —
- (a) all the material facts and circumstances about the significant event that the licensee is aware of or is able, by reasonable search and inquiry, to find out, including —
 - (i) when the event occurred or was first detected;
and
 - (ii) the implications of the event for the petroleum pool and the optimum long-term recovery of petroleum;and
 - (b) the action the licensee proposes to take in response to the significant event.
- (6) The notice under subregulation (4) may include any other information the licensee considers relevant.

Part 8 — Data management

Division 1 — Preliminary

63. Term used: operation

In this Part —

operation means an operation carried out under the authority of an instrument.

Division 2 — Requirements for keeping information

64. Requirement to securely retain information

An instrument holder commits an offence if the instrument holder —

- (a) keeps accounts, records or other documents in connection with an operation; and
- (b) does not securely retain the accounts, records or other documents.

Penalty: a fine of \$4 000.

65. Requirement to retain information so that retrieval is reasonably practicable

An instrument holder commits an offence if the instrument holder —

- (a) keeps accounts, records or other documents in connection with an operation; and
- (b) does not retain the accounts, records or other documents so that retrieval of the accounts, records or other documents is reasonably practicable.

Penalty: a fine of \$4 000.

Division 3 — Requirements for collection and retention of cores, cuttings and samples

66. Requirement to securely retain core, cutting or sample

An instrument holder commits an offence if the instrument holder —

- (a) collects a core, cutting or sample in connection with an operation; and
- (b) does not securely retain the core, cutting or sample.

Penalty: a fine of \$4 000.

67. Requirement to retain core, cutting or sample in Australia

An instrument holder commits an offence if —

- (a) the instrument holder collects a core, cutting or sample in connection with an operation; and
- (b) the instrument holder does not retain the core, cutting or sample in Australia; and
- (c) the Minister has not authorised the instrument holder to retain the core, cutting or sample outside Australia.

Penalty: a fine of \$4 000.

68. Requirement to return core, cutting or sample to Australia

An instrument holder commits an offence if —

- (a) the Minister has authorised the instrument holder to retain a core, cutting or sample outside Australia; and
- (b) the instrument holder does not ensure that the core, cutting or sample is returned to Australia within —
 - (i) 12 months after the authorisation being given; or
 - (ii) a longer period authorised by the Minister.

Penalty: a fine of \$4 000.

69. Requirement to provide report about overseas analysis of core, cutting or sample

- (1) An instrument holder commits an offence if —
- (a) the Minister has authorised the instrument holder to retain a core, cutting or sample outside Australia for the purposes of analysis; and
 - (b) the instrument holder does not give the Minister a report about the progress of the analysis within 12 months after the authorisation being given.

Penalty: a fine of \$10 000.

- (2) An instrument holder commits an offence if —
- (a) the Minister has authorised the instrument holder to retain a core, cutting or sample outside Australia for the purposes of analysis; and
 - (b) the Minister requires the instrument holder to give the Minister a report about the progress of the analysis within a period, after the end of the period referred to in subregulation (1)(b), specified by the Minister; and
 - (c) the instrument holder fails to comply with the requirement.

Penalty: a fine of \$10 000.

70. Requirement to retain core, cutting or sample so that retrieval is reasonably practicable

An instrument holder commits an offence if the instrument holder —

- (a) collects a core, cutting or sample in connection with an operation; and
- (b) does not retain the core, cutting or sample so that retrieval of the core, cutting or sample is reasonably practicable.

Penalty: a fine of \$4 000.

Division 4 — Requirements for giving reports and samples

Subdivision 1 — Reports about well activities

71. Daily well activity report

- (1) In this regulation —
daily well activity report means a report that includes the information listed in Schedule 4.
- (2) An instrument holder commits an offence if the instrument holder —
 - (a) undertakes a well activity in an instrument area on a particular day (the *activity day*); and
 - (b) does not give the Minister a daily well activity report in respect of the activity day before midday on the day after the activity day.

Penalty: a fine of \$7 000.

72. Final well activity report and data

- (1) In this regulation —
final well activity data means each type of data mentioned in an item in Schedule 5 —
 - (a) presented on a medium and in a format specified in the item; or
 - (b) presented on another medium or in another format that the Minister has authorised the instrument holder to use;
final well activity report means a report that includes the information listed in Schedule 6.
- (2) An instrument holder commits an offence if the instrument holder —
 - (a) undertakes a well activity (other than a drilling activity) in an instrument area; and

- (b) does not give the Minister a final well activity report and all final well activity data within —
 - (i) 6 months after the completion date for the well activity as approved by the Minister; or
 - (ii) if the Minister authorises the instrument holder to give the report and data within another period — the other period.

Penalty: a fine of \$7 000.

73. Well completion report and data

- (1) In this regulation —

well completion data means each type of data mentioned in an item in Schedule 7 —

- (a) presented on a medium and in a format specified in the item; or
- (b) presented on another medium or in another format that the Minister has authorised the instrument holder to use;

well completion report means a report that includes the information listed in Schedule 8.

- (2) An instrument holder commits an offence if the instrument holder —
 - (a) undertakes a well activity in an instrument area; and
 - (b) does not give the Minister a well completion report and all well completion data within —
 - (i) 12 months after the rig release date; or
 - (ii) if the Minister authorises the instrument holder to give the report and data within another period — the other period.

Penalty: a fine of \$7 000.

Subdivision 2 — Reports about surveys

74. Weekly survey report

- (1) In this regulation —

week of survey, in relation to a survey, means —

- (a) the period of 7 days starting on the first day on which data is acquired under the survey; and
- (b) each subsequent period of 7 days in which, or in any part of which, data is acquired under the survey;

weekly survey report means a report that includes the information listed in Schedule 9.

- (2) An instrument holder commits an offence if the instrument holder —

- (a) undertakes a survey in an instrument area; and
- (b) does not give the Minister a weekly survey report within 24 hours after the end of each week of survey.

Penalty: a fine of \$7 000.

75. Survey acquisition report and data

- (1) In this regulation —

survey acquisition data means —

- (a) for a seismic survey, each type of data mentioned in an item in Schedule 10 Division 1 —
 - (i) presented on a medium and in a format specified in the item; or
 - (ii) presented on another medium or in another format that the Minister has authorised the instrument holder to use;

or

- (b) for any other type of survey, each type of data mentioned in an item in Schedule 10 Division 2 —
 - (i) presented on a medium and in a format specified in the item; or
 - (ii) presented on another medium or in another format that the Minister has authorised the instrument holder to use;

survey acquisition report means a report that includes the information listed in Schedule 11.

- (2) An instrument holder commits an offence if the instrument holder —
 - (a) undertakes a survey in an instrument area; and
 - (b) does not give the Minister a survey acquisition report and all survey acquisition data within —
 - (i) 18 months after the day on which the acquisition of the data is completed; or
 - (ii) if the Minister authorises the instrument holder to give the report and data within another period — the other period.

Penalty: a fine of \$7 000.

76. Survey processing report and data

- (1) In this regulation —

processed survey data means —

 - (a) for a 2-dimensional seismic survey, each type of data mentioned in an item in Schedule 12 Division 1 —
 - (i) presented on a medium and in a format specified in the item; or
 - (ii) presented on another medium or in another format that the Minister has authorised the instrument holder to use;

or

- (b) for a 3-dimensional seismic survey, each type of data mentioned in an item in Schedule 12 Division 2 —
 - (i) presented on a medium and in a format specified in the item; or
 - (ii) presented on another medium or in another format that the Minister has authorised the instrument holder to use;

or

- (c) for any other type of survey, each type of data mentioned in an item in Schedule 12 Division 3 —
 - (i) presented on a medium and in a format specified in the item; or
 - (ii) presented on another medium or in another format that the Minister has authorised the instrument holder to use;

survey processing report means a report that includes the information listed in Schedule 13.

