



**Australian Government**

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**National Archives of Australia**

Records Authority

2023/00250007

# **Offshore Energy Regulatory Operations**

*National Offshore Petroleum Safety and  
Environmental Management Authority*

2025



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## INTRODUCTION

The National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) and the National Archives of Australia have developed this records authority to set out the requirements for keeping or destroying records for the core business of OFFSHORE ENERGY REGULATORY OPERATIONS. It represents a significant commitment on behalf of NOPSEMA to understand, create and manage the records of its activities.

This authority is based on the identification and analysis of the business of NOPSEMA. It takes into account the agency's legal and organisational information management requirements, and the interests of stakeholders, the agency and the National Archives.

The authority sets out those records that need to be retained as national archives and specifies the minimum length of time that temporary records need to be kept. This authority gives NOPSEMA permission under the *Archives Act 1983*, for the destruction of the temporary records described after the minimum retention period has expired. Retention periods for these temporary records are based on: an assessment of business needs; broader organisational accountability requirements; and community expectations, and are approved by the National Archives based on information provided by the agency.

As changes in circumstances may affect future information management requirements, the periodic review of this authority is recommended. All amendments must be approved by the National Archives.

## APPLICATION OF THIS AUTHORITY

1. This authority replaces classes 21689-21693 and 21698-21709 in the previously issued records authority RA 2010/00359181 (Regulatory Data Management and Regulatory Operations functions). The classes have been superseded and cannot be used to sentence records after the date of issue of this authority.
2. This authority is to be used to determine how long records must be kept. Records are matched to the relevant core business and records class in the authority.
  - Where the minimum retention period has expired and the records are not needed for NOPSEMA business they should be destroyed as authorised in this authority.
  - Records that have not reached the minimum retention period must be kept until they do.
  - Records that are identified as 'retain as national archives' are to be transferred to the National Archives for preservation.
3. This authority should be used in conjunction with general records authorities such as:
  - *Administrative Functions Disposal Authority (AFDA) Express Version 2* issued by the National Archives to cover business processes and records common to Australian Government agencies; and
  - *General Records Authority 31 - Destruction of source or original records after digitisation, conversion or migration* (2015).
4. The normal administrative practice (NAP) provision of the *Archives Act 1983* gives agencies permission to destroy certain records without formal authorisation. This usually occurs where records are duplicated, facilitative or for short-term use only. NAP does not replace arrangements agreed to in this authority but can be used as a tool to assist in identifying records for destruction together with an agency's records authority or authorities, and with *AFDA Express Version 2*. The National Archives recommends that agencies develop and implement a NAP policy. Advice and guidance on destroying records as a normal administrative practice and on how to develop a NAP policy is available from the National Archives' website at [www.naa.gov.au](http://www.naa.gov.au).
5. Records that are reasonably likely to be needed as evidence in a current or future judicial proceeding or are subject to a request for access under the *Archives Act 1983*, the *Freedom of*

*Information Act 1982* or any other relevant act must not be destroyed until the action has been completed.

6. Records subject to a disposal freeze must not be destroyed until the freeze has been lifted. Further information about disposal freezes and whether they affect the application of this authority is available from the National Archives website at [www.naa.gov.au](http://www.naa.gov.au).
7. Where the method of recording information changes (for example from an analogue system to a digital system, or when information is migrated from one system to a new system) this authority can still be applied, providing the records document the same core business. The information must be accessible for the period of time prescribed in this authority. NOPSEMA will need to maintain continuing access to the information, including digital information, for the periods prescribed in this records authority or until the information is transferred into the custody of the National Archives.
8. In general, retention requirements indicate a minimum period for retention. NOPSEMA may extend minimum retention periods if it considers that there is an administrative need to do so, without further reference to the National Archives. Where the NOPSEMA believes that its accountability will be substantially compromised because a retention period or periods are not adequate, it should contact the National Archives for review of the retention period.
9. Records identified as 'retain as national archives' class in this authority have been determined to be part of the archival resources of the Commonwealth under section 3C of the *Archives Act 1983*. The determination of Commonwealth records as archival resources of the Commonwealth obliges agencies to transfer the records to the National Archives when they cease to be current and, in any event, within 15 years of the records coming into existence, under section 27 of the *Archives Act 1983*.
10. Records in the care of agencies should be appropriately stored, managed and preserved. Agencies need to meet this obligation to ensure that the records remain authentic and accessible over time. Under Section 31 of the *Archives Act 1983*, access arrangements are required for records that become available for public access including those records that remain in agency custody.
11. Appropriate arrangements should be made with the National Archives when records are to be transferred into custody. The National Archives accepts for transfer only those records designated as national archives. Records created digitally after 1 January 2016 can be transferred in digital formats only.
12. Advice on how to use this authority is available from the NOPSEMA information governance officer. If there are problems with the application of the authority that cannot be resolved, please contact the National Archives.

