



Offshore Installations - Biosecurity Guide

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Glossary

Term	Definition
Approved Arrangement	An arrangement to provide for a person to carry out specified activities to manage biosecurity risks associated with specific goods, premises or other things.
Australian territory	<p>Australian territory is a reference to:</p> <ul style="list-style-type: none"> (a) Australia, Christmas Island, Cocos (Keeling) Islands and Norfolk Island; and (b) the airspace over an area covered by paragraph (a); and (c) the coastal sea of Australia, of Christmas Island, of Cocos (Keeling) Islands and Norfolk Island to which the provision extends.
Biosecurity control	Conveyances (aircraft and vessels) and goods become subject to biosecurity control when they enter Australian territory during a flight or voyage that commenced outside Australian territory. A biosecurity officer has the authority to assess the biosecurity risk of these conveyances and goods and if the risk is unacceptable can exercise management powers.
Conveyance	For the purposes of this document a conveyance is a vessel or aircraft.
Exposed to (as defined in Section 17 of the <i>Biosecurity Act 2015</i>)	<p>(1) A person or thing is taken to have been exposed to another person or thing if the first-mentioned person or thing has been, or is likely to have been:</p> <ul style="list-style-type: none"> (a) in physical contact with; or (b) in close proximity to; or (c) exposed to contamination, infestation or infection from; <p>the other person or thing.</p>
Installation (as defined in Section 20 of the <i>Biosecurity Act 2015</i>)	<p>An installation is a structure that:</p> <ul style="list-style-type: none"> (a) is able: <ul style="list-style-type: none"> (i) to float or to be floated; and (ii) to move, or to be moved, as an entity from one place to another; and (b) is, or is to be, used wholly or principally in: <ul style="list-style-type: none"> (i) exploring or exploiting natural resources (such as fish or minerals) with equipment on, or forming part of, the structure; or (ii) operations or activities associated with, or incidental to, activities of the kind referred to in (b)(i); and (c) either: <ul style="list-style-type: none"> (i) is attached to, or resting on, the seabed; or (ii) is attached semi permanently or permanently to a structure that is attached to, or resting on, the seabed.

<p>Petroleum Industry Vessel</p>	<p>A vessel (other than an installation) that is, or is to be, used wholly or principally for, or in connection with:</p> <ul style="list-style-type: none"> (a) exploring for, or exploiting, petroleum with equipment on, or forming part of, the vessel; or (b) operations or activities associated with, or incidental to, activities of the kind referred to in paragraph (a).
<p>Pre-arrival report</p>	<p>A document used by the Department of Agriculture and Water Resources (the department) to assist with initial risk assessment of a conveyance. The report must be submitted by a shipping agent or master 96 to 12 hours prior to a vessel's arrival.</p>

1 Purpose

This document provides guidance to the offshore petroleum industry on Australian biosecurity requirements. It provides information specific to operators of installations/petroleum industry vessels (PIVs) and operators of conveyances which are exposed to installations/PIVs.

2 Regulatory framework

The primary objective of the *Biosecurity Act 2015* (the Act) is to manage biosecurity risk. The Act (supported by delegated legislation) provides for a strong and modern regulatory framework for the management of biosecurity risk.

Conveyances, people and goods which arrive at installations can present possible pathways for pests and diseases to enter Australia. All conveyances which commence their journey outside Australian territory become subject to biosecurity control when entering Australian territory. In order to assess the risk, biosecurity officers use powers under the Act to gather information. Based on this information, a biosecurity officer will decide if the conveyance and its goods or people present an unacceptable level of biosecurity risk and whether further action is required to mitigate the risk.

3 Installations

3.1 Management of a conveyance's exposure to an installation

A conveyance not subject to biosecurity control which leaves Australian territory (e.g. a domestic conveyance or an international conveyance which has been released from biosecurity control), and which interacts with an installation/PIV will become an exposed conveyance. A conveyance becomes exposed by being in physical contact with, in close proximity to or being contaminated by another conveyance (including an installation). When the exposed conveyance returns to Australian territory it becomes subject to biosecurity control and it must submit a pre-arrival report and notify the department if it intends to unload goods that were brought on board from the installation.

The department acknowledges that there are many interactions conveyances have with installations/PIVs outside Australian territory that do not present unacceptable biosecurity risk. As such, the department's policy approach is that when these exposures do not pose an unacceptable biosecurity risk the exposed conveyance should not become subject to biosecurity control on return to Australian territory, or be required to submit a pre-arrival report or notify its intent to unload goods.

