



# Guideline

## Amending the Period of Notices

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### 1 Introduction

A range of enforcement actions are available to OHS inspectors administering safety in offshore petroleum activities. Enforcement actions available to OHS inspectors are detailed in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (OPGGSA) and the equivalent State and Territory PSLA's. There is a range of notices and directions that can be issued by OHS inspectors. These include:

- a Prohibition Notice;
- an Improvement Notice;
- a Notice of Removal of Plant or Sample; and
- a Do Not Disturb Notice.

Only the Improvement Notice and the Do Not Disturb Notice include specified timeframes. Therefore OHS inspectors are required to include a date and, where relevant, times for compliance on these notices.

### 2 Scope of this Guideline

This guideline covers the process to be used by responsible parties who have received an Improvement Notice or a Do Not Disturb Notice, and wish to seek a variation to the timeframe stated on the notice.

### 3 Amending the Period of Notices

OHS inspectors will generally discuss notices with the responsible party prior to issue and therefore will take into consideration the responsible party's views when drafting the notice, particularly in relation to a practicable timeframe for compliance, where applicable. The OHS inspector then weighs up these views against the safety considerations.

Where a responsible party to whom an Improvement Notice or a Do Not Disturb Notice has been issued is unable to meet the compliance timeframe they should request a modification of the timeframe from NOPSA in writing stating the original compliance date, the reasons they are unable to meet the original timeframe and a proposed compliance date. Responsible parties who have been conscientiously working towards compliance should have sufficient understanding of their status to provide this level of detail.

Any request for a variation to the period stated on a notice must be made with sufficient time for NOPSA to make an informed decision. Where a request is made to extend a timeframe on an Improvement Notice, the request must be made at least 3 working days prior to the original compliance date on the notice. Where a request is made to shorten the timeframe on a Do Not Disturb Notice, the request must be made at least 3 working days prior to the amended date and time proposed by the responsible party.

If the responsible party does not allow sufficient time for notification, and for decision making by NOPSA, they leave themselves open to be found guilty of failing to comply with a notice.

#### **4 Related Documents**

N-05000-PL0067 – Compliance and Enforcement Policy  
N-05000-GL0068 – Enforcement Measures