



NOPSEMA

Australia's offshore
energy regulator

Safety Cases – Follow Up Session

April 2025

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New work, health and safety regulations



- A review of Australia's offshore safety regime conducted by the Department of Industry, Science and Resources (DISR) identified improvements that could help strengthen and enhance offshore worker safety outcomes.
- To implement these, the OPGGS Act and the OPGGS Safety Regulations have now been amended.
- The new regulations reflect changes to the Offshore Petroleum and Greenhouse Gas Storage Act 2006, which was amended by Parliament in May 2024, and published in December 2024.
- The changes will come into force on **12 June 2025**.

Monthly Information Sessions

- February – AEP hosted session, general overview of the changes
- March – Key topics: Safety Cases, Safety Critical Systems, HSRs
- **April – Follow up Safety Cases Session**
- April – Key Topics: Design Notification Scheme (DNS), Vessel Activity Notification Scheme (VANS)
- May – Key Topics: Notifications and Monthly Reporting
- June – Key Topics: to be advised

Safety Cases

Follow up questions from AEP

- Section 2.5(2) – Control measures and identification
 - Is NOPSEMA able to provide more clarity around 'and other control measures' and 'critical to safety'? Current understanding is that this is already done and is covered by the identification of SCEs.

Safety Cases

Follow up questions from AEP

- Section 2.30(1) & (2) – Safety Case revision triggers

The explanatory statement:

Paragraph 2.30(2) provides an exception for the required revision of a safety case where a loss or removal of a safety critical technical or other control measure is only temporary, or where it is out of service for testing, or the operator of a facility is no longer carrying out the activity related to the measure or NOPSEMA has agreed in writing that a revision is not required.

- It is noted that the term 'temporary' is not actually mentioned in the regulations. Is the intention for NOPSEMA to provide some guidance acknowledging temporary circumstances when applying clause (2)?
- Will additional guidance on the definition of 'loss' or 'removal' be provided?
- How are NOPSEMA treating circumstances where a decision was made internally prior to the Regs commencement, but is executed post commencement?

Safety Cases

Follow up questions from AEP

- Section 2.32 – Submission requirements for 5Y Safety Case revisions
 - How are NOPSEMA applying this to existing 5-year safety case cycles?
 - Will this be from the first acceptance of the safety case or from the last acceptance prior to commencement of the 2024 regs?
- Section 2.46A – Availability of the Safety Case
 - Does this need to be a hard copy at a minimum, or is an easily access electronic copy sufficient?

Safety Cases

Follow up questions from AEP

- Section 2.46B - Notification of incidents of harassment or bullying

Regs state when 'operator becomes aware' however these circumstances often need investigation to substantiate claims etc.

- Will NOPSEMA provide guidance on the definition of 'as soon as practicable' after the event in relation to substantiating such claims?
- Has there been consideration given to confidentiality, privacy, victim consent to report etc in relation to sexual harassment reporting?

Safety Cases

Follow up questions from AEP

- Section 6.3 – Transition arrangements
 - Are NOPSEMA able to talk through these sections relating the transition at the forum?
 - Of particular note are existing safety cases, as well as Section 6.3 relating to things started but not finished.

Transitional Arrangements – Safety Cases Submitted Prior to 12 June 2025.

- Safety cases currently under assessment will continue to be assessed under the current (2009) regulations.
- However, safety cases decisions made on or after 12 June 2025 must comply with the new 2024 regulations.
- Operators submitting safety cases from now until 12 June 2025 (and beyond) are encouraged to submit early and incorporate new regulatory requirements into their submission to avoid any potential delays.
- This includes new safety case submissions and **revisions to accepted safety cases.**

Safety Cases

Follow up questions from AEP

- HSR Arrangements – OPGGSA Section 37A – Review of safety management related documents
 - What records are expected in relation to these requests and review process?
- *“safety management-related document is a document prepared by, or on behalf of, the operator of a facility that sets out, in whole or in part, a system for managing OH&S at the facility”*
- Systems for managing OH&S – Typical Elements

• Permit to work system	Facility Integrity	Incident investigation
• Safe work procedures	Emergency response	OHS & Personal safety
• Management of Change	Management leadership	Training and competency
• Risk assessments	Facility design & Construction	Contractor (Third party Services)

Any questions?



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Continued engagement with industry

- NOPSEMA is in the process of updating guidance materials regarding these changes.
- Throughout the process, we will provide tailored communications to ensure industry, the workforce and our stakeholders understand the new requirements and what the regulator will seek.
- These communications include information sheets, FAQs, online reference materials, direct e-mails, letters and updates to titleholders, as well as online information sessions with industry

NOPSEMA will also be holding regular information sessions on the following dates:

- ~~• Tuesday 18 March~~
- ~~• Tuesday 8 April~~
- Tuesday 15 April – DNS, VANS
- Tuesday 20 May – Notifications and Reporting
- Tuesday 17 June – TBA

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