The *Biosecurity (Exposed Conveyance – Exceptions from Biosecurity Control) Determination 2016* (the Determination) gives effect to the department's policy approach. The Determination is a legislative instrument made by the Director of Biosecurity under Section 196(2) of the Act.

The Determination provides three options to meet the exceptions from biosecurity control for conveyances moving between Australian territory and installations/PIVs. Where a conveyance meets one of these exceptions they will not be subject to biosecurity control when returning to Australian territory. As they are not considered to be subject to biosecurity control, the conveyance is not required to submit a pre-arrival report or provide notification to unload goods under the *Biosecurity Regulation 2016*.

The three options to meet exception conditions are when a conveyance is exposed to an:

- installation/PIV in a limited way, for example, towing or off-loading of goods from the exposed conveyance to the installation (section 6(f)(i) of the Determination)
- installation/PIV that has satisfied the Director of Biosecurity that its biosecurity risk is acceptable (section 6(f)(ii) of the Determination – low risk installation/PIV)
- installation/PIV that is operating under an Approved Arrangement with the department (section 6(f)(iii) of the Determination).

A conveyance that meets one of the above exceptions will not need to apply to the department for confirmation (that an exception has been met), but must be aware of the conditions of the Determination and comply with them. The operator of the conveyance should also be aware that that the installation/PIV must meet its own particular conditions (such as having an Approved Arrangement, or having been considered by the Director of Biosecurity as presenting an acceptable risk), and confirm this with the operator of the installation/PIV.

There is no requirement for conveyances which commenced their journey outside Australian territory to seek permission to arrive at or land goods on an installation/PIV outside of Australian territory. However, the operator of a low risk installation/PIV, or an installation/PIV operating under an Approved Arrangement, must ensure that their interactions with these conveyances do not breach the conditions of the Determination, and, if they are operating under an Approved Arrangement, the requirements of their Approved Arrangement.

3.2 Installations outside of Australian territory

Under the Act the Commonwealth's jurisdiction extends to 12 nautical miles (nm). Installations operating outside of Australian territory will not be subject to provisions of the Act. However, any conveyance which is not subject to biosecurity control when it leaves Australian territory, but which is exposed to an installation/PIV once outside Australian territory, will become an exposed conveyance. When the exposed conveyance returns to Australian territory, it will become subject to biosecurity control and must pre-arrival report and notify if it intends to unload goods.

To avoid the above situation, and depending on operational circumstances, the operator of an installation/PIV may seek to either:

- satisfy the Director of Biosecurity that the level of biosecurity risk associated with the installation is acceptable (i.e. be classified as a low-risk installation); or
- enter into an Approved Arrangement with the department to manage the biosecurity risk to an acceptable level.

The above options are provided through the Determination, specifically section 6(1)(f)(ii) [and subsection 6(2) or (3)] or section 6(1)(f)(iii) [and subsection 6(4), (5), (6) or (7)]. If either of the above criteria are met by the installation/PIV, any conveyance which is exposed to it will be considered to have met one of the exceptions, and will not become subject to biosecurity control when returning to Australian territory. The exposed conveyance will also need to meet other relevant conditions (paragraphs 6(1)(a), (b), (c) and (d)) of the Determination, otherwise, it will become subject to biosecurity control when it enters Australian territory.

3.2.1 Low risk installation

For an operator to satisfy the Director of Biosecurity that the biosecurity risk of their installation/PIV is acceptable and therefore low risk they must be:

- willing to provide relevant information to the Director of Biosecurity and accept that the process (of satisfying the Director of Biosecurity that the biosecurity risk status of the installation is low) may involve departmental inspection, documentary assessment and assurances or inspection by a third party
- confident that from the time at which the Director of Biosecurity is satisfied, that the installation/PIV:
 - will only be domestically crewed and that this will be maintained
 - will only be domestically provisioned and that this will be maintained
- confident that the installation will not be receiving any international goods (excluding those to be deployed to the sea or seabed).

Where an installation has satisfied the Director of Biosecurity that its biosecurity risk is acceptable, the department will issue a letter to the operator of the installation indicating that the installation achieved a low risk status. This letter can be used by the operator of the installation to provide confidence to the operator of an exposed conveyance as to the installation's status.

