

SPECIAL PROSPECTING AUTHORITIES, ACCESS AUTHORITIES & SCIENTIFIC INVESTIGATION CONSENTS

A guideline in relation to the Offshore Petroleum and Greenhouse Gas Storage Act 2006

Prepared by the Commonwealth Department of Resources, Energy and Tourism

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PLEASE NOTE: as of 1 January 2012 the National Offshore Petroleum Titles Administrator (NOPTA) is the first point of contact on all titles administration matters relating to offshore petroleum and greenhouse gas storage.

PURPOSE

This guideline sets out the circumstances in which authorities or scientific investigation consents to conduct petroleum-related activities in Commonwealth waters may be issued in accordance with Parts 2.7, 2.8 and 2.9 respectively, of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (the OPGGSA).

It is anticipated the guideline will be amended from time to time. This guideline is available online at www.petroleum-acreage.gov.au or at www.nopta.gov.au.

1. OVERVIEW

1.1. Entities may, at any time, apply to the NOPTA to undertake petroleum activities in the Commonwealth offshore area.

1.1.1. **Special Prospecting Authority** authorises a person to undertake exploration work other than drilling a well, in vacant acreage;

1.1.2. **Access Authority** authorises an existing petroleum titleholder (including special prospecting authority holder) to undertake petroleum activities other than drilling a well, outside the boundary of their existing titles;

1.1.3. **Petroleum scientific investigation consent** authorises the holder to carry on petroleum exploration operations in the course of a scientific investigation.

1.2. Issue of an authority or scientific investigation consent, requires the written approval of NOPTA.

1.3. Failure to comply with all conditions, including data submission requirements, may result in an authority or consent holder being considered not in good standing with the Joint Authority (for information on Good Standing refer to the *Permit Conditions & Administration Guidelines*).

1.3.1. Past performance and adherence to conditions will be a consideration in the award of future authorities or scientific investigation consents.

SPECIAL PROSPECTING AUTHORITIES

- 1.4. A special prospecting authority (SPA) may be granted over any area which is not covered by an exploration permit, retention lease, production licence, or a greenhouse gas permit or licence as defined under the OPGSSA.
- 1.5. The SPA allows the holder to undertake approved petroleum exploration operations in the area specified in the authority, but does not allow the drilling of wells.
- 1.6. The SPA will remain in force for the period specified in the authority, unless surrendered or cancelled, and for no longer than 180 days.
- 1.7. All approvals, data management, submission and reporting in relation to authorised petroleum exploration operations are subject to the requirements specified in the OPGSSA and associated Regulations.
 - 1.7.1. NOPTA may also apply any additional conditions it determines appropriate. In particular, NOPTA may request the registered holder of the access authority hold insurance (Section 571).
- 1.8. Multiple SPAs over a single area may exist simultaneously.
- 1.9. A SPA and a greenhouse gas search authority over a single area may exist simultaneously.
- 1.10. SPAs are subject to Section 280 (interference with other rights) of the OPGSSA

2. ACCESS AUTHORITIES

- 2.1. An access authority may be granted to an existing petroleum titleholder (including SPA holder) whose title is in either state or Commonwealth offshore jurisdictions.
 - 2.1.1. It authorises the holder to undertake petroleum exploration activities, or activities related to the recovery of petroleum, other than drilling a well, in areas proximal to the applicant's existing title.
 - 2.1.2. It may provide access to a vacant area or an area covered by a title to enable the applicant to fully explore the area over which it is the titleholder.
- 2.2. When an access authority application seeks to facilitate petroleum activities in the area of a title held by a third party, the following applies:
 - 2.2.1. Unless written consent is received, NOPTA will provide the third party with at least 30 days' notice of its intent to grant the authority. In reaching its final decision, NOPTA will consider submissions from the holder of the title into which the authority will provide access.
 - 2.2.2. Note: To hasten the approvals process, it is advisable that the applicant seeks the consent of other permit holders and includes this with the application.
 - 2.2.3. The authority holder must provide the titleholder with a written report on the operations conducted within the title area and the facts ascertained (i.e. details on the type of data acquired or other requirements specified in the Authorisation). The report must be given within 30 days of the conclusion of a month in which an activity is conducted.

- 2.3. An access authority will remain in force for the period specified in the authority, unless surrendered or cancelled. An Access Authority is subject to Section 280 (interference with other rights) of the OPGGSA
- 2.4. An access authority may be varied by NOPTA.
- 2.5. All approvals, data management, submission and reporting in relation to authorised petroleum exploration operations are subject to the requirements specified in the OPGGSA and associated Regulations.
- 2.5.1. NOPTA may also apply any additional conditions it determines appropriate. In particular, NOPTA may request the registered holder of the access authority hold insurance (Section 571).

3. SCIENTIFIC INVESTIGATION CONSENTS

- 3.1. Consent may be given to organisations undertaking scientific research into the physical or biological characteristics of the continental shelf to undertake activities related to petroleum exploration (including the drilling of stratigraphic holes, but excluding the drilling of petroleum exploration wells as part of that research).
- 3.2. The conditions applicable to a SPA will also be applicable to scientific investigations.
- 3.3. An additional condition, however, will be that the organisation undertaking the scientific investigation must openly publish the details and results of the petroleum exploration activities completed as part of the investigation.

TABLE OF REVISIONS

Date	Version	Purpose	Jurisdiction
November 2011	4	Updated to reflect changes to OPGGSA—transfer to NOPTA	Cth
November 2010	3	Re-write to improve clarity of Joint Authority expectations and to reflect amendments to the OPGGSA	Cth
October 2009	2	Update to reflect: <ul style="list-style-type: none"> - OPGGSA numbering - Grammatical errors - Formatting 	Cth