- (2) An instrument holder commits an offence if the instrument holder —
 - (a) undertakes a survey in an instrument area; and
 - (b) does not give the Minister a survey processing report and all processed survey data within —
 - (i) 24 months after the day on which the acquisition of the data is completed; or
 - (ii) if the Minister authorises the instrument holder to give the report and data within another period — the other period.

Penalty: a fine of \$7 000.

- (3) An instrument holder commits an offence if the instrument holder —
- (a) in compliance with a condition to which the instrument is subject, reprocesses data from a survey undertaken in the instrument area; and
 - (b) does not give the Minister a survey processing report and all processed survey data within —
 - (i) 24 months after the day on which the reprocessing of the data is completed; or
 - (ii) if the Minister authorises the instrument holder to give the report and data within another period — the other period.

Penalty: a fine of \$7 000.

77. Survey interpretation report and data

- (1) In this regulation —
- interpretative survey data* means the data mentioned in Schedule 14 item 1 —
- (a) presented on a medium and in a format specified in the item; or
 - (b) presented on another medium or in another format that the Minister has authorised the instrument holder to use;
- survey interpretation report* means a report that includes the information listed in Schedule 15.
- (2) An instrument holder commits an offence if the instrument holder —
- (a) undertakes a survey in an instrument area; and
 - (b) does not give the Minister a survey interpretation report and all interpretative survey data within —
 - (i) 30 months after the day on which the acquisition of the data is completed; or

- (ii) if the Minister authorises the instrument holder to give the report and data within another period — the other period.

Penalty: a fine of \$7 000.

- (3) An instrument holder commits an offence if the instrument holder —
 - (a) in compliance with a condition to which the instrument is subject, reprocesses data from a survey undertaken in the instrument area; and
 - (b) does not give the Minister a survey interpretation report and all interpretative survey data within —
 - (i) 30 months after the day on which the reprocessing of the data is completed; or
 - (ii) if the Minister authorises the instrument holder to give the report and data within another period — the other period.

Penalty: a fine of \$7 000.

Subdivision 3 — Production reports

78. Monthly production report from licensee

- (1) In this regulation —
monthly production report means a report that includes the information listed in Schedule 16.
- (2) A licensee commits an offence if the licensee does not give the Minister a monthly production report for a licence area within the period —
 - (a) starting on the last day of the month to which the report relates; and
 - (b) ending 15 days after that day.

Penalty: a fine of \$7 000.

Subdivision 4 — Cores, cuttings and samples

79. Requirement to give core, cutting or sample

- (1) An instrument holder commits an offence if the instrument holder —
- (a) undertakes a drilling activity or other well activity in an instrument area; and
 - (b) collects a core, cutting or sample of a kind specified in an item in the Table; and
 - (c) does not give the quantity of the core, cutting or sample specified in that item in the Table to the Minister within —
 - (i) the period specified in that item in the Table; or
 - (ii) if the Minister authorises the instrument holder to give the quantity of the core, cutting or sample within another period — the other period.

Penalty: a fine of \$10 000.

Table

Item	Core, cutting or sample	Quantity of core, cutting or sample	Period for giving core, cutting or sample
1.	Ditch cutting	200 g dry weight per sample interval	The period ending on the day 6 months after the rig release date.
2.	Full hole conventional core	One-third of the core	The period ending on the day 6 months after the rig release date.

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Item	Core, cutting or sample	Quantity of core, cutting or sample	Period for giving core, cutting or sample
3.	Full hole conventional core	Remainder of the core	As soon as practicable after the expiry, surrender, cancellation, revocation or termination of the relevant instrument.
4.	Gaseous petroleum samples	300 cm ³	As soon as practicable after the expiry, surrender, cancellation, revocation or termination of the relevant instrument.
5.	Fluid petroleum samples	1 L	<p>For a sample collected during the drilling of a well — the period ending on the day 6 months after the rig release date.</p> <p>For a sample collected during a test on a completed well — as soon as practicable after the expiry, surrender, cancellation, revocation or termination of the relevant instrument.</p>

Item	Core, cutting or sample	Quantity of core, cutting or sample	Period for giving core, cutting or sample
6.	Sidewall core material	All material collected	The period ending on the day 18 months after the rig release date.
7.	Palynological, paleontological or petrological material	All material collected	The period ending on the day 18 months after the rig release date.

(2) Subregulation (1) does not apply if —

- (a) the quantity of the core, cutting or sample required under subregulation (1)(c) is not available to the instrument holder; and
- (b) before the end of the relevant period under subregulation (1)(c) the instrument holder gives the Minister a written notice —
 - (i) explaining why the quantity is not available; and
 - (ii) setting out the total quantity of the core, cutting or sample that was collected.

Part 9 — Release of technical information about petroleum

Division 1 — Preliminary

80. Terms used

In this Part —

basic information means documentary information that is not interpretative information;

disclosable information means documentary information that is not permanently confidential information;

documentary information has the meaning given in section 152A of the Act;

excluded information has the meaning given in regulation 81;

exclusive data means data that is not made available for commercial sale or licence;

interpretative information has the meaning given in regulation 83;

mining sample means a petroleum mining sample as defined in section 152A of the Act;

non-exclusive data means data that is made available for commercial sale or licence;

open information about a survey means any of the following information —

- (a) the name of the survey;
- (b) the instrument under which the survey is being conducted;
- (c) the name of the instrument holder;
- (d) the basin and sub-basin (if applicable) in which the survey is being conducted;
- (e) the type of survey;

- (f) the size of the survey in —
 - (i) for a 2-dimensional survey — kilometres; or
 - (ii) for a 3-dimensional survey — square kilometres;
- (g) the name of the vessel or aircraft being used to conduct the survey;
- (h) the name of the contractor conducting the survey;
- (i) the dates on which the survey starts and ends or is proposed to start and end;
- (j) whether the survey is exclusive or non-exclusive;
- (k) navigation data for the survey, in the form of —
 - (i) for a 2-dimensional survey — line ends and bends; or
 - (ii) for a 3-dimensional seismic survey — a full fold polygon outline; or
 - (iii) for other 3-dimensional surveys — a polygon outline;

open information about a well means any of the following information —

- (a) the name of the well;
- (b) the basin and sub-basin (if applicable) in which the well is located;
- (c) the well's latitude and longitude;
- (d) the name of the instrument area in which the well is located;
- (e) the name of the instrument holder;
- (f) the purpose of the well (for example, development, appraisal, exploration or stratigraphy);
- (g) if the well is a sidetrack — the name of the parent well;
- (h) the well's spud date;
- (i) the water depth at the well;

- (j) what is being used as the depth reference for the well (for example, the Kelly bushing or the rig floor);
- (k) the height of the depth reference above sea level;
- (l) the name of the rig drilling the well;
- (m) the rig's make and model;
- (n) the name of the drilling contractor;
- (o) the rig release date;
- (p) the status of the well (for example, producing, suspended or decommissioned);

operation means an operation carried on under the authority of an instrument;

permanently confidential information has the meaning given in regulation 82;

seismic extracted data grid means a series of vertical cross-sections extracted from a 3-dimensional seismic data volume that form a grid of which —

- (a) one direction is along the direction of seismic data acquisition; and
- (b) the other direction is at right angles to the direction of seismic data acquisition; and
- (c) the vertical cross-sections are spaced 5 kilometres apart in both directions.