Where an installation/PIV has satisfied the Director of Biosecurity that its biosecurity risk is acceptable, to ensure its low risk status is maintained, the operator must continue to meet conditions of the Determination. These conditions are found in the Determination under section 6(3)(b). Where these conditions are not met, the installation/PIV will no longer be considered low risk and any conveyances which are exposed to it will be subject to biosecurity control when returning to Australian territory. Where an installation/PIV loses its low risk status it can seek to re-establish this status by once again satisfying the Director of Biosecurity that its biosecurity risk is acceptable.

An exposed conveyance returning from a low risk installation will not be subject to biosecurity control and can return to any port or landing place in Australia. There is no requirement to return to a first point of entry.

3.2.2 Approved Arrangement

Where an installation/PIV has entered into an Approved Arrangement, the operator will undertake biosecurity functions on behalf of the department. The operator will be subject to applicable fees and on-going auditing requirements.

An operator may opt to apply to enter into an Approved Arrangement when they:

- anticipate receiving international goods (note that the scope of goods are limited in the Approved Arrangement)
- anticipate receiving international persons
- want to be able to collect, store, treat and transport biosecurity waste generated by and related to biosecurity activities performed on the installation/PIV.

An exposed conveyance returning from an installation operating under an Approved Arrangement will not be subject to biosecurity control, but must return to a first point of entry, unless it has permission from the department to arrive at a non-first point of entry.

3.3 Installations inside Australian territory

If an installation commences its journey outside Australian territory and is moved to a field location within Australian territory, it will become subject to biosecurity control. Depending on operational circumstances an installation may either be:

- released from biosecurity control; or
- remain subject to biosecurity control.

Where an installation is released from biosecurity control, any conveyance that is not subject to biosecurity control which is exposed to the installation is not impacted. That is, the status of the conveyance remains 'not subject to biosecurity control' and the conveyance is not required to pre-arrival report or arrive at a first point of entry for the conveyance.

However, where a conveyance that is not subject to biosecurity control is exposed to an installation that is subject to biosecurity control, the exposed conveyance becomes subject to biosecurity control, unless it meets all the relevant conditions for an exception from biosecurity control in the Determination. If the exposed conveyance is subject to biosecurity control it must submit a pre-arrival report and return to a first point of entry for the conveyance or seek permission to arrive at a non-first point of entry.

Regardless of whether an installation inside Australian territory is released from biosecurity control or remains subject to biosecurity control, a conveyance which commenced its journey outside of Australian territory and which intends to arrive at the installation must seek permission from the department:

- to moor at a port or land at a landing place that is a non-first point of entry; and
- to unload goods at a port or landing place other than a first point of entry for the goods (if the conveyance intends to unload goods).

Applications must be made to the department prior to arrival at the installation.

3.4 Disinsection requirements

There is no requirement for the disinsection of exposed conveyances (aircraft) which return to Australian territory after interaction with a low risk installation/PIV or installation/PIV operating under an Approved Arrangement.

The Approved Arrangement which is available to operators of an installation/PIV does allow for the transfer of international personnel onto the installation/PIV. As a result, the Approved Arrangement contains requirements for the operator to perform vector monitoring and control. It should be noted that the Approved Arrangement also contains disinsection requirements for aircraft (which commenced their journeys outside Australian territory) which transfer international personnel onto the installation/PIV.

4 General conveyance reporting

Where an exposed conveyance does not meet any of the three options to meet exceptions conditions, or a conveyance commenced its flight or voyage outside Australian territory, standard biosecurity requirements apply. The exposed conveyance or conveyance will:

- become subject to biosecurity control (s192 of the Act)
- need to arrive at a first point of entry (s237 or s245 of the Act) or seek permission to arrive at a non-first point of entry (s239 or s247 of the Act)
- need to submit a pre-arrival report (s193 of the Act)
- need to notify (if applicable) to unload goods in Australian territory (s120 of the Act)
- need to seek (if applicable) permission to unload goods at a non-first point of entry (s145 of the Act)
- need to meet disinsection requirements as set-out in the Schedule of Aircraft Disinsection Procedures for flights into Australia and New Zealand

5 Vessel Management

5.1 Ballast water management summary

The department is responsible for ensuring that high risk international ballast water is managed in accordance with the Act prior to discharge inside Australia's territorial sea.

