Our vision

A protected offshore workforce and environment.

Our purpose

To assure the protection of lives and the environment.

Our values

Professionalism

We will be accountable, consistent, reasonable and act in accordance with the law.

Ethics

We will demonstrate respect and integrity in all we do.

Impartiality

We will make our decisions on the merits of the circumstances and without undue influence.

Leadership

We will be proactive, inclusive and decisive in our conduct as a pre-eminent regulator.

Collegiality

We will make and act on informed decisions through open and respectful dialogue.

Our enabling legislation

The Offshore Infrastructure Regulator (OIR) was established under the *Offshore Electricity Infrastructure Act 2021* (OEI Act).

The functions of the OIR are administered by the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) leveraging its expertise and experience regulating large-scale infrastructure activities in the offshore marine environment.

Further information

Area identification, OEI Act policy development and industry growth initiatives
The Department of Climate Change, Energy, the Environment and Water (DCCEEW)
dcceew.gov.au
Contact: offshorerenewables@dcceew.gov.au

National Environmental Protection Agency
EPBC Act matters
nationalepa.gov.au/epbc

OEI Act licensing and administration
The Offshore Infrastructure Registrar
nopta.gov.au/offshoreregistrar
Contact: offshoreelectricity@nopta.gov.au



Offshore Infrastructure Regulator

Contact details

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Published November 2026

Offshore Infrastructure Regulator

Introducing the Offshore Infrastructure Regulator



The Offshore Infrastructure Regulator has responsibility for overseeing work health and safety, infrastructure integrity and environmental management for offshore infrastructure activities in the Commonwealth offshore area.



Our jurisdiction

The OEI Act framework applies to offshore locations beyond three nautical miles from the coast to the boundary of Australia's exclusive economic zone. Coastal waters remain the responsibility of the adjacent State and Northern Territory governments.

The OEI Act framework operates under the principle of shared use of the offshore marine environment, recognising all users and balancing competing interests.

Our role

The OIR is responsible for regulating the operations of the offshore renewables industry with particular focus on work health and safety, infrastructure integrity and environmental management.

The role of the OIR formally commences once the Minister for Energy has granted a licence under the OEI Act.

Our functions

Under the OEI Act the OIR has functions to provide advice to stakeholders, develop and implement effective monitoring and enforcement strategies to secure compliance, conduct investigations and, cooperate with other agencies and authorities that have functions relating to the regulation of offshore infrastructure activities.

Promotion and advice

The OIR recognises effective regulation benefits from meaningful communication and engagement. The OIR proactively seeks to engage with its stakeholders to provide advice, promote leading practice and drive continuous improvement. This is achieved through meetings, workshops and information sessions, delivering presentations, participating in conferences and forums, publishing regulatory guidance and information on the OIR's website at **oir.gov.au.**

Assessment

When a licence holder wishes to commence activities involving the construction, installation, commissioning, operation, maintenance or decommissioning of offshore renewable energy infrastructure or offshore electricity transmission infrastructure, they must first submit a management plan to the OIR for assessment and approval.

Management plans will be assessed by highly qualified and experienced technical experts against criteria set out in the OEI Act and its regulations.

To be approved, a management plan must clearly demonstrate how the licence holder plans to undertake offshore infrastructure activities while protecting the health and safety of the workforce, managing infrastructure integrity risks and ensuring obligations under the *Environment Protection and Biodiversity Conservation Act 1999* are complied with. In addition to a management plan licence holders are required to obtain a number of other project specific approvals from the OIR.

Inspection

The OIR will conduct regular inspections to ensure a licence holder is complying with the OEI Act, its regulations and approved management plans.

The OIR will plan inspections considering risks specific to activities to be conducted under licences, performance and compliance history of the licence holder where applicable, and any emerging industry trends.

Where necessary, the OIR will conduct ad-hoc inspections with little to no notice; for example, to investigate reported incidents or workforce complaints.

Following the completion of an inspection the OIR will provide the licence holder with a report of its conclusions and any recommendations.

Recommendations will typically detail a timeframe for matters to be addressed. In subsequent inspections, the OIR will verify if the licence holder has taken the necessary actions to address its recommendations or may require such actions to be closed out before this time.

Investigation

When there is a potential breach of the OEI Act, its regulations or an approved management plan, the OIR will investigate to determine what happened, how it happened and what course of corrective action is warranted.

Typically, an investigation is initiated based on the review of a notifiable incident, a workforce complaint, information provided by a third-party, or as a result of a proactive inspection.

Initial investigative actions may include meeting with the responsible parties and/or undertaking a targeted inspection. If the OIR verifies a breach has occurred, then it will seek to correct that breach by providing advice, issuing recommendations or taking the appropriate enforcement action.

The OIR will commence a detailed investigation when a potential breach results in death or serious injury or demonstrates repeated non-compliance. The OIR will investigate matters with the objective of holding the responsible parties to account; up to and including referring the matter to the Commonwealth Director for Public Prosecutions.

Enforcement

When a licence holder breaches the OEI Act, its regulations, or an approved management plan then the OIR may take enforcement action to rectify the breach, hold the responsible parties to account, and/or provide deterrence to the industry.

Typically, enforcement action is taken based on information discovered during an inspection or following an investigation.

There are a range of enforcement tools available to the OIR enabling it to select an appropriately proportionate, targeted, and effective measure to pursue. This includes issuing an improvement or prohibition notice, requiring a management plan to be revised, issuing a direction or pursuing prosecution.

Enforcement action will be undertaken in a transparent, efficient and consistent manner according to the principles of procedural fairness.

Stakeholder engagement

The OIR undertakes a number of initiatives to engage with our stakeholders including:

- Implementation and maintenance of a stakeholder engagement framework
- Proactive promotional campaigns
- Publishing guidance and other information to build stakeholder understanding of regulatory requirements
- Participation in relevant stakeholder and community events to support our social licence to regulate
- Direct engagement with industry and the offshore workforce to drive strong outcomes in health and safety and environmental performance
- Fostering strong working relationships with State and Commonwealth government agencies to ensure good regulatory outcomes
- Collaboration with international regulatory counterparts to share industry insights, and perspectives on leading regulatory and industry practices and lessons learned.

Governance arrangements and cost recovery

The OIR relies on NOPSEMA's status as a Corporate Commonwealth Entity. The CEO of NOPSEMA is also the CEO of the OIR. The CEO has responsibility for exercising the powers and functions of the OIR under the OEI Act and for the day-to-day management of the OIR.

There is distinct legislative separation between the functions, duties, and cost recovery of NOPSEMA and the OIR.

In discharging its functions, the OIR advises the Minister for Energy and may provide reports and recommