|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Application for entry and presence in the area to be avoided | | FORM FM0912 |  |
|  |
|  | |  |  |  |
|  | |  |  |  |

1. 

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Part 1 - Details of person making the application** | | | | | | | | | | | | | | | | | | |
| Name: | |  | | | | | | | | Email: | |  | | | | | | |
| Position: | |  | | | | | | | | Phone: | |  | | | | | | |
| Postal address: | |  | | | | | | | | | | | | | | | | |
| Organisation: | |  | | | | | | | | | | | | | | | | |
| The vessel/s listed below will be operated by the applicant (organisation) who: | | | | does not own the vessel/s and has the whole possession and control of the vessel/s | | | | | | | | |  | **OR** | | owns the vessel/s | |  |
| **Part 2 - Vessel details** (for which vessel/s is authorisation being sought) | | | | | | | | | | | | | | | | | | |
| **If the vessel is NOT a relevant vessel4 an application for entry and presence in the ATBA is NOT required** | | | | | | | | | | | | | | | | | | |
| **Name** | | | | | | **Number** | | | **Port of registry** | | | | | | | | **Relevant vessel? (Y/N)** | |
|  | | | | | |  | | |  | | | | | | | |  | |
|  | | | | | |  | | |  | | | | | | | |  | |
| **Part 3 - Reason for application** (why is authorisation being sought) | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | |
| **Part 4 - Timing** (for what period is authorisation being sought) | | | | | | | | | | | | | | | | | | |
| Commencement date: | | |  | | | | | Termination date: | | | | | | |  | | | |
| **Part 5 – Acknowledgement and sign-off** (person making application) | | | | | | | | | | | | | | | | | | |
| **Acknowledgement** | | | | | | | | | | | | | | | | | | |
| The undersigned acknowledges that if this application is found to be acceptable by NOPSEMA any subsequent authorisation will incorporate conditions that may include, but not be limited to:  (1) The authorisation will only apply to named vessels, ***owned*** by the applicant.  (2) Each vessel must remain in radio contact 24 hours a day while it is located within the area to be avoided.  (3) Each vessel must observe any prescribed petroleum or greenhouse gas safety zones in the area to be avoided.  (4) Each vessel must monitor AusCoast Warnings and Australian Notices to Mariners for offshore operations before the transit is to take place.  (5) Each vessel must participate in the Australian Maritime Safety Authority MASTREP system.  (6) The authorisation will only be valid for a fixed period of time. | | | | | | | | | | | | | | | | | | |
| **Sign-off** | | | | | | | | | | | | | | | | | | |
| Name: |  | | | | Date: | |  | | | | Signed: | | | |  | | | |

|  |  |
| --- | --- |
| Instructions for use: | |
| 1 | This form is intended for use by vessel owners to apply for authorisation for one or more vessels to enter and be present in the area to be avoided. |
| 2 | Applicants should complete Parts 1 to 4 before signing Part 5. |
| 3 | The completed application form should be emailed to [submissions@nopsema.gov.au](mailto:submissions@nopsema.gov.au). |

|  |  |
| --- | --- |
| Notes: | |
| 1 | Petroleum and greenhouse gas safety zones are provided for in Part 6.6 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (OPGGS Act),with specific provisions for NOPSEMA to authorise a vessel to enter and be present in the area to be avoided contained in section 618. |
| 2 | From NOPSEMA Policy N-04800-0886 (4.4.1):  Pursuant to section 618(1) of the OPGGS Act, NOPSEMA shall only consider applications for authorisation for vessels to enter and be present in the area to be avoided made by a vessel owner. |
| 3 | Note that as per Section 614 of the OPGGS Act:  ***owner***, in relation to a vessel, means:  (a) if the vessel is being operated by a person who:  (i) does not own the vessel; and  (ii) has the whole possession and control of the vessel; the person operating the vessel; or  (b) in any other case-the person who owns the vessel |
| 4 | Note that as per Section 614 of the OPGGS Act:  ***relevant vessel*** means:  (a) a vessel that satisfies the following conditions:  (i) the vessel is registered under the *Shipping Registration Act 1981*;  (ii) the gross tonnage of the vessel specified in the certificate of registration of the vessel exceeds 200;  (iii) the vessel is not a Government vessel; or  (b) a vessel that satisfies the following conditions:  (i) the vessel is not registered under the *Shipping Registration Act 1981*;  (ii) the vessel is permitted to be registered under that Act;  (iii) the vessel is not a foreign flag vessel;  (iv) the tonnage length of the vessel equals or exceeds 24 metres (for this purpose, the tonnage length is to be determined in the same manner as it is determined for the purposes of the *Shipping Registration Act 1981*);  (v) the vessel is not a Government vessel; or  (c) a vessel that satisfies the following conditions:  (i) the vessel is not a vessel to which paragraph (a) or (b) applies;  (ii) the vessel is in the offshore area for the purpose of exploring the seabed or subsoil of the offshore area for petroleum or minerals or for the purpose of exploiting the petroleum or minerals which occur as natural resources of that seabed or subsoil;  (iii) the vessel is not a Government vessel; or  (d) a vessel that satisfies the following conditions:  (i) the vessel is not a vessel to which paragraph (a) or (b) applies;  (ii) the vessel is in the offshore area for the purpose of exploring the seabed or subsoil of the offshore area for a potential greenhouse gas storage formation or a potential greenhouse gas injection site;  (iii) the vessel is not a Government vessel; or  (e) a vessel that satisfies the following conditions:  (i) the vessel is not a vessel to which paragraph (a) or (b) applies;  (ii) the vessel is in the offshore area for purposes relating to the injection of a greenhouse gas substance into, or the storage of a greenhouse gas substance in, the seabed or subsoil of the offshore area;  (iii) the vessel is not a Government vessel. |

Privacy Notice

NOPSEMA collects your personal information so that it can administer the OPGGS Act and associated regulations. If you do not provide your personal information, NOPSEMA may not be able to process your application.

NOPSEMA will notuse or disclose your personal information for any other purpose without your consent, unless it is required or authorised by law, or relates to NOPSEMA’s enforcement activities. Your personal information may be disclosed to the following organisations, entities or individuals:

* individuals who make a request under the *Freedom of Information Act 1982*
* the Australian National Audit Office and other privately-appointed auditors
* other law enforcement bodies (for example, the police or the Coroner)
* NOPSEMA’s legal advisors.

NOPSEMA may occasionally be required to disclose information to overseas recipients in order to discharge its functions or exercise its powers, or to perform its necessary business activities. Information about how you can access, or seek correction to, your personal information is contained in NOPSEMA’s APP Privacy Policy at [www.nopsema.gov.au/privacy](http://www.nopsema.gov.au/privacy).   
If you have an enquiry or a complaint about your privacy, please contact NOPSEMA’s Privacy Officer on 08 6188 8700 or by email at [privacy@nopsema.gov.au](mailto:privacy@nopsema.gov.au).