81. Meaning of excluded information

- (1) This regulation sets out the type of information that is excluded information.
- (2) Information about the following is excluded information —
 - (a) the technical qualifications of an instrument holder or an applicant for an instrument;
 - (b) the technical advice available to an instrument holder or an applicant for an instrument;

- (c) the financial resources available to an instrument holder or an applicant for an instrument.
- (3) Information contained in the following documents is excluded information —
- (a) an application for a permit under section 20 or 23 of the Act;
 - (b) an application for the renewal of a permit under section 30 of the Act;
 - (c) an application for a lease under section 38A or 38CA of the Act;
 - (d) an application for the renewal of a lease under section 38F of the Act;
 - (e) a document setting out the results of a re-evaluation of the commercial viability of petroleum production in a lease area under section 38H of the Act;
 - (f) an application for a licence under section 40, 40A or 47 of the Act;
 - (g) an application for the renewal of a licence under section 54 of the Act;
 - (h) a report given under Part 4 or 5;
 - (i) a field management plan submitted under regulation 43;
 - (j) a revision of an approved field management plan submitted under regulation 49;
 - (k) a well management plan submitted under regulation 12;
 - (l) a revision of an approved well management plan submitted under regulation 19.
- (4) For the purposes of subregulation (3), it does not matter whether a document was prepared or submitted before or after the commencement of this regulation.

- (5) However, subregulation (3) does not apply to information that is also contained in a document not listed in that subregulation that is given to the Minister.

Division 2 — Classification of documentary information

82. Meaning of permanently confidential information

- (1) This regulation sets out the 4 situations in which documentary information is permanently confidential information.
- (2) Despite anything else in this Division, excluded information is permanently confidential information.
- (3) Documentary information given by a person to the Minister is permanently confidential information if the Minister considers the information to be —
- (a) a trade secret; or
 - (b) information the disclosure of which would, or could reasonably be expected to, adversely affect the person's business, commercial or financial affairs.
- (4) Documentary information given by a person to the Minister is permanently confidential information if —
- (a) when the information was given, the person told the Minister in writing that the person classified the information as —
 - (i) a trade secret; or
 - (ii) information the disclosure of which would, or could reasonably be expected to, adversely affect the person's business, commercial or financial affairs;
- and
- (b) the Minister did not give the person a written notice under regulation 84(1) disputing the classification.

- (5) Documentary information given by a person to the Minister is permanently confidential information if —
- (a) when the information was given, the person told the Minister in writing that the person classified the information as —
 - (i) a trade secret; or
 - (ii) information the disclosure of which would, or could reasonably be expected to, adversely affect the person's business, commercial or financial affairs;
- and
- (b) the Minister gave the person a written notice under regulation 84(1) disputing the classification; and
 - (c) either —
 - (i) the time for making an objection in response to the notice has not elapsed; or
 - (ii) the person has made an objection in response to the notice, and the objection remains in force.

83. Meaning of interpretative information

- (1) This regulation sets out the 3 situations in which documentary information is interpretative information.
- (2) Documentary information given by a person to the Minister is interpretative information if the Minister considers the information to be a conclusion drawn wholly or partly from, or an opinion based wholly or partly on, other documentary information.
- (3) Documentary information given by a person to the Minister is interpretative information if —
 - (a) when the information was given, the person told the Minister in writing that the person classified the information as a conclusion drawn wholly or partly

- from, or an opinion based wholly or partly on, other documentary information; and
- (b) the Minister did not give the person a written notice under regulation 84(2) disputing the classification.
- (4) Documentary information given by a person to the Minister is interpretative information if —
- (a) when the information was given, the person told the Minister in writing that the person classified the information as a conclusion drawn wholly or partly from, or an opinion based wholly or partly on, other documentary information; and
- (b) the Minister gave the person a written notice under regulation 84(2) disputing the classification; and
- (c) either —
- (i) the time for making an objection in response to the notice has not elapsed; or
- (ii) the person has made an objection in response to the notice, and the objection remains in force.

84. Classification dispute notice

- (1) The Minister may give a person a written notice disputing the classification of documentary information as permanently confidential information if —
- (a) the person gave the documentary information to the Minister; and
- (b) when the information was given, the person told the Minister in writing that the person classified the information as —
- (i) a trade secret; or
- (ii) information the disclosure of which would, or could reasonably be expected to, adversely affect the person's business, commercial or financial affairs;

- and
- (c) the Minister does not consider the information to be —
 - (i) a trade secret; or
 - (ii) information the disclosure of which would, or could reasonably be expected to, adversely affect the person's business, commercial or financial affairs.
- (2) The Minister may give a person a written notice disputing the classification of documentary information as interpretative information if —
- (a) the person gave the documentary information to the Minister; and
 - (b) when the information was given, the person told the Minister in writing that the person classified the information as a conclusion drawn wholly or partly from, or an opinion based wholly or partly on, other documentary information; and
 - (c) the Minister does not consider the information to be a conclusion drawn wholly or partly from, or an opinion based wholly or partly on, other documentary information.
- (3) A notice under subregulation (1) or (2) must be given within 30 days after the Minister receives the documentary information to which it relates.
- (4) The Minister may combine 2 or more notices to the same person under subregulation (1) or (2), or both, into a single notice.
- (5) A notice under subregulation (1) must include the following —
- (a) a statement that the Minister considers the information to be disclosable information and proposes to treat it as disclosable information under this Part;

- (b) a statement inviting the person to make a written objection to the Minister's proposal to treat the information as disclosable information;
 - (c) a statement that if the person does not make a written objection by the date specified under paragraph (d), the information will be taken to be disclosable information under this Part;
 - (d) the date by which a written objection must be given to the Minister.
- (6) A notice under subregulation (2) must include the following —
- (a) a statement that the Minister considers the information to be basic information and proposes to treat it as basic information under this Part;
 - (b) a statement inviting the person to make a written objection to the Minister's proposal to treat the information as basic information;
 - (c) a statement that if the person does not make a written objection by the date specified under paragraph (d), the information will be taken to be basic information under this Part;
 - (d) the date by which a written objection must be given to the Minister.
- (7) For the purposes of subregulations (5)(d) and (6)(d), the date must be at least 45 days after the date the notice was issued.

85. Making an objection

- (1) If a person has received a notice from the Minister under regulation 84, the person may make an objection to the classification of the information.
- (2) The objection may relate to all of the information described in the notice, or a specified part of the information.

- (3) If the notice is given under both regulation 84(1) and (2), the objection must state whether the objection is —
 - (a) on the ground that the information should be treated as permanently confidential information; or
 - (b) on the ground that the information should be treated as interpretative information; or
 - (c) on both grounds.
- (4) The objection must be made in writing to the Minister on or before the date specified in the notice.
- (5) An objection made under this regulation remains in force until it ceases to be in force under regulation 87.

86. Consideration of objection

- (1) If the Minister receives an objection made by a person under regulation 85, the Minister must consider the objection and decide whether to allow or disallow the objection.
- (2) The Minister may allow the objection for part of the documentary information to which it relates, and disallow the objection for another part.
- (3) The Minister must notify the person in writing of the Minister's decision within 45 days after the Minister receives the objection.

87. When objection ceases to be in force

An objection made by a person under regulation 85 ceases to be in force if —

- (a) the person withdraws the objection by notifying the Minister in writing; or
- (b) the Minister disallows the objection.

Division 3 — Release of documentary information

88. Purpose of Division

This Division sets out the circumstances in which the Minister may —

- (a) make documentary information publicly known; or
- (b) make documentary information available to a person (other than another Minister or a Minister of another jurisdiction).

