

# COMPARATIVE REVIEW OF HEALTH, SAFETY AND ENVIRONMENTAL LEGISLATION FOR OFFSHORE PETROLEUM OPERATIONS

Helen Atkins / Vicki Morrison  
Partner / Senior Associate

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## Overview of Presentation

- Background
- Approaches in Review Countries
- Comparison with New Zealand
- Recommendations
- Submissions
- Next Steps
- Questions and Contact Information

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## Background

- Government initiative
- Purpose
- Methodology
  - Global Review
  - Selected Country Review
  - Comparison with NZ
  - Recommendations
- Scope of review
- Collaborative effort



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## Approaches in Review Countries

### Considered:

- Administrative and institutional arrangements
- HSE frameworks
- Common elements
- 'Best practice'



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## Approaches in Review Countries Important Characteristics of HSE Regulatory Regimes

Characteristic	Review Status
<b>Administrative and Institutional Arrangements</b>	
Separation of resource allocation from HSE regulation	Common Element
Specialist offshore health and safety regulator	Common Element
Frameworks for regulatory collaboration	Common Element
Consolidation of offshore jurisdiction	Majority Trend
Provision for regulatory cost-recovery	Majority Trend
Integration of environmental with health and safety regulation	Potential Option
Integration of workplace health and safety with process safety	Potential Option

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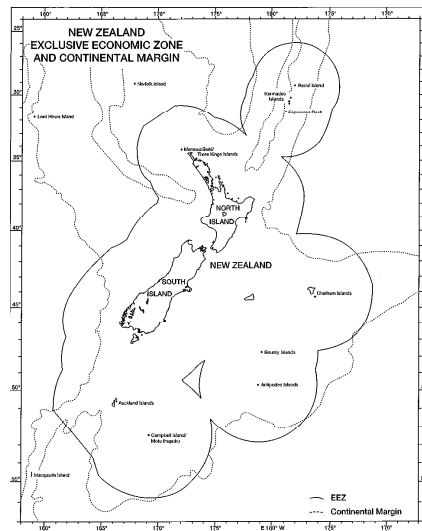
## Approaches in Review Countries Important Characteristics of HSE Regulatory Regimes

Characteristic	Review Status
<b>HSE Frameworks</b>	
Risk based safety framework with employee involvement	Common Element
Environmental framework based on EIA and public notification	Common Element
Insurance and liability requirement	Common Element
Strategic environmental assessment within resource allocation	Majority Trend
HSE requirements for licensee applications	Majority Trend
Safety Case approach	Majority Trend
Regulator review & acceptance of environmental & Safety Case	Majority Trend
Inspection and notification based enforcement regime	Majority Trend

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## Comparison with New Zealand



## Comparison with New Zealand

- New Zealand Approach
  - Multiple agency involvement
  - Separation of mining permitting from HSE regulation
  - No power to consider environmental issues at permitting
  - Consent required under RMA within 12nm miles
  - MNZ and DOL key enforcement bodies

## Comparison with New Zealand (cont)

- Discharge management plans required post 12nm
- No environmental consent required in EEZ or extended continental shelf



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## Comparison with New Zealand

Characteristic	Review Countries	New Zealand
<b>Administrative and Institutional Arrangements</b>		
Separation of resource allocation from HSE regulation	Common Element	Yes
Specialist offshore health and safety regulator	Common Element	No
Frameworks for regulatory collaboration	Common Element	Partial
Consolidation of offshore jurisdiction	Majority Trend	No
Provision for regulatory cost-recovery	Majority Trend	Partial
Integration of environmental with health and safety regulation	Potential Option	Partial
Integration of workplace health and safety with process safety	Potential Option	Partial

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# Comparison with New Zealand

Characteristic	Review Countries	New Zealand
<b>HSE Frameworks</b>		
Risk based safety framework with employee involvement	Common Element	Yes
Environmental framework based on EIA and public notification	Common Element	Partial
Insurance and liability requirement	Common Element	Mostly
Strategic environmental assessment within resource allocation	Majority Trend	No
HSE requirements for licensee applications	Majority Trend	No
Safety Case <sup>5</sup> approach	Majority Trend	Yes
Regulator review & acceptance of environmental & Safety Case	Majority Trend	Partial
Inspection and notification based enforcement regime	Majority Trend	Yes

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# Recommendations

- Investigate funding mechanisms and resourcing options
- Require HSE consideration (including strategic environmental assessment) at the resource allocation stage
- Co-ordination of regulatory responsibility and organisational capabilities for Health and Safety
- Investigate mechanisms to improve or enhance Safety Case framework

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## Recommendations

- Establish an environment regulatory framework in the EEZ and extended continental shelf
- Establish an agency with responsibility for environmental regulation in the EEZ and Extended continental shelf
- Consider insurance and liability arrangements
- Consider consolidation of offshore environment jurisdiction

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## Submissions

- 32 Submissions
- Most agree:
  - Need for greater resourcing (issue re who pays)
  - Regulatory gap in EEZ
  - Need for improved agency collaboration
- Different view in terms of:
  - Appropriate regulation
  - Need for SEA
  - Agency with responsibility for EEZ
    - MNZ v EPA
    - RC's v new standalone entity



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## Submissions

- General support for:
  - Strengthening insurance and liability requirements
  - Ratification relevant international documents
- Split views on whether consolidation EEZ and Territorial Sea is appropriate



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## Next Steps

- Government currently working on response



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## Questions and Contact Information

- Questions?
- Contact Details

Helen Atkins/Vicki Morrison  
Partner/Senior Associate  
Phone: (09) 304 0294  
[helen.atkins@ahjmlaw.com](mailto:helen.atkins@ahjmlaw.com)  
[vicki.morrison@ahjmlaw.com](mailto:vicki.morrison@ahjmlaw.com)

Tracey Ryan/Alec Tang  
Partner/Senior Consultant  
ERM NZ Limited  
[tracey.ryan@erm.com](mailto:tracey.ryan@erm.com)  
[alec.tang@erm.com](mailto:alec.tang@erm.com)

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