Operator registration: Worksheet for analysis of operator status

Form

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**Submissions to be made via the Secure File Transfer:** [**https://securefile.nopsema.gov.au/filedrop/submissions**](https://securefile.nopsema.gov.au/filedrop/submissions) **or via email:** [**submissions@nopsema.gov.au**](mailto:submissions@nopsema.gov.au).

This form has been generated to assist industry in determining whether a vessel or structure is a facility and, if so, who has day-to-day management and control over the facility and the activities at a facility at a specific stage, or stages, of the facility’s life. This document should be read in conjunction with the Criteria for registration and deregistration guidance note (N-01000-GN0007) available at [nopsema.gov.au.](http://www.nopsema.gov.au/assets/Guidance-notes/N-01000-GN0007-Criteria-for-Registration-and-Deregistration.pdf)

Over the life of a facility (including licensed pipelines), there may be a range of operators. For instance, the person with day-to-day management and control during drilling activities might not be the same person who has day-to-day management and control during the operation stage of the life of the facility. Therefore over its life, the facility may have two or more operators (however not at the one time).

Name of facility: **Insert name of facility** Stage(s) of the life under consideration: **Insert stage(s) e.g. construction, installation, operation, etc.**

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| --- | --- |
| **Activity/Facility** | **Description** |
| In determining whether you have day-to-day management and control of a facility it is important to first determine whether the vessel or structure is a facility under Clause 4 of Schedule 3 to the Commonwealth *Offshore Petroleum and Greenhouse Gas Storage Act 2006* [OPGGS Act], or its state/Northern Territory equivalent (where powers have been conferred on NOPSEMA).  Please include a description of the activities to be conducted by the vessel or structure which you believe makes it a facility. Please include a reference to the relevant sub-clause(s) of Clause 4 of Schedule 3 to the OPGGS Act to support your description.e.g. Vessel used as an accommodation vessel for another facility [sub-clause 4(1)(b)(ii)]; and/or  Vessel used for the erection, dismantling or decommissioning of another facility [sub-clause 4(1)(b)(v)] | **Insert description of activities to be conducted** |
| **Criteria** | **Analysis/Response** |
| In determining whether you have day-to-day management and control of a facility it is important to define the boundaries of the facility. In this section, please describe the extent of the facility; establish the boundaries and major components of the facility. This will assist you in answering the following questions. | **Insert description of facility** |
| **Ability to meet the operator’s duty of care:**  Will the Operator be in a position to meet the operator’s duty of care as specified in Clauses 9(1) and 9(2) of Schedule 3 to the OPGGS Act? | **Yes/No** |
| **Will the operator have authority and will the operator exercise that authority in respect of the following:** |  |
| * The physical environment at the facility? | * **Yes/No** |
| * The permitting of persons to board or work on the facility? | * **Yes/No** |
| * Choosing the workforce, including contractors and employees of contractors? | * **Yes/No** |
| * The activities carried out at the facility? | * **Yes/No** |
| * The way in which activities will be carried out? | * **Yes/No** |
| **Management at the facility:**  Will the operator have an individual who is, as far as the workforce is concerned, at the top of the chain of command in relation to all activities at the facility and the physical environment at the facility?  The individual exercising the power of command would also be the operator’s representative (See OPGGS Act Schedule 3, Clause 6) | **Yes/No** |
| **Is this individual the offshore installation manager or person in charge or vessel master?** | **Yes/No** |

*If you have answered no to any of the above questions please ensure you have provided any additional information that may be relevant to NOPSEMA’s decision-making.*