All international vessels arriving within Australian seas must have managed their ballast water in compliance with the Act. Further guidance regarding acceptable methods of ballast water management are available in the [Australian Ballast Water Management Requirements](#)¹. Australia's Ballast Water Management Requirements reflect the requirements of the International Maritime Organisation (IMO) Convention for the Control and Management of Ships' Ballast Water and Sediments (2004) (the BWM Convention), which came into force on 8th September 2017.

Vessels will be required to carry:

- Approved ballast water management plan (BWMP);
- Approved ballast water management certificate (IBWMC);
- Ballast water records.

Vessels arriving at installations within 200nm from the Australian coastline will be required to manage their ballast water prior to arrival. Submission of a Ballast Water Report will only be required if entering within the Territorial Sea.

Vessels moving between Australian ports and offshore installations, within 200 nm from the Australian coastline, will be required to manage ballast water in accordance with Australia's domestic ballast water requirements. Submission of a Ballast Water Report is not required for domestic journeys.

Ballast water management will not be required between Australian ports and offshore installations if:

¹ <http://www.agriculture.gov.au/biosecurity/avm/vessels/ballast/australian-ballast-water-management-requirements>

- ballast water is taken up and discharged in the same place
- potable water is used as ballast
- ballast water was taken up on the high seas only
- the vessel receives a risk-based exemption from ballast water management.

Please see Australian ballast water management requirements for further detail².

The use of ballast water exchange (BWE) as a management method will be phased out over the next nine years in accordance with the amended schedule for Regulation B-3 of the Convention. This will require some vessels to install and use an International Maritime Organization (IMO) Type Approved Ballast Water Treatment System in order to meet the D-2 discharge standard. Some vessels in the offshore industry, such as floating production, storage and offshore (FPSOs) vessels, floating storage units (FSUs) and floating platforms, may be eligible for exemptions from the requirements to install a ballast water treatment system. More information is available on the department's website.

For further information please refer to the available the Australian ballast water management requirements - published on the [department's website](#)³.

5.2 Biofouling management

The petroleum production and exploration industry has an important role in Australia's fight against [marine pests](#)⁴.

Operators of vessels, submersible equipment and infrastructure involved in petroleum production and exploration operations can help prevent the introduction and spread of marine pests by implementing the following measures:

- Minimising the amount of biofouling through a high standard of cleaning and maintenance.
- Complying with any international and domestic biofouling requirements.

Note: Incorporating practices that minimise the build-up of biofouling into routine cleaning and maintenance programs significantly reduces marine biosecurity risks.

Operators of petroleum industry related vessels, equipment and infrastructure should refer to the '[National biofouling management guidance for the petroleum production and exploration industry](#)⁵' for practical guidance on managing biofouling. These recommendations have been developed in conjunction with the petroleum production and exploration industry and apply to the following vessel types:

² <http://www.agriculture.gov.au/biosecurity/avm/vessels/ballast/australian-ballast-water-management-requirements>

³ <http://www.agriculture.gov.au/biosecurity/avm/vessels/ballast>

⁴ <http://www.marinepests.gov.au/>

⁵ <http://www.marinepests.gov.au/commercial/offshore-infrastructure/biofouling>

- offshore support vessels including utility support vessels, platform supply vessels and anchor handling tug supply vessels
- mobile offshore drilling units including jack-up units, drilling barges and semi-submersible ships
- crew transfer vessels
- diving support vessels
- accommodation vessels
- seismic survey vessels
- landing craft
- pipe laying ships and barges
- floating production, storage and offloading vessels (FPSO) and floating storage and offloading vessels (FSO)
- related submersible equipment and infrastructure.

Operators of oil tankers and gas carriers should refer to the '[National biofouling management guidelines for commercial vessels](#)⁶' for guidance on managing biofouling.

Operators of heavy lift vessels and dredges (including rock dumping ships) should refer to the '[National biofouling management guidance for non-trading vessels](#)⁷' for guidance on managing biofouling.

6 Contact Details

Department of Agriculture and Water Resources

Address: 7 London Circuit, Canberra City ACT 2601
Postal Address: GPO Box 858, Canberra ACT 2601
Phone: 1800 900 090 (from within Australia)
Website: www.agriculture.gov.au/biosecurity

Contact for aircraft (air) and vessel (sea) arrivals

Email: seaports@agriculture.gov.au and report your arrival for vessels using [MARS](#).

⁶ <http://www.marinepests.gov.au/commercial/vessels/biofouling-commercial>

⁷ <http://www.marinepests.gov.au/commercial/vessels/biofouling-non-trading>