## CONTACT INFORMATION

For assistance with this authority or for advice on other information management matters, please contact National Archives' [Agency Service Centre](#).

## AUTHORISATION

Records Authorities 2023/00250007

### Notice of authorisation

Person to whom notice of authorisation is given:

Sue McCarrey  
Chief Executive Officer  
National Offshore Petroleum Safety and Environmental Management Authority  
58 Mounts Bay Road  
Perth WA 6000

### Purpose

Authorises arrangements for the disposal of records in accordance with section 24(2)(b) of the *Archives Act 1983*.

Determines records classed as 'retain as national archives' in this records authority to be part of the archival resources of the Commonwealth under section 3C of the *Archives Act 1983*.

### Application

All records relating to OFFSHORE ENERGY REGULATORY OPERATIONS.

### Authority

This authority gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. This authority will apply only with the consent of the agency currently responsible for the business documented in the records described.

This document has been authorised through a digital workflow (R38952025).

<b>Authorising Officer</b>	<b>Date of issue</b>
Josephine Secis Assistant Director-General, Collection Management National Archives of Australia	14 January 2025

## OFFSHORE ENERGY REGULATORY OPERATIONS

The core business function of regulating the occupational health and safety provisions; structural integrity provisions; and environmental management provisions, for offshore oil, greenhouse gas storage, and offshore renewable energy and electricity transmission infrastructure activities in Commonwealth waters under relevant legislation, such as the *Offshore Petroleum and Greenhouse Gas Storage Act 2006 (OPGGSA)*, the *Offshore Electricity Infrastructure Act 2021*, (as administered by the Offshore Infrastructure Regulator) and the *Environment Protection and Biodiversity Conservation Act 1999*. Includes coastal waters where regulatory power and functions have been conferred.

This is achieved through monitoring and enforcing compliance of regulated industry participants with statutory obligations under legislation and regulations. Includes undertaking assessments, conducting inspections, investigations and managing enforcement actions in accordance with the regulatory powers. Also includes powers to inspect premises and require the production of information.

The **core activities** include:

- the appointment and authorisation of NOPSEMA inspectors;
  - regular, ongoing advice and liaison with regulated entities;
  - assessing offshore energy project proposals to undertake regulated activities in offshore areas including:
    - exploration for petroleum
    - recovery of petroleum
    - construction and operation of infrastructure facilities relating to petroleum, greenhouse gas substances, and renewable energy generation;
    - construction and operation of pipelines for conveying petroleum or greenhouse gas substances, and undersea electricity transmission cables;
    - exploration for potential greenhouse gas storage formation
    - injection and storage of greenhouse gas substances
    - exemptions to provisions under work health and safety laws.
  - conducting inspections and audits of onshore management and offshore operations of regulated entities;
  - receiving and responding to notifications, complaints, and reports of events, such as accidents and spills, within the regime for investigation;
  - registering, declarations and de-registering operators;
  - taking enforcement actions, such as issuing infringement notices, directions, improvement and prohibition notices. Includes the collection and management of evidence for non-compliance;
  - reviewing agency decisions and the management of appeals against regulatory actions, including appeals to higher authorities;
  - developing annual compliance monitoring plans of regulated entities;
  - environmental management plans and other related documentation, including public consultation;
  - well operations management plans;
  - Identifying, assessing and managing risk through regulatory compliance and financial assurance;
  - developing and delivery programs relating to compliance obligations of regulated entities; and
-

- administration of industry levies and fees

The performance of core business is supported by **general activities** such as:

- delegating regulatory operations powers and authorising actions;
- developing and updating policies and procedures for the function;
- arrangements such as preparing travel and accommodation to undertake regulatory operations activities;
- managing internal meetings on regulatory operations matters;
- planning, reporting and reviewing the function or its activities; and
- implementing business processes and systems.

