

Financial Assurance Declaration

Document No: N-04730-FM1519 A394812

Date: 10/01/2024

Regulation 16 of the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023 provides that NOPSEMA must be reasonably satisfied that a titleholder is compliant with section 571(2) of the Offshore Petroleum and Greenhouse Gas Storage Act 2006 prior to accepting an environment plan (EP) or revised EP.

In accordance with NOPSEMA's Financial Assurance for Petroleum Titles Guideline (the Guideline) (N-04730-GL1381), titleholders must provide declarations of compliance with section 571(2) to NOPSEMA for all petroleum titles on which petroleum activities are to be undertaken. A Financial Assurance Declaration relates to the titles for which the declaration is made and may be applicable to multiple activities and multiple EP submissions for those titles.

A Financial Assurance Declaration can be made to NOPSEMA at any time. A Financial Assurance Confirmation (N-04730-FM1465) must also be provided by the titleholder undertaking the activity prior to acceptance of an EP.

Further advice on meeting financial assurance requirements is provided in the Guideline available on NOPSEMA's website.

This declaration must be signed by individuals who;

- are the registered holder of the titles to which the declaration relates; or
- are acting with the registered titleholder's express or implied authority and on behalf of the titleholder; or
- are acting with power of attorney on behalf of the titleholder.

On receipt of a Financial Assurance Declaration that contains all of the requisite information, NOPSEMA will provide a notification of receipt.

Where a Financial Assurance Declaration is not provided in a form acceptable to NOPSEMA, the titleholder(s) will be advised and requested to provide a further declaration.

Where a titleholder is unable to provide a Financial Assurance Declaration to NOPSEMA it is recommended that the titleholder contact NOPSEMA's Environment Division as soon as practicable.

Failure to provide a Financial Assurance Declaration will¹ prevent NOPSEMA from accepting an EP.

Supplying false or misleading information to a Commonwealth Entity is an offence under the Criminal Code Act 1995 and providing such false information may render NOPSEMA's decisions in accepting EPs which rely on a Financial Assurance Declaration as invalid.

¹ This is a NOPSEMA process requirement and is not a legislative requirement under the OPGGS Act.

Section 571 Offshore Petroleum Greenhouse Gas Storage Act 2006	
1. Titleholder details	
Your reference number (if any) for this declaration:	<div>.....</div> <div>Reference</div>
Titleholder Name: (as listed on the title registered with NOPTA)	<div>.....</div> <div>Enter text</div>
Titleholder Business Address:	<div>.....</div> <div>Address line 1</div> <div>.....</div> <div>Address line 2</div> <div>.....</div> <div>Address line 3</div> <div>.....</div> <div>Address line 4</div>
Telephone:	<div>.....</div> <div>Enter text</div>
Email:	<div>.....</div> <div>Enter text</div>
Title(s) to which this declaration relates²:	

² This declaration applies to the title(s) listed in the declaration until replaced by a new declaration for the title(s).

2. Declaration (Option 1 of 3)

Instructions: Please select one of the 3 Declaration options, certify for all titles and sign.

☐

A. Where there is only one registered titleholder:

For use where a single entity or an individual person is listed as the only registered titleholder of the title(s)

Choose an item. (the undersigned) certify for all titles to which this Declaration relates, that _____ is in and will maintain compliance with the requirements of section 571(2) of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

Choose an item. also acknowledge that supplying false or misleading information to a Commonwealth entity is an offence under the *Criminal Code Act 1995*, and that providing such false information may render NOPSEMA's decisions in accepting environment plans for which this declaration is being made, as invalid.

EXECUTED by:

Parties signing the declaration

This form has been formatted to allow for the use of electronic signatures. Alternatively the form may be printed and signed in blue or black ink

☐

1. A company director, authorised officer or individual with the registered titleholders express or implied authority and on behalf of the titleholder.