89. Release of open information about survey or well

Despite anything else in this Division, the Minister may make the following information publicly known at any time —

- (a) open information about a survey;
- (b) open information about a well.

90. Release of basic disclosable information

- (1) The Minister may make documentary information publicly known or make documentary information available to a person if —
 - (a) it is basic information; and
 - (b) it is disclosable information; and
 - (c) the relevant day for the information, as determined under subregulation (2), (3), (4) or (5), has passed.
- (2) Subject to subregulation (3), the relevant day for documentary information relating to a seismic survey described in an item in the Table is the day specified in that item.

Table

Item	Seismic survey	Relevant day
1.	A survey that collected exclusive data if the survey was conducted under an instrument that is still in force.	The day 3 years after the acquisition of the data was completed.
2.	A survey that collected exclusive data if the survey was conducted under an instrument that — (a) has expired; or (b) has been surrendered, cancelled, revoked or terminated before the expiry date of the instrument.	The day of the expiry, surrender, cancellation, revocation or termination.
3.	A survey that collected 2D seismic data as non-exclusive data.	The day 15 years after the acquisition of the data was completed.

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Item	Seismic survey	Relevant day
4.	<p>A survey that collected 3D seismic data as non-exclusive data if either —</p> <p>(a) the 3D data; or</p> <p>(b) 2D data extracted from the 3D data, contained in a seismic extracted data grid,</p> <p>was required to be produced as a condition of the grant of an instrument.</p>	<p>For the 3D data —</p> <p>(a) if extracted 2D data was not produced despite a requirement to do so, the day 3 years after the acquisition of the 3D data was completed;</p> <p>(b) otherwise, the day 15 years after the acquisition of the 3D data was completed.</p> <p>For the extracted 2D data — the day 5 years after the acquisition of the 3D data was completed.</p>

- (3) If data from a seismic survey has been reprocessed as a condition of the grant of an instrument, the relevant day for the documentary information obtained from the reprocessing is the later of the following —
- (a) the relevant day under subregulation (2) for the information relating to the original survey;
 - (b) the day 3 years after the last day of the year of the term of the instrument during which the reprocessing was done.
- (4) The relevant day for documentary information relating to a survey (other than a seismic survey) described in an item in the Table is the day specified in that item.

Table

Item	Survey	Relevant day
1.	A survey (other than a survey to which item 3 applies) conducted under an instrument that is still in force.	The day 3 years after the acquisition of the data was completed.
2.	A survey (other than a survey to which item 3 applies) conducted under an instrument that — (a) has expired; or (b) has been surrendered, cancelled, revoked or terminated before the expiry date of the instrument.	The day of the expiry, surrender, cancellation, revocation or termination.
3.	A survey conducted under a special prospecting authority or access authority that collected non-exclusive data.	The day 15 years after the acquisition of the data was completed.

- (5) The relevant day for documentary information relating to a well is the day specified in the item of the Table that describes the instrument under which the well activity to which the information relates was conducted.

Table

Item	Instrument	Relevant day
1.	An instrument that is still in force.	The day 2 years after the day on which, in the opinion of the Minister, the well activity was substantially completed.
2.	An instrument that — (a) has expired; or (b) has been surrendered, cancelled, revoked or terminated before the expiry date of the instrument.	The day of the expiry, surrender, cancellation, revocation or termination.

91. Release of interpretative disclosable information

(1) In this regulation —

well information means any of the following —

- (a) final well activity data as defined in regulation 72(1);
- (b) information contained in a final well activity report as defined in regulation 72(1);
- (c) well completion data as defined in regulation 73(1);
- (d) information contained in a well completion report as defined in regulation 73(1).

(2) The Minister may make documentary information publicly known or make documentary information available to a person if —

- (a) it is interpretative information; and
- (b) it is disclosable information; and

- (c) the information relates to the subsoil, or to petroleum, in a block; and
 - (d) the relevant period for the information, determined under subregulation (3) or (4), has elapsed.
- (3) The relevant period for well information is 2 years after the day on which, in the opinion of the Minister, the operation to which the information relates was substantially completed.
- (4) The relevant period for any other information is 5 years after the day on which, in the opinion of the Minister, the operation to which the information relates was substantially completed.

92. Release of documentary information: prior availability or consent

- (1) Subject to subregulation (2), the Minister may make documentary information publicly known or make documentary information available to a person if —
- (a) the instrument holder who gave the information to the Minister has made the information publicly known; or
 - (b) the instrument holder who gave the information to the Minister has consented in writing to the information being made publicly known or made available, as the case may be.
- (2) If documentary information relating to a block was given to the Minister under a special prospecting authority, an access authority or an instrument of consent under section 123 of the Act, subregulation (1) applies only if the information relates to a period when no permit, lease or licence was in force over the block.

93. Fees for documentary information

- (1) This regulation applies if, under regulation 90(1), 91(2) or 92(1), the Minister makes documentary information available to a person.

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- (2) If the document containing the information is lent to the person, the Minister may require the person to pay a fee of \$135.00 for each day or part of a day during which the document is on loan.
- (3) If it is necessary to conduct a search in order to locate the information for the person, the Minister may require the person to pay a fee of \$135.00 for each hour or part of an hour (after the first half hour) taken to conduct the search.
- (4) If the information is copied or reproduced for the person, the Minister may require the person to pay a fee of an amount equal to the total costs incurred in copying or reproducing the information.
- (5) If the information is sent to the person, the Minister may require the person to pay a fee of an amount equal to the total costs incurred in sending the information (including any packaging costs).

[Regulation 93 amended: Gazette 24 Jun 2016 p. 2331; 23 Jun 2017 p. 3298; 25 Jun 2018 p. 2313; 18 Jun 2019 p. 2050.]

Division 4 — Release of mining samples

94. Purpose of Division

This Division sets out the circumstances in which the Minister may —

- (a) make publicly known any details of a mining sample; or
- (b) permit a person (other than another Minister or a Minister of another jurisdiction) to inspect a mining sample.

95. Release of mining samples after relevant day

- (1) The Minister may make publicly known details of a mining sample or permit a person to inspect a mining sample if the

relevant day for the sample, as determined under subregulation (2), has passed.

- (2) The relevant day for a mining sample is the day specified in the item of the Table that describes the instrument under which the operation to which the sample relates was conducted.

Table

Item	Instrument	Relevant day
1.	An instrument that is still in force.	The day 2 years after the day on which, in the opinion of the Minister, the operation was substantially completed.
2.	An instrument that — (a) has expired; or (b) has been surrendered, cancelled, revoked or terminated before the expiry date of the instrument.	The day of the expiry, surrender, cancellation, revocation or termination.

96. Release of mining samples: prior availability or consent

- (1) Subject to subregulation (2), the Minister may make publicly known details of a mining sample or permit a person to inspect a mining sample if —
- (a) the instrument holder who gave the sample to the Minister has made publicly known those details of the sample; or
 - (b) the instrument holder who gave the sample to the Minister has caused to be made publicly known those details of the sample; or
 - (c) the instrument holder who gave the sample to the Minister has consented in writing to details of the

sample being made publicly known or to the sample being made available for inspection.

- (2) If a mining sample from a block was given to the Minister under a special prospecting authority, an access authority or an instrument of consent under section 123 of the Act, subregulation (1) applies only if the sample was obtained during a period when no permit, lease or licence was in force over the block.

