



**NOPSEMA** (paragraph 3.30(e))

# Improvement Notice

*Offshore Petroleum and Greenhouse Gas Storage Act 2006*  
*Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009*

**Notice Number: 376**

## IMPROVEMENT NOTICE

To: EnSCO Australia Pty Limited  
ACN: 100 601 634  
Ground Floor, 10 Kings Park Road  
West Perth WA 6006

I, [REDACTED] an OHS inspector appointed under section 680 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (the Act), am satisfied that the person named above as the responsible person is contravening, or has contravened, and is likely to contravene:

Clause 9 (2)(g) of Schedule 3 to the Act;

at:

Facility EnSCO 109

The reasons for my opinion are:

As the result of an investigation into a fatality on the facility EnSCO 109, it was determined that the operator of the facility failed to take all reasonable practicable steps to monitor the health and safety of all members of the workforce and keep records of that monitoring. This is evidenced by the written admission dated 7 March 2012 that EnSCO Australia Pty Ltd does not have a stated policy for medical fitness examinations relating to offshore employment including the renewal periods for such examinations other than an initial pre-employment physical.

You are required to take action within **60** days of the date of this notice to prevent further contravention or likely contravention of the clause.

Signed [REDACTED]

[REDACTED]  
OHS inspector

Dated: 20/3/2012

NOTES: (Please see back of form)

This notice was delivered to: **Enesco Australia Pty Ltd**  
**ACN: 100 601 634**  
**Ground Floor, 10 Kings Park Road**  
**West Perth WA 6006**

in the office or position of

at: \_\_\_\_\_ am/pm on **March 2012**

(See notes on page 3)

When the required improvement has been completed, return this part of the notice to the following person at the address below:

Name: 

Position: **OHS inspector**

Address: **Level 8 Alluvion, 58 Mounts Bay Road, Perth WA 6000**

**GPO Box 2568, Perth WA 6001**

Telephone number: **08 6188 8743**

Improvement Notice No. **376** has been complied with.

Signed: 

Date: 10 April 2012

10 APRIL 2012

**NOTES:**

1. Under clause 78 of Schedule 3 to the Act, a person who fails to ensure that this notice is complied with, to the extent that it relates to a matter over which the person has control, may be liable to a penalty of 100 penalty units.
2. This notice must be displayed in a prominent place at the workplace and, under clause 79 of Schedule 3 to the Act, must not be tampered with or removed before the notice has ceased to have effect.
3. Under subclause 78 (11) of Schedule 3 to the Act, an operator, or an employer of a member of the workforce to whom this notice is given must:
  - (a) give a copy of the notice to each health and safety representative for a designated workgroup having group members performing work that is affected by the notice; and
  - (b) display a copy of the notice in a prominent place at or near each workplace at which the work is being performed.
4. Under subclause 81 of Schedule 3 to the Act, any of the following persons may request Fair Work Australia to review the OHS inspector's decision:
  - the operator of the facility or an employer who is affected by the decision;
  - any person to whom an improvement notice has been issued;
  - the health and safety representative for a designated work group that includes a group member affected by the decision;
  - a workforce representative in relation to a designated work group that includes a group member affected by the decision;
  - if there is no designated work group — a workforce representative in relation to a member of the workforce affected by the decision;
  - the owner of any plant, substance or thing to which the OHS inspector's decision relates.
5. An improvement notice ceases to have effect when the responsible person takes the action specified in the notice, or if no action is specified, takes the action that is necessary to prevent the contravention, or likely contravention, with which the notice is concerned.