Signature

Signature

Name

Name

Position

Position

At [insert place]

At [insert place]

On [insert date]

On [insert date]

☐

2. A person appointed under power of attorney on behalf of the titleholder

Signature of person who is authorised by Power of Attorney and who declares that he or she has at the time of execution of this document no notice of its revocation

Name of person who is authorised by Power of Attorney

At [insert place]

Provide number or date, details of registration (if any)

On [insert date]

2. Declaration (Option 2 of 3)

Instructions: Please select one of the 3 Declaration options, certify for all titles and sign.



B. Where there are multiple titleholders:

For use where more than one individual and/or entity are listed as the registered holders of the title(s) and the titleholders wish to discharge a proportion of the financial assurance obligation that represents their interest in the title. For further information on Financial Assurance Declarations for multiple titleholders please see NOPSEMA's Financial Assurance for Petroleum Titles Guideline

Choose an item. (the undersigned) certify for all titles to which this Declaration relates, that _____ is in and will maintain compliance with the requirements of section 571(2) of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

Choose an item. also acknowledge that supplying false or misleading information to a Commonwealth entity is an offence under the *Criminal Code Act 1995*, and that providing such false information may render NOPSEMA's decisions in accepting environment plans for which this declaration is being made, as invalid.

EXECUTED by:

Parties signing the declaration

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1. A company director, authorised officer or individual with the registered titleholders express or implied authority and on behalf of the titleholder.

Signature

Signature

Name

Name

Position

Position

At [insert place]

At [insert place]

On [insert date]

On [insert date]



2. A person appointed under power of attorney on behalf of the titleholder

Signature of person who is authorised by Power of Attorney and who declares that he or she has at the time of execution of this document no notice of its revocation

Name of person who is authorised by Power of Attorney

Provide number or date, details of registration (if any)

At [insert place]

On [insert date]

2. Declaration (Option 3 of 3)

Instructions: Please select one of the 3 Declaration options, certify for all titles and sign.



C. Where there are multiple titleholders and the financial assurance obligations are to be discharged by a single entity:

For use where more than one individual and/or entity are listed as the registered holders of the title(s) and a single titleholder wishes to discharge the entire financial assurance obligation on behalf of all other titleholders.

Choose an item. (the undersigned) certify for all titles to which this Declaration relates, that

- i. is in and will maintain compliance with the requirements of section 571(2) of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; and
- ii. discharges the entire obligation on behalf of all registered titleholders in accordance with section 775D of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

Choose an item. also acknowledge that supplying false or misleading information to a Commonwealth entity is an offence under the *Criminal Code Act 1995*, and that providing such false information may render NOPSEMA's decisions in accepting environment plans for which this declaration is being made, as invalid.

EXECUTED by:

Parties signing the declaration

This form has been formatted to allow for the use of electronic signatures. Alternatively the form may be printed and signed in blue or black ink



1. A company director, authorised officer or individual with the registered titleholders express or implied authority and on behalf of the titleholder.

Signature

Signature

Name

Name

Position

Position

At [insert place]

At [insert place]

On [insert date]

On [insert date]



2. A person appointed under power of attorney on behalf of the titleholder

Signature of person who is authorised by Power of Attorney and who declares that he or she has at the time of execution of this document no notice of its revocation

Name of person who is authorised by Power of Attorney

Provide number or date, details of registration (if any)

At [insert place]

On [insert date]

Privacy Notice

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

NOPSEMA will not use or disclose your personal information for any other purpose without your consent, unless it is required or authorised by law, or if it 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 disclose information to overseas recipients in order to discharge its functions, exercise its powers, or to perform its necessary business activities.

Further 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. If you have an enquiry or a complaint about your privacy, please contact NOPSEMA's Privacy Contact Officer on 08 6188 8700 or by email at privacy@nopsema.gov.au.

Submissions

Submission of this form to NOPSEMA may be made by:

Secure File Transfer: <https://securefile.nopsema.gov.au/filedrop/submissions>

Or

Email: submissions@nopsema.gov.au