# Offshore Greenhouse Gas Search Authority, Special Authority, and Research Consent

All fact sheets should be read in conjunction with the [*Offshore Petroleum and Greenhouse Gas Storage Act 2006*](https://www.legislation.gov.au/C2006A00014/latest/versions) (**the OPGGS Act**), associated regulations, relevant guidelines and policies (available on [NOPTA’s website](https://www.nopta.gov.au/)).

**Overview**

Parts 3.5, 3.6 and 3.7 of the OPGGS Act provides for the grant of an offshore greenhouse gas (**GHG**) search authority (for applicants who wish to explore for potential GHG storage formations or sites), special authority (for GHG titleholders who wish to undertake activities outside of their title boundary), or research consent (scientific investigation).

The responsible Commonwealth Minister (**RCM**) has the authority to grant GHG search authorities, special authorities and research consents subject to conditions the RCM thinks appropriate.

**GHG Search Authority**

A GHG search authority authorises the holder to undertake operations to explore for potential GHG storage formations and injection sites within the authority area (for example seismic surveys and seabed sampling). A search authority does not authorise the holder to make a well.

A GHG search authority application cannot include block(s) that have an existing GHG assessment permit, holding lease or injection licence or petroleum exploration permit retention lease or petroleum production licence in force.

A GHG search authority comes into force on the day specified in the authority and remains in force for the period specified in the authority, not longer than 180 days. A search authority cannot be transferred (section 406 of the OPGGS Act) and there is no provision to extend the duration of the search authority (although a new application for a subsequent search authority is permitted).

Holders of a GHG search authority will be informed if another GHG search authority or petroleum special prospecting authority is granted with respect to any relevant block(s).

**GHG Special Authority**

An applicant for a GHG special authority must be the holder of an existing GHG assessment permit, holding lease, injection licence or search authority (the originating title).

A GHG special authority authorises the holder to undertake operations which relate to GHG exploration, injection, storage or monitoring within the authority area. The operations authorised by a special authority must be related to the operations that are being carried on in the authority holder’s GHG assessment permit, holding lease, injection licence or search authority area. This may include carrying out operations in an area which is either part of that offshore area but outside the existing GHG assessment permit, holding lease, or injection licence area, or part of an adjoining offshore area. A GHG special authority does not authorise the holder to make a well.

A GHG special authority comes into force on the day specified in the special authority and remains in force for the period specified in the authority. If the entitlement to a special authority derives from a search authority the term of the special authority will be aligned with the search authority.

A GHG special authority can be varied by the RCM by written notice. Consultation procedures apply if the RCM proposes to vary a GHG special authority (see section 419 of the OPGGS Act and Consultation section below).

**GHG Research Consent**

A GHG research consent authorises the holder of the consent to carry out operations relating to the exploration for potential GHG storage formation and injection sites, in the course of a scientific investigation. This recognises Australia's obligations under the United Nations Convention on the Law of the Sea (UNCLOS) to allow marine scientific research on its continental shelf (see [Article 246 of the UNCLOS](https://www.un.org/depts/los/convention_agreements/texts/unclos/part13.htm)).

A GHG research consent comes into force on the day specified in the consent and remains in force for the period specified in the consent. There is no provision to extend the duration of the consent.

**Consultation**

Applicants for a GHG search authority, GHG special authority, or GHG research consent over areas not subject to an existing offshore title (e.g. vacant acreage) should provide evidence of consultation undertaken with relevant Commonwealth agencies and stakeholders.

If the applicant has completed consultation as part of an Environment Plan process under the [*Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*](https://www.legislation.gov.au/F2023L00998/asmade/text) applicants should provide a copy of the consultation and a response table with the application.

Consultation responses may be used to determine if conditions are required to be placed on the authority or consent at the time of grant.

When applying for a GHG special authority over an area that is subject to a GHG assessment permit, holding lease, injection licence or GHG search authority held by a third party, applicants should seek the written consent of that party for the grant of the GHG special authority over its title area. If such consent is provided with an application this can significantly reduce assessment timeframes.

**Reporting**

Holders of GHG search authorities, GHG special authorities or GHG research consents should be aware of the reporting requirements for GHG titles in the [*Offshore Petroleum Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*](https://www.legislation.gov.au/Series/F2011L00647).

Note: where the grant of a special authority authorises activities over a GHG assessment permit, holding lease, or injection licence held by a third party, the authority holder must comply with subsection 420(1) of the OPGGS Act relating to reporting obligations to third parties.

**Timing of applications**

For GHG research consents, early engagement with NOPTA is recommended to discuss the application process prior to submitting.

It is recommended that GHG search and GHG special authority applications be submitted at least three months prior to the intended commencement date to allow sufficient time for assessment/approval of the application. Any requests for further information may impact the timeliness of approvals.

Delays to processing times can be avoided by using the [NOPTA Forms Guidance - Greenhouse Gas](https://www.nopta.gov.au/forms/nopta-forms/nopta-forms-guidance/NOPTA-Forms-Guidance-Greenhouse-Gas.pdf).

**How do I apply?**

Applicants can apply in writing to NOPTA at: ghg@nopta.gov.au.

Application forms are available on [NOPTA’s website](https://www.nopta.gov.au/forms/forms.html) and include checklists of information that should be provided with an application.

**More information**

NOPTA has published to its [website](https://www.nopta.gov.au/guidelines-and-factsheets/fact-sheets.html) a new fact sheet and a set of Frequently Asked Questions to provide guidance to industry on undertaking exploration activities outside of a title area.

If you have any specific questions, please contact ghg@nopta.gov.au.

***Please note:*** *this document is intended as a guide only and should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases*.

**Version History**

| Version | Date | Comment |
| --- | --- | --- |
| 4.0 | 07/04/2025 | Update to content, layout, and format. |
| 3.0 | 18/03/2024 | Add link to GHG forms guidance |