97. Fees for inspection of mining sample

- (1) This regulation applies if, under regulation 95(1) or 96(1), the Minister permits a person to inspect a mining sample.
- (2) If the mining sample is lent to the person for inspection, the Minister may require the person to pay a fee of \$135.00 for each day or part of a day during which the sample is on loan.
- (3) If it is necessary to conduct a search in order to locate the mining sample for the person, the Minister may require the person to pay a fee of \$135.00 for each hour or part of an hour (after the first half hour) taken to conduct the search.
- (4) If the mining sample is sent to the person for inspection, the Minister may require the person to pay a fee of an amount equal to the total costs incurred in sending the sample (including any packaging costs).

[Regulation 97 amended: Gazette 24 Jun 2016 p. 2331; 23 Jun 2017 p. 3298; 25 Jun 2018 p. 2313; 18 Jun 2019 p. 2050.]

Part 10 — Transitional provisions

98. Terms used

In this Part —

commencement day means the day on which this Part comes into operation;

existing recovery operation means the recovery of petroleum from a petroleum pool in a licence area undertaken by a licensee before commencement day that continues on or after that day;

existing well activity means a well activity undertaken by a title holder before commencement day that continues on or after that day;

transitional period means the period of 12 months beginning on commencement day.

99. Existing surveys

Regulation 5 does not apply in relation to a survey undertaken by an instrument holder before commencement day that continues on or after that day.

100. Existing well activities

Regulation 10(1) does not apply in relation to an existing well activity until —

- (a) in a case where, before the end of the transitional period, the title holder undertaking the well activity makes an application under regulation 12(1) for approval of a well management plan in respect of the well activity — the day after the day on which the title holder is given notice under regulation 14 of the decision on the application; or
- (b) in any other case — the day after the end of the transitional period.

101. Existing recovery operations

Regulation 41 does not apply in relation to an existing recovery operation until —

- (a) in a case where, before the end of the transitional period, the licensee undertaking the recovery operation makes an application under regulation 43(1) for approval of a field management plan in respect of the field in which the recovery operation is being undertaken — the day after the day on which the licensee is given notice under regulation 45 of the decision on the application; or
- (b) in a case where, before the end of the transitional period, the licensee undertaking the recovery operation makes an application under regulation 58(1) for permission to undertake the recovery operation — the day after the day on which the licensee is given notice under regulation 60 of the decision on the application; or
- (c) in any other case — the day after the end of the transitional period.

Schedule 1 — Well management plan

[r. 17(1)]

Item	Description of information
1.	The name and number of the well.
2.	The location of the well, in the form of — <ol style="list-style-type: none">(a) the elevation, latitude and longitude of the well; and(b) the basin and sub-basin (if applicable) in which the well is located; and(c) the map sheet name and graticular block number.
3.	A description of each well activity.
4.	An explanation of — <ol style="list-style-type: none">(a) the philosophy of, and criteria for, the design, construction, operational activity and management of the well; and(b) the possible production or injection activities of the well, showing that each well activity will be carried out in accordance with sound engineering principles, codes, standards and specifications and, if the activity relates to the exploration for or recovery of petroleum, good oil-field practice.
5.	The title holder's proposed timetable for carrying out each well activity, including estimated commencement and cessation dates.
6.	Performance objectives against which the performance of each well activity is to be measured and measurement criteria that define those performance objectives.
7.	An explanation of how the title holder will identify, monitor, mitigate and otherwise deal with — <ol style="list-style-type: none">(a) a well integrity hazard; and(b) a significant increase in an existing risk for the well,

Item	Description of information
	including the possibility of continuing a well activity for the purpose of dealing with the well integrity hazard or the risk.
8.	Details of chemicals and other substances that may be — (a) in, or added to, treatment materials to be used for the purposes of drilling or hydraulic fracturing undertaken in the course of each well activity; or (b) otherwise introduced into a well or underground formation in the course of each well activity; or (c) otherwise used in the course of each well activity.
9.	The proposed total volume and composition of fluids and other materials to be used in the course of each well activity.
10.	The estimated total volume and composition of returned fluids and other materials from the well and arrangements for the management of those fluids and materials.
11.	Arrangements for the management of any produced formation materials that result from drilling, well testing or production.
12.	Details of when and how the title holder will notify the Minister, and give the Minister reports and information, about — (a) each well activity; and (b) well integrity hazards; and (c) significant increases in existing risks for the well; and (d) other matters relevant to the conduct of each well activity.
13.	An explanation of the way that the title holder will keep information required by the well management plan.
14.	A list of the principal Australian and international standards that apply in relation to each well activity and plant used in connection with each well activity.

Item	Description of information
15.	<p>If the well management plan relates to a drilling activity, the following —</p> <ul style="list-style-type: none">(a) the programmed depth of the well;(b) the proposed path of the well;(c) the estimated start or spud date for the well;(d) a description of the rig and any blow-out prevention equipment and their method of operation;(e) the casing programme, including design safety factors for burst, collapse or tension;(f) the complete casing cementation programme;(g) a description of downhole barriers and procedures for testing those barriers;(h) the formation evaluation programme (including cutting and fluid sampling, coring, wireline logging and mud logging);(i) the drilling fluids programme;(j) the geological prognosis for the well;(k) the name and address of the drilling contractor;(l) the names and addresses of other contractors and subcontractors involved in the drilling activity and the nature of the services that they are to provide;(m) the name and contact details of the person who will have responsibility for communications with the Minister regarding the drilling activity;(n) details of the insurance held by the title holder in relation to the well and the drilling activity.

Schedule 2 — Annual assessment report

[r. 37(2)]

Division 1 — Required information: permittee

Item	Description of information
1.	A description of work and expenditure commitments as detailed in the permit.
2.	For all work, evaluations and studies carried out in relation to the permit — <ol style="list-style-type: none">the total expenditure on the work, evaluation and studies; andthe results of the work, evaluation and studies, including details about any leads and prospects identified.
3.	A list of the reports submitted to the Minister in accordance with these regulations during the year.
4.	For the work, evaluations and studies expected to be carried out in relation to the permit during the next year of the permit — <ol style="list-style-type: none">a description of work commitments and expenditure estimates; anda description of the measures taken by the permittee to prepare for the work mentioned in paragraph (a).
5.	Any other information that is required to be included in the annual assessment report by a condition of the permit.

Division 2 — Required information: lessee

Item	Description of information
6.	A description of work and expenditure commitments as detailed in the lease.

Item	Description of information
7.	For all work, evaluations and studies carried out in relation to the lease — <ol style="list-style-type: none">(a) the total expenditure on the work, evaluation and studies; and(b) the results of the work, evaluation and studies, including details about any leads and prospects identified.
8.	A list of the reports submitted to the Minister in accordance with these regulations during the year.
9.	Details of the lessee's plans for further evaluation of discoveries, including work that is to be carried out in the lease area.
10.	For the work, evaluations and studies expected to be carried out in relation to the lease during the next year of the lease — <ol style="list-style-type: none">(a) a description of work commitments and expenditure estimates; and(b) a description of the measures taken by the lessee to prepare for the work mentioned in paragraph (a).
11.	For a year after the first year of the lease, the following information about each petroleum pool situated in the lease area — <ol style="list-style-type: none">(a) a description of the pool;(b) any new information relating to the evaluation of the pool;(c) an estimate of the quantity of petroleum in the pool at the end of the previous year;(d) an estimate of the quantity of recoverable petroleum in the pool at the end of the previous year;(e) any new or revised data upon which the estimates in paragraphs (c) and (d) are based, including a report of any study carried out that has resulted in a revised estimate;

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Schedule 2 Annual assessment report

Division 3 Required information: licensee

Item	Description of information
	(f) a table summarising the quantities mentioned in paragraphs (c) and (d) by reference to resources and reserves.
12.	Any other information that is required to be included in the annual assessment report by a condition of the lease.

