



## Expiry of Offshore Greenhouse Gas Lease Titles

All fact sheets should be read in conjunction with the [Offshore Petroleum and Greenhouse Gas Storage Act 2006 \(the OPGGS Act\)](#), associated regulations, relevant guidelines and policies (available on [NOPTA's website](#)).

This factsheet provides general information about the expiry of greenhouse gas (GHG) assessment permit or holding lease titles.

**Note:** for information about the expiry of special prospecting authorities, access authorities or cross-boundary GHG titles, please contact NOPTA.

### Overview

The expiry date of a GHG assessment permit or holding lease is the day on which it ceases to be in force (see s10(2) item 3 of the OPGGS Act).

Generally, the expiry date is specified in the title instrument, but that date may be extended if, for example, the titleholders have applied for:

- a suspension of conditions and the decision of the responsible Commonwealth Minister (RCM) is still pending;
- renewal of the title.

See also the [Annual Titles Administration Levy—remittals and refunds policy](#) (in relation to the annual levy).

### Prior to expiry

Titleholders may wish to advise NOPTA in advance if they intend to let a title expire.

Prior to expiry, titleholders should ensure that:

- all conditions of the title, including any work program commitments, have been met;
- all relevant provisions of chapters 3, 5, 6 and 8.1 of the OPGGS Act and regulations have been complied with, including the submission of all reports and data due and completion of any decommissioning obligations;
- any direction(s) given by the RCM, the National Offshore Petroleum Safety and Environment Management Authority (NOPSEMA) have been complied with; and all applicable fees, royalties and the annual titles administration levy have been paid, or appropriate arrangements for

payment have been made to the satisfaction of NOPTA.

NOPTA will conduct a compliance check of the title. If any of the matters set out above remain outstanding, NOPTA will contact the titleholders.

### Communication of expiry

After expiry, NOPTA will communicate the expiry by:

- writing to the titleholders advising that the title has expired;
- publicise the expiry of the title by publishing a notice in the Australian Government Gazette s734 item 8 of the OPGGS Act); and
- entering it in the Titles Register s523 of the OPGGS Act) and on the [NEATS website](#).

**Important note:** the permit, lease or licence ceases to be in force on the expiry date (s10 of the OPGGS Act), not the date on which the notice of the expiry is gazetted or communicated.

### Non-compliance with work program commitments

Titleholders who are at risk of defaulting on a condition of their title, including work program commitments where applicable, should consider their options to apply to vary, suspend (and extend) or be exempted from a condition of the title (s437 of the OPGGS Act).

### More information

If you have any specific questions, please contact [ghg@nopta.gov.au](mailto: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
2.0	18/03/2024	Update – admin amendments
1.0	04/07/2022	New GHG fact sheet