



INFORMATION SHEET

Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 – transitional provisions

Introduction

The following transitional provisions apply from the commencement of the Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 (WHS PAGEO Regulations).

Measures that transition or preserve existing arrangements in the current Petroleum (Submerged Lands) (Diving Safety) Regulations 2007, Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007, Petroleum and Geothermal Energy Resources (Management of Safety) Regulations 2010, Petroleum (Submerged Lands) (Pipelines) Regulations 2007 and Petroleum Pipelines (Management of Safety of Pipeline Operations) Regulations 2010 or delay commencement of certain duties in the WHS PAGEO Regulations can be found in Part 6 (Transitional provisions).

Diving project plans in force before commencement day

A Diving project plan (DPP) approved by the operator under the Petroleum (Submerged Lands) (Diving Safety) Regulations 2007, will continue as approved.

A DPP accepted by the Minister under the Petroleum (Submerged Lands) (Diving Safety) Regulations 2007, will continue as accepted.

All conditions and terms associated with the existing approval or acceptance will continue.

WHS (PAGEO) r. 179 transitional

Diving project plans prepared or given before commencement day

A DPP prepared for approval of the operator under the Petroleum (Submerged Lands) (Diving Safety) Regulations 2007, will be considered as though it was prepared under these regulations.

A DPP submitted to the Minister under the Petroleum (Submerged Lands) (Diving Safety) Regulations 2007, will be considered as though it was prepared under these regulations.

WHS (PAGEO) r. 184 transitional

Diving safety management systems in force before commencement day

A Diving safety management system (DSMS) accepted by the Minister under the Petroleum (Submerged Lands) (Diving Safety) Regulations 2007, will remain in force.

All conditions and terms associated with the existing acceptance will continue, including the date on which the 5 yearly revision is due.

WHS (PAGEO) r. 178 transitional

Diving safety management systems submitted before commencement day

A DSMS submitted under the Petroleum (Submerged Lands) (Diving Safety) Regulations 2007, will be considered to be submitted under these regulations. It will be assessed against the criteria of the repealed regulations.

WHS (PAGEO) r. 183 transitional

Persons engaging in operations before commencement day

The current operator or licensee responsible for the operation, will be taken to be the operator until either:

- The regulator accepts the nomination of a facility operator, or
- 3 months has elapsed.

WHS (PAGEO) r. 185 transitional

Pipeline management plans in force before commencement day

A pipeline management plan accepted by the Minister under the Petroleum (Submerged Lands) (Pipelines) Regulations 2007, will remain in force.

All conditions and terms associated with the existing acceptance will continue, including the date on which the 5 yearly revision is due.

WHS (PAGEO) r. 177 transitional

Pipeline management plan submitted before commencement day

A pipeline management plan submitted under the Petroleum (Submerged Lands) (Pipelines) Regulations 2007, prior to the commencement date, will be considered to be submitted under these regulations. It will be assessed against the criteria of the repealed regulations.

WHS (PAGEO) r. 182 transitional

Safety cases in force before commencement day

A safety case accepted by the Minister, under either the Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007 or Petroleum Pipelines (Management of Safety of Pipeline Operations) Regulations 2010, will remain in force.

All conditions and terms associated with the existing acceptance will continue, including the date on which the 5 yearly revision is due.

WHS (PAGEO) r. 175 transitional

Safety cases submitted before commencement day

A safety case submitted under either the Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007 or Petroleum Pipelines (Management of Safety of Pipeline Operations) Regulations 2010, prior to the commencement date, but not accepted before commencement day, will be considered to be submitted under these regulations. It will be assessed against the criteria of the repealed regulations.

WHS (PAGEO) r. 180 transitional

Safety management systems in force before commencement day

A safety management system accepted by the Minister under the Petroleum and Geothermal Energy (Management of Safety) Regulations 2010, will remain in force.

All conditions and terms associated with the existing acceptance will continue, including the date on which the 5 yearly revision is due.

If the safety management system relates to onshore drilling, acceptance under these regulations will expire 6 months after the commencement day.

WHS (PAGEO) r. 176 transitional

Safety management systems submitted before commencement day

A safety management system submitted under the Petroleum and Geothermal Energy (Management of Safety) Regulations 2010, prior to the commencement date, but not yet accepted by the commencement date, will be considered to be submitted under these regulations. It will be assessed against the criteria of the repealed regulations.

WHS (PAGEO) r. 181 transitional