Division 3 — Required information: licensee

Item	Description of information
13.	Details of any activities the licensee plans to undertake in the licence area in compliance with a condition of the licence.
14.	A list of the reports submitted to the Minister in accordance with these regulations during the year.
15.	Details of the licensee's plans for further evaluation of the licence area, including work that is to be carried out in the licence area and is not covered by item 1.
16.	A production forecast for each producing or potential development project.
17.	A description of any leads and prospects in the licence area.
18.	For a year after the first year of the licence, the following information about each petroleum pool situated in the licence area — <ul style="list-style-type: none">(a) a description of the pool;(b) any new information relating to the evaluation of the pool;(c) an estimate of the quantity of petroleum in the pool at the end of the previous year;(d) an estimate of the quantity of recoverable petroleum in the pool at the end of the previous year;

Item	Description of information
(e)	any new or revised data upon which the estimates in paragraphs (c) and (d) are based, including a report of any study carried out that has resulted in a revised estimate;
(f)	a table summarising the quantities mentioned in paragraphs (c) and (d) by reference to resources and reserves.
19.	The total amount of petroleum produced during the year.
20.	The amount of each substance injected into an underground formation during the year.
21.	The amount of each substance flared or vented during the year.
22.	Any other information that is required to be included in accordance with a condition of the licence.

Schedule 3 — Field management plan

[r. 48(1)]

Item	Description of information
1.	Evidence and data showing that the field contains petroleum, including details of the structure, extent and location of discovered petroleum pools.
2.	Estimates of the volume of petroleum in place and recoverable petroleum, including data supporting the estimates.
3.	A description of the following — <ul style="list-style-type: none">(a) the possible petroleum pools in the field;(b) the applicant's plans (if any) to explore for petroleum pools;(c) how any petroleum pools of commercial quantity can be incorporated into the development of the licence area.
4.	A description of the following — <ul style="list-style-type: none">(a) an appropriate strategy for the development of the field, management of petroleum pools and optimum long-term recovery;(b) any proposed and alternative development scenarios.
5.	A description of how the applicant intends to recover petroleum over time, including the following information — <ul style="list-style-type: none">(a) the estimated positions of wells;(b) the potential timing of workover operations;(c) possible tie-ins.
6.	Details of the past performance (if any) of production wells in the field and a prediction of the future performance of those wells.
7.	The proposed maximum rate of recovery of petroleum from the field.

Item	Description of information
8.	Details of the following — <ul style="list-style-type: none">(a) any aquifers that could be affected by the development of the field;(b) the applicant's proposals for the management of such aquifers including proposals for baseline monitoring.
9.	The project schedule, including the following — <ul style="list-style-type: none">(a) an estimated development timetable for production facilities such as wells, platforms and pipelines;(b) estimated dates for cessation of production and field closure.
10.	Details of the applicant's operations or proposals for the following — <ul style="list-style-type: none">(a) the enhanced recovery or recycling of petroleum;(b) the processing, storage or disposal of petroleum;(c) the injection of water or treatment material into an underground formation.
11.	Arrangements for the following — <ul style="list-style-type: none">(a) monitoring, recording in writing and reporting on the applicant's conduct of pool management;(b) keeping records and other documents about the applicant's conduct of pool management.
12.	Details of equipment and procedures used to determine the quantity and composition of petroleum and water.

Item	Description of information
13.	Details of the following — <ul style="list-style-type: none">(a) the surface connections and equipment to be used by the applicant;(b) any petroleum production by a well that is from more than one petroleum pool;(c) any petroleum production from a petroleum pool that is through more than one well.
14.	Arrangements for the management of the following — <ul style="list-style-type: none">(a) produced formation material;(b) waste fluid and other waste material produced from wells;(c) treatment material;(d) waste petroleum;(e) refuse from tanks and wells;(f) naturally occurring radioactive materials;(g) geological risk.
15.	Arrangements for the disposal or flaring of any produced petroleum.
16.	A description of the applicant's plans for closure of the field, including plans for decommissioning and rehabilitation.
17.	A list of the principal Australian and international standards that apply in relation to the applicant's operations and plant used in connection with those operations.

Schedule 4 — Daily well activity report

[r. 71(1)]

Item	Description of information
1.	The name and number of the well.
2.	The name of the instrument holder.
3.	The location, elevation, latitude and longitude of the well.
4.	The water depth at the well (if applicable).
5.	The drilled depth and, if the total depth was reached, the coordinates of the bottom of the well bore.
6.	A description of the well activity.
7.	A description of the work carried out.
8.	The lithology of underground formations penetrated.
9.	Details of any indication of petroleum.
10.	Treatment material losses.
11.	A leak-off test or formation integrity test summary.
12.	The geometry of the well bore.
13.	The results of surveys made in the well bore.
14.	The estimated daily and cumulative well costs.
15.	The total volume and properties of treatment material used.
16.	The total volume and properties of produced formation material.
17.	The name of the drilling contractor.

Item	Description of information
18.	The name of the rig drilling the well.
19.	An hourly operational breakdown of the work carried out.
20.	Relevant pressure data.
21.	Details of chemicals or other substances kept on site for use in the well activity.
22.	The name and contact details of the person responsible for the well activity.
23.	Drilling parameters (for example, rate of penetration, pump rate or pump pressure).
24.	Pressure tests undertaken.

Schedule 5 — Final well activity data

[r. 72(1)]

Item	Type of data	Standard media	Standard formats
1.	Well index sheet	CD-ROM, DVD or portable hard drive	PDF
2.	If generated, raw data, edited field data and processed data for all wireline logs	CD-ROM, DVD or portable hard drive	DLIS or LAS
3.	If generated, wireline log displays	CD-ROM, DVD or portable hard drive	PDF or TIF
4.	If generated, edited field data and processed data for all MWD or LWD log tools	CD-ROM, DVD or portable hard drive	DLIS or LAS
5.	If generated, MWD or LWD log displays	CD-ROM, DVD or portable hard drive	PDF or TIF
6.	If generated, edited field data and processed data for borehole deviation surveys	CD-ROM, DVD or portable hard drive	DLIS, ASCII, LAS or XLS
7.	If generated, petrophysical, geochemical or other sample analyses	CD-ROM, DVD or portable hard drive	ASCII or XLS

Schedule 6 — Final well activity report

[r. 72(1)]

Item	Description of information
1.	The name and number of the well.
2.	The name of the instrument holder.
3.	The name of the instrument area in which the well is located.
4.	The purpose of the well activity (for example, testing or intervention).
5.	The status of the well (for example, producing, suspended or decommissioned).
6.	The location of the well, in the form of — (a) the elevation, latitude and longitude of the well; and (b) the basin and sub-basin (if applicable) in which the well is located; and (c) the map sheet name and graticular block number.
7.	The start date of the well activity.
8.	The end date of the well activity.
9.	What is being used as the depth reference for the well (for example, the Kelly bushing or the rig floor).
10.	The height of the depth reference above sea level or the Australian Height Datum.
11.	The water depth or ground depth at the well.
12.	The measured depth of the well.
13.	The true vertical depth of the well.

