

SERVICE OF DOCUMENTS

A guideline in relation to the Australian Government's *Offshore Petroleum and Greenhouse Gas Storage Act (2006)*.

Prepared by the Resources Division, Australian Government Department of Resources,
Energy and Tourism, on behalf of the Commonwealth-State/NT Joint Authorities.
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PURPOSE

This Guideline outlines the procedures that have been adopted to ensure a uniform and consistent approach to the service, of two or more registered titleholders of a petroleum title, under the *Offshore Petroleum and Greenhouse Gas Storage Act (2006)* (OPGGSA).

The nomination, by two or more registered holders of a title granted under the OPGGSA, of a single address for the service of documents pursuant to section 774 of the OPGGSA, is encouraged in the interests of efficiency.

It is anticipated this Guideline will be amended from time to time. A current version of this guideline is available on the Internet at www.ret.gov.au.

1. DEFINITIONS OF PETROLEUM TITLE AND REGISTERED HOLDER

1.1 **Petroleum title** is defined in subsection 774 (7) of the OPGGSA as:

- (a) a petroleum exploration permit; or
- (b) a petroleum retention lease; or
- (c) a petroleum production licence; or
- (d) an infrastructure licence; or
- (e) a pipeline licence; or
- (f) a petroleum special prospecting authority; or
- (g) a petroleum access authority.

1.2 A **registered holder** in relation to a title, means the person whose name is shown in the Register kept under section 469 of the OPGGSA as the holder of the title. For this purpose, a **title** is a petroleum exploration permit, petroleum retention lease, petroleum production licence, infrastructure licence, pipeline licence, petroleum special prospecting authority or petroleum access authority.

2. NOMINATION OF HOLDER

Petroleum Titles

2.1 Where there are two or more registered holders of a petroleum title, sub-section 774 (2) of the OPGGSA states that those registered holders may, by joint written notice given to the Designated Authority, nominate one of them to be the person

¹ This document constitutes the most current and updated service of documents guideline and supersedes all prior versions in connection with this subject matter.

to whom documents may be served upon, where those documents relate to the petroleum title and are required or permitted by the OPGGSA to be given. The joint written notice must be executed in an approved manner by or on behalf of each of the registered holders.

2.2 Under these arrangements, where the document has been served on the nominated person, the document is deemed to have been served on all of the registered holders of the title (subsection 774 (4) of the OPGGSA).

3. REVOCATION & CESSATION OF PETROLEUM TITLE NOMINATIONS

3.1 Where a person has been nominated under subsection 774 (2) of the OPGGSA, and one of the registered holders of the petroleum title, revokes the nomination by written notice given to the Designated Authority, then the nomination ceases to be in force. Similarly, where the nominated person ceases to be one of the registered holders of the petroleum title, the nomination also ceases to be in force.

4. SPECIAL ARRANGEMENTS

4.1 In addition to these procedures, there are special arrangements for the service of directions. Under sub-section 574 (2) of the OPGGSA, the Designated Authority may, by written notice given to the registered holder of a title, give a direction to any matter in relation to which regulations may be made. A direction under subsection 574 (3) of the OPGGSA may also be extended to apply to a specified class of persons mentioned in paragraph 3 (a) or to each person who is in the offshore area as mentioned in paragraph 3 (b). In this section, the word 'title' has the same meaning as in subsection 774 (7) of the OPGGSA.