### **Cross references to other NOPSEMA records authorities**

*For Ministerial and other Government relationships regarding activities under relevant legislation, use OFFSHORE ENERGY REGULATORY RELATIONS MANAGEMENT*

*For promotional activities targeted at a whole industry level; or broad interactions with the whole petroleum industry (such as unions), environmental groups and NGO / Not-for-profit groups regarding regulatory activities, use OFFSHORE ENERGY REGULATORY RELATIONS MANAGEMENT*

### **Cross references to AFDA Express Version 2**

*For developing and executing formal contracts under seal or deeds, use CONTRACTS UNDER SEAL/DEEDS*

*For processing industry levy payments, see FINANCIAL SERVICES*

*For legal advice and litigation matters, use LEGAL SERVICES*

*For Letters of appointment of NOPSEMA Inspectors, use PERSONNEL MANAGEMENT*

*For managing the acquisition of services, tendering or contracting-out arrangements to support Regulatory Operations, use PROCUREMENT*

*For the publication of agency publications, use PUBLICATION*

*For supporting the strategic and broad systematic management of the agency, use STRATEGIC MANAGEMENT*

### **Cross references to other records authorities**

***For the management of the agency advisory board, use General Records Authority 26 – ADVISORY BODIES***

<b>Class no</b>	<b>Description of records</b>	<b>Disposal action</b>
63112	<p>Records documenting:</p> <ul style="list-style-type: none"> <li>• The assessment of approved offshore project proposals and environmental management plans, including plans for the management, decommissioning and remediation of oil fields. Includes applications for assessment, associated revisions and the management and results of public consultation;</li> <li>• investigations of incidents involving a fatality, or substantial damage to or destruction of a regulated structure (e.g., facility, pipeline or well), or substantial damage or destruction of the environment; or that received high-level media coverage, were politically sensitive, or that led to changes in legislation, high-level policies or how regulatory operations are</li> </ul>	Retain as national archives

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Class no	Description of records	Disposal action
	<p>conducted. Includes spill incidents where NOPSEMA was engaged to assist a regulated entity to rectify;</p> <ul style="list-style-type: none"> <li>• all incidents/notifications, enforcements, investigations, and financial assessment records related to wells that have been plugged and abandoned (P&amp;A) or pipelines left in situ;</li> <li>• investigation of complaints, accidents or dangerous occurrences that involve exposure or likely exposure of individuals to delayed onset illnesses, diseases or poisons (e.g., asbestos exposure or radiation poisoning). Includes investigations run jointly with other government agencies;</li> <li>• enforcements or investigations that result in a recommendation to the Commonwealth Director of Public Prosecutions (CDPP), or other agency, to prosecute an individual or company. Includes the prosecution of an individual or company that is initiated through an external request for prosecution lodged with the agency. Includes investigations run jointly with other government agencies;</li> <li>• high-level regulatory operations policies. Includes final versions, major drafts, stakeholder engagement, supporting research, correspondence and briefs;</li> </ul> <p>[For records relating to seeking legal advice to prosecute, and any legal activity taken, use AFDA Express version 2 – LEGAL SERVICES].</p> <ul style="list-style-type: none"> <li>• appeals made to a higher authority (e.g., the Administrative Appeals Tribunal or similar agency) against a decision or an order where the outcome sets a precedent, leads to a policy change; relates to issues of national significance or of considerable public interest or controversy; or, the outcome results in appeals to the Federal or High Court. (e.g., Northern Endeavour);</li> <li>• implementation of recommendations by external parties that result in major changes to Regulatory Operations prompted by an appeal, court action, or high-level review such as the Offshore Oil and Gas Safety Review; and</li> <li>• statutory registers of operators identified in relevant legislation, including initial registrations, declarations and de-registrations and supporting documentation.</li> </ul>	
63114	Records documenting:	Destroy 10 years after action completed

Class no	Description of records	Disposal action
	<ul style="list-style-type: none"> <li>• planned inspections or audits, including joint inspections undertaken with other safety regulators;</li> <li>• rejected applications to undertake regulated operations activities;</li> <li>• internal communications relating to all assessments, incidents/notifications, enforcements, investigations and financial assessments;</li> <li>• Diving Project Plans (DPP) and Diving Safety Management System (DSMS) including assessment records</li> </ul>	
63116	<p>Records and data relating to information collected as part of:</p> <ul style="list-style-type: none"> <li>• an inspection, which is not required or relevant to the inspection outcome;</li> <li>• an investigation, which is not required for the purpose of the investigation process or relied upon in finalising the report; and</li> <li>• evidence collected under warrant, which is not used in the process of an outcome for which the warrant was issued.</li> </ul>	Return or destroy once information is confirmed as not being of use to an investigation
63117	<p>Records documenting:</p> <ul style="list-style-type: none"> <li>• routine operational administrative tasks supporting the core business function; and</li> <li>• routine Regulatory Operations activities other than those covered in classes 63112, 63114 and 63116.</li> </ul>	Destroy 7 years after action completed