Item	Description of information
14.	If applicable, the depth of perforation in the petroleum pool.
15.	If applicable, the name of the drilling contractor.
16.	If applicable, the name of the rig drilling the well.
17.	If applicable, the rig's make and model.
18.	If applicable, a list of log runs for wireline logging and velocity surveys.
19.	If applicable, the names of the contractors for — (a) cementing; and (b) wireline logging; and (c) measurements while drilling (MWD); and (d) logging while drilling (LWD); and (e) mudlogging.
20.	If applicable, the names of MWD and LWD tools used.
21.	Details of equipment and casing installed on or in the well, including schematics.
22.	If applicable, information on cementing operations and schematics of decommissioning.
23.	Treatment materials used.
24.	Treatment material losses.
25.	If applicable, wireline formation analysis and processing results.
26.	If applicable, production test results.
27.	Details of any indication of petroleum.

Item	Description of information
28.	Raw pressure-time listings for any formation fluid sample tests and production tests.
29.	Details of any produced formation materials.

Schedule 7 — Well completion data

[r. 73(1)]

Item	Type of data	Standard media	Standard formats
1.	Well index sheet	CD-ROM, DVD or portable hard drive	PDF
2.	Raw data, edited field data and processed data for all wireline logs	CD-ROM, DVD or portable hard drive	DLIS or LAS
3.	Wireline log displays	CD-ROM, DVD or portable hard drive	PDF or TIF
4.	Edited field data and processed data for all MWD or LWD log tools	CD-ROM, DVD or portable hard drive	DLIS or LAS
5.	MWD or LWD log displays	CD-ROM, DVD or portable hard drive	PDF or TIF
6.	Mudlogging data	CD-ROM, DVD or portable hard drive	ASCII or LAS
7.	Mudlog displays	CD-ROM, DVD or portable hard drive	PDF or TIF
8.	Edited field data and processed data for borehole deviation surveys	CD-ROM, DVD or portable hard drive	DLIS, ASCII, LAS or XLS

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Schedule 7 Well completion data

Item	Type of data	Standard media	Standard formats
9.	If generated, data from velocity surveys including the following — (a) raw data; (b) processed data; (c) checkshot and time/depth analysis	CD-ROM, DVD or portable hard drive	DLIS or SEG-Y for raw data and processed data DLIS, SEG-Y or ASCII for checkshot data
10.	Velocity survey displays	CD-ROM, DVD or portable hard drive	TIF, JPEG or PDF
11.	Interpretative log analysis	CD-ROM, DVD or portable hard drive	DLIS, ASCII, LAS or XLS
12.	Petrophysical, geochemical or other sample analyses	CD-ROM, DVD or portable hard drive	ASCII or XLS
13.	Composite well log	CD-ROM, DVD or portable hard drive	TIF, JPEG or PDF
14.	Photography of the core and sidewall core, in both natural and UV light	CD-ROM, DVD or portable hard drive	JPEG, PNG or TIF

Schedule 8 — Well completion report

[r. 73(1)]

Item	Description of information
1.	The name and number of the well.
2.	The Authorisation For Expenditure (AFE) cost of the well.
3.	The name of the instrument holder.
4.	The name of the instrument area in which the well is located.
5.	The purpose of the well activity (for example, development, appraisal, exploration or stratigraphy).
6.	The status of the well (for example, producing, suspended or decommissioned).
7.	The location of the well, in the form of — <ol style="list-style-type: none">the elevation, latitude and longitude of the well; andthe basin and sub-basin (if applicable) in which the well is located; andthe map sheet name and graticular block number; andthe seismic line location and shotpoint number or other geophysical location identifier (for example, gravity survey station).
8.	The results of a check survey of the location of — <ol style="list-style-type: none">for a subsea well — the well-head; andin any other case — the top of the casing supporting the blow-out preventer.
9.	The spud date.
10.	The rig release date.

Item	Description of information
11.	What is being used as the depth reference for the well (for example, the Kelly bushing or the rig floor).
12.	The height of the depth reference above sea level or the Australian Height Datum.
13.	The water depth or ground depth at the well.
14.	The measured depth of the well.
15.	The true vertical depth of the well.
16.	The measured depth and true vertical depth of marker horizons or formation tops.
17.	If applicable, the coordinates and true vertical depth of the intersection of the well with the underground formation horizon.
18.	If applicable, the depth of perforation in the petroleum pool.
19.	The date on which the total depth was reached.
20.	The coordinates of the bottom of the well bore.
21.	The surveyed path of the well.
22.	If the well is a sidetrack — the name of the parent well.
23.	The name of the drilling contractor.
24.	The name of the rig drilling the well.
25.	The rig's make and model.
26.	A list of log runs for wireline logging and velocity surveys.
27.	The names of the contractors for — (a) cementing; and

Item	Description of information
	(b) wireline logging; and
	(c) measurements while drilling (MWD); and
	(d) logging while drilling (LWD); and
	(e) mudlogging.
28.	The names of MWD and LWD tools used.
29.	Details of equipment and casing installed on or in the well, including schematics.
30.	If applicable, information on cementing operations and schematics of decommissioning.
31.	Bit records.
32.	Drilling fluids used.
33.	Drilling fluid losses.
34.	A list of cores, cuttings and samples taken, and their depths and intervals.
35.	The results of any analysis of cores, cuttings or samples that has been carried out.
36.	Geological interpretations of the observations made as a result of drilling the well, including —
	(a) structure; and
	(b) lithology; and
	(c) stratigraphy; and
	(d) underground formation properties and quality; and
	(e) geochemistry of source rocks if available; and
	(f) environment of deposition if available.

Item	Description of information
37.	Palynology reports and results.
38.	Wireline formation analysis and processing results.
39.	Petrographic descriptions.
40.	Production test results.
41.	If the well is an exploration well — the relevance of the observations and interpretations to the evaluation of the petroleum potential of the instrument area.
42.	Details of any indication of petroleum.
43.	Raw pressure-time listings for any formation fluid sample tests and production tests.

Schedule 9 — Weekly survey report

[r. 74(1)]

Item	Description of information
1.	The name of the survey.
2.	The title, authority or consent under which the survey is being conducted.
3.	The name of the instrument holder.
4.	The name of the contractor conducting the survey.
5.	The name of the vessel or aircraft being used to conduct the survey.
6.	A map showing where the survey was conducted during the week.
7.	The number of kilometres or square kilometres for which data was acquired during the week.
8.	The number of points at which data was acquired during the week.
9.	The number of lines of data acquired during the week.
10.	The amount of downtime during the week due to equipment problems, bad weather or other circumstances.
11.	The percentage of the survey completed at the end of the week.

Schedule 10 — Survey acquisition data

[r. 75(1)]

Division 1 — Seismic surveys

Item	Type of data	Standard media	Standard formats
1.	Navigation data	CD-ROM, DVD, portable hard drive or 3592 cartridge	UKOOA (P1/90 or later)
2.	Seismic field data	3592 cartridge	SEG Standard
3.	Observers' logs and associated support data	CD-ROM, DVD or portable hard drive	PDF
4.	Itemised field tape listing showing the following — (a) tape number; (b) survey name; (c) line number; (d) shotpoint range; (e) data type	CD-ROM, DVD or portable hard drive	ASCII

Division 2 — Other surveys

Item	Type of data	Standard media	Standard formats
5.	Field data	CD-ROM, DVD or portable hard drive	ASCII
6.	Field support and navigation data	CD-ROM, DVD or portable hard drive	ASCII

Schedule 11 — Survey acquisition report

[r. 75(1)]

Item	Description of information
1.	The name of the survey.
2.	The title, authority or consent under which the survey is being conducted.
3.	The name of the instrument holder.
4.	The name of the contractor that conducted the survey.
5.	The name of the vessel or aircraft that was used to conduct the survey.
6.	A map showing where the survey was conducted.
7.	The dates on which the survey started and ended.
8.	Details of all data acquisition equipment and systems used.
9.	Details of all positioning and navigation equipment and systems used.
10.	The number of lines of data acquired in the survey and the number of data acquisition points along each line.
11.	Navigation data for the survey, in the form of — <ol style="list-style-type: none">for a 2-dimensional seismic survey — x, y and z coordinates for each shotpoint; orfor other 2-dimensional surveys — line ends and bends; orfor a 3-dimensional seismic survey — a full fold polygon outline; orfor other 3-dimensional surveys — a polygon outline.

