

Petroleum (Submerged Lands) Act 1982

Petroleum (Submerged Lands) (Pipelines) Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Petroleum (Submerged Lands) (Pipelines) Amendment Regulations 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Petroleum (Submerged Lands) Amendment Act 2011* section 12 comes into operation.

3. Regulations amended

These regulations amend the *Petroleum (Submerged Lands) (Pipelines) Regulations 2007*.

4. Regulation 3 amended

- (1) In regulation 3(1) delete the definition of *pipeline safety management plan*.
- (2) In regulation 3(1) in the definition of *pipeline* delete “*pipeline*, except in Part 5,” and insert:

pipeline

5. Regulation 7 amended

- (1) In regulation 7(1) and (2) delete “it is”.
- (2) In regulation 7(3) delete “it must” and insert:

the Minister must

6. Regulation 23 deleted

Delete regulation 23.

7. Regulation 25 amended

- (1) In regulation 25(1):
 - (a) in paragraph (a)(iii) delete “regulation 31;” and insert:
regulation 31.
 - (b) after paragraph (a) delete “and”;
 - (c) delete paragraph (b).
- (2) Delete regulation 25(2).

8. Regulation 31 amended

- (1) Delete regulation 31(1)(a)(iii) and insert:
 - (iii) each report of a kind mentioned in regulation 56 that is made in relation to the pipeline;
- (2) Delete regulation 31(3).

9. Regulation 38 amended

- (1) In regulation 38(1):
 - (a) in paragraph (a)(iv) delete “force;” and insert:

force.
 - (b) after paragraph (a) delete “and”;
 - (c) delete paragraph (b).
- (2) Delete regulation 38(2).

10. Part 5 deleted

Delete Part 5.

11. Regulation 53 amended

Delete regulation 53(a) and (b) and insert:

- (a) an occurrence that did not cause, but could reasonably have been expected to cause —
 - (i) the death of, or serious personal injury to, a person; or
 - (ii) a member of the workforce to be incapacitated from performing work for the period mentioned in regulation 54;
- (b) an occurrence that was, or resulted in, or could have potentially resulted in, any of the following events —
 - (i) a fire or explosion;
 - (ii) the release of an amount of hydrocarbon vapour that is likely to constitute a hazard in the surrounding environment;
 - (iii) the release of an amount of petroleum liquid that is likely to constitute a hazard in the surrounding environment;
 - (iv) damage to safety-critical equipment;

- (c) an occurrence of another kind that a reasonable operator would consider to require an immediate investigation.

12. Regulation 54 amended

In regulation 54:

- (a) delete “the period” and insert:

a period is

- (b) delete “is 3 or more days.” and insert:

if it is one day or more.

13. Regulation 56 amended

- (1) In regulation 56(2) after “must be” insert:

in writing and be

- (2) In regulation 56(3):

- (a) in paragraph (b) delete “aid.” and insert:

aid; and

- (b) after paragraph (b) insert:

- (c) the total number of hours that persons worked at or near the pipeline during the month; and
- (d) the total number of days not worked as a result of injuries to persons at or near the pipeline that would have been worked if the injuries had not occurred.

14. Regulation 57 replaced

Delete regulation 57 and insert:

57. Interference with accident sites

- (1) A person must not interfere with a site before an inspector finishes inspecting the site if there has occurred at the site, arising from a pipeline, an accident that caused the death of, or serious personal injury to, any person.

Penalty: a fine of \$8 800.

- (2) It is a defence to a prosecution for an offence under subregulation (1) that —
- (a) the person was acting with the written or oral authority of an inspector; or
 - (b) the person was acting, in a reasonable manner, for any of the following purposes —
 - (i) helping or rescuing a sick, injured or endangered person;
 - (ii) maintaining the safety of the pipeline or of a person at or near it;
 - (iii) reducing danger to the pipeline or to a person at or near it;
 - (iv) retrieving, or attempting to retrieve, the body of a dead person;
- or
- (c) notice of, and a report about, the accident had been given under clause 71(1) of Schedule 5 to the Act but an inspector had not entered the site where the accident occurred in response to the notice within 3 working days of notice being given.

15. Regulation 60 amended

Delete regulation 60(4).

16. Part 8 deleted

Delete Part 8.

17. Various references to “Safety Authority” amended

In the provisions listed in the Table delete “Safety Authority” (each occurrence) and insert:

Minister

Table

r. 6(2)	r. 7(1), (2), (3) and (4)
r. 8(1), (2), (3) and (4)	r. 56(1)(b) and (c) and (3)

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.
