

Digital BOSIET

The Digital BOSIET course has been developed by OPITO which is based in the United Kingdom. As we operate under New Zealand rules and regulations, this handout is to augment the Digital BOSIET course, and provide information on the New Zealand context. This information will be part of your assessment.

The two main organisations that have responsibility for the off-shore industry are:

- Worksafe New Zealand.
- Maritime New Zealand.

The Role of WorkSafe New Zealand

The High Hazards Unit (HHU) was set up originally by the Department of Labour to regulate the oil and gas sector. Responsibility for this has now moved to WorkSafe New Zealand, which was established in 2013 as an independent safety regulator.

The HHU seeks to ensure operators properly control the risk to people working in the offshore oil and gas industries. It does this in the following ways:

- Developing guidance.
- Assessing safety cases.
- Carrying out inspections.
- Taking enforcement action where required.

Health and Safety at Work Act 2015

This is the primary health and safety legislation in New Zealand. It sets out the duties owed by various people to ensure health and safety in the workplace. It forms a part of a framework of regulations that apply to different sectors.

The Act, and some of the Regulations made under it, such as the Health and Safety at Work Regulations 1995 and 2016 are generic across all workplaces and aren't specific to the oil and gas industry. The regulations specific to offshore oil and gas are the *Health and Safety at Work (Petroleum Exploration and Extraction) Regulations 2016*.

It is these regulations that require an accepted safety case for offshore installations. Safety cases describe the basis of safe operation of an installation and are an essential tool in the control of catastrophic risks that can take place on offshore installations.

The Role of Maritime New Zealand

New Zealand standards for offshore installations

A number of different regulatory, policy and voluntary requirements apply to New Zealand's offshore petroleum industry.

The overall aim of operators in managing the environmental impact of their offshore petroleum activities should be three-fold:

1. to meet the requirements imposed by the regulatory system(s) under which they operate.
2. to achieve control of all known environmental risks through the application of due diligence.
3. to continuously improve their environmental performance.



A number of Maritime and Marine Protection rules exist under Maritime NZ.

An important rule for off-shore oil and gas organisations is Marine Protection Rules Part 131: Offshore Installations – Oil Spill Contingency Plans and Oil Pollution Prevention Certification.

Oil Spill Contingency Planning

Marine Protection Rule - Part 131 provides:

- rules for offshore installations, to reduce the risk of pollution of the marine environment by spills of oil from operations during offshore mineral exploration and exploitation.
- is concerned with oil spill contingency planning and associated certification and risk reduction for offshore installations.
- gives effect to the provisions of the *International Convention on Oil Pollution Preparedness, Response and Cooperation* (OPRC 1990).
- includes the requirement for an oil spill contingency plan to explain how the operator will reduce the risk of an oil spill and, in the event of an oil spill incident, respond to a spill of oil from their operations.

All offshore installations operating in New Zealand waters are affected by Part 131. Different record book standards apply however, depending on if the offshore installation is situated within or beyond the 12 nautical mile limit.

Discharges within the 12 nautical mile limit

Marine pollution regulations and regional coastal plans developed under the Resource Management Act cover discharges within the coastal marine area (12 nautical mile limit). Regional Councils are responsible for administration and enforcement of these regulations.

Certain rules of Part 131 also apply, namely those relating to the international standards for recording discharges and oil spill contingency planning and response to marine oil spills.

Resource Management (Marine Pollution) Regulations 1998 [New Zealand Parliamentary Counsel Office].

Discharges beyond the 12 nautical mile limit

The Environment Protection Authority has responsibility for consenting environmental effects of offshore mineral exploration and exploitation under the Exclusive Economic Zone and Extended Continental Shelf Act and associated regulations.

These responsibilities extend to the effects of placing items on the seafloor, discharging chemicals and oil and dumping of wastes at sea. Certain rules of Part 131 also apply, namely those relating oil spill contingency planning and response to marine oil spills.