Item	Description of information
12.	The geometry of the acquisition parameters.
13.	The results of any onboard data processing.
14.	The results of any system tests, calibrations and diagnostics.

Schedule 12 — Processed survey data

[r. 76(1)]

Division 1 — 2D seismic surveys

Item	Type of data	Standard media	Standard formats
1.	Raw and final stacked data, including near/mid/far sub-stacks if generated	DVD, portable hard drive or 3592 cartridge	SEG-Y
2.	Raw and final migrated data, including the following — (a) pre-stack time migration (PSTM); (b) pre-stack depth migration (PSDM); (c) near/mid/far sub-stacks	DVD, portable hard drive or 3592 cartridge	SEG-Y
3.	Fully annotated image of final processed migrated data (onshore)	CD-ROM, DVD or portable hard drive	TIF
4.	Final processed navigation, elevation and bathymetry data	CD-ROM, DVD or portable hard drive	UKOOA (P1/90 or later)
5.	Shotpoint to common depth point (CDP) relationship	CD-ROM, DVD or portable hard drive	ASCII

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Processed survey data **Schedule 12**
3D seismic surveys **Division 2**

Item	Type of data	Standard media	Standard formats
6.	Data for both stacked and migrated velocities, including the following — (a) line number; (b) shotpoint; (c) time versus root mean square (RMS) pairs	CD-ROM, DVD or portable hard drive	ASCII
7.	Itemised process tape listing showing the following — (a) tape number; (b) survey name; (c) line number; (d) shotpoint range; (e) common depth points (CDPs); (f) data type	CD-ROM, DVD or portable hard drive	ASCII

Division 2 — 3D seismic surveys

Item	Type of data	Standard media	Standard formats
8.	Raw and final stacked data, including near/mid/far sub-stacks if generated	DVD, portable hard drive or 3592 cartridge	SEG-Y

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Schedule 12 Processed survey data

Division 2 3D seismic surveys

Item	Type of data	Standard media	Standard formats
9.	Raw and final migrated data, including the following — (a) pre-stack time migration (PSTM); (b) pre-stack depth migration (PSDM); (c) near/mid/far sub-stacks	DVD, portable hard drive or 3592 cartridge	SEG-Y
10.	Final processed navigation, elevation and bathymetry data	CD-ROM, DVD, portable hard drive or 3592 cartridge	UKOOA (P1/90 or later)
11.	Final navigation data in the form of the following — (a) final processed (grid) bin coordinates; (b) polygonal position data (outline of the full fold area)	CD-ROM, DVD, portable hard drive or 3592 cartridge	UKOOA (P6/98 or later)
12.	Data for both stacked and migrated velocities, including the following —	CD-ROM, DVD, portable hard drive or 3592 cartridge	ASCII

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Processed survey data **Schedule 12**
Other surveys **Division 3**

Item	Type of data	Standard media	Standard formats
	(a) bin number; (b) time versus root mean square (RMS) pairs		
13.	2D data subset, if production is required as a condition of the grant of a title	CD-ROM, DVD, portable hard drive or 3592 cartridge	SEG-Y
14.	Itemised process tape listing showing the following — (a) tape number; (b) survey name; (c) in-lines and crosslines; (d) data type	CD-ROM, DVD or portable hard drive	ASCII

Division 3 — Other surveys

Item	Type of data	Standard media	Standard formats
15.	Final process data	CD-ROM, DVD or portable hard drive	ASCII or ASEG-GDF2
16.	Final processed image	CD-ROM, DVD or portable hard drive	PDF

Schedule 13 — Survey processing report

[r. 76(1)]

Item	Description of information
1.	The name of the survey.
2.	The title, authority or consent under which the survey is being conducted.
3.	The name of the instrument holder.
4.	The dates on which processing of the survey started and ended.
5.	The name of the processing contractor.
6.	The purpose of the processing.
7.	A summary of the data acquisition parameters.
8.	Details of all processing sequences and techniques used.
9.	A sample Extended Binary Coded Decimal Interchange Code (EBCDIC) header from the final data set.
10.	Listings of all processed data.
11.	For a 3-dimensional survey — <ol style="list-style-type: none">a description of the position of the survey polygon; anda calculation for the 3-dimensional line numbering convention.

Schedule 14 — Interpretative survey data

[r. 77(1)]

Item	Type of data	Standard media	Standard formats
1.	Digital images of interpretation map	CD-ROM, DVD or portable hard drive	Georeferenced TIF or PDF

Schedule 15 — Survey interpretation report

[r. 77(1)]

Item	Description of information
1.	The name of the survey.
2.	The title, authority or consent under which the survey is being conducted.
3.	The name of the instrument holder.
4.	A description of the objectives of the interpretation.
5.	For a seismic survey — <ol style="list-style-type: none">a list of the surfaces interpreted; anda justification of the surfaces interpreted, including synthetic seismograms if available; andthe velocity field used to convert time to depth (including ASCII data) and the basis for the velocity field; andif available, time slices to describe the environment of deposition.
6.	A bathymetric map of the survey area.
7.	An index of the maps created during the interpretation.

Schedule 16 — Monthly production report

[r. 78(1)]

Item	Description of information
1.	For each well in the licence area — <ol style="list-style-type: none">(a) the well's identification name and number; and(b) a summary of all work that has been performed on the well during the month; and(c) the results of production tests for the well, including the parameters of the test; and(d) the well's operational status at the end of the month; and(e) the number of days of production during the month; and(f) the cumulative quantities of water and of liquid and gaseous petroleum produced or injected as at the end of the month.
2.	For the licence area — <ol style="list-style-type: none">(a) the total quantities of each of the following for the month —<ol style="list-style-type: none">(i) liquid and gaseous petroleum produced;(ii) liquid and gaseous petroleum used;(iii) liquid and gaseous petroleum injected;(iv) gaseous petroleum flared or vented;(v) liquid petroleum stored;(vi) liquid and gaseous petroleum delivered from the area;(vii) water produced;(viii) water injected;and(b) the cumulative quantities of water and of liquid and gaseous petroleum produced or injected as at the end of the month.

Notes

- ¹ This is a compilation of the *Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015</i>	30 Jun 2015 p. 2533-651	r. 1 and 2: 30 Jun 2015 (see r. 2(a)); Pt. 9: 1 Jul 2015 (see s. r. 2(b) and <i>Gazette</i> 30 Jun 2015 p. 2321); Regulations other than r. 1, 2 and Pt. 9: 1 Jul 2015 (see r. 2(c))
<i>Mines and Petroleum Regulations Amendment (Fees and Levies) Regulations 2016 Pt. 10</i>	24 Jun 2016 p. 2325-34	1 Jul 2016 (see r. 2(b))
<i>Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2017 Pt. 10</i>	23 Jun 2017 p. 3279-309	1 Jul 2017 (see r. 2(b))
<i>Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2018 Pt. 10</i>	25 Jun 2018 p. 2297-324	1 Jul 2018 (see r. 2(b))
<i>Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2019 Pt. 9</i>	18 Jun 2019 p. 2040-56	1 Jul 2019 (see r. 2(b))

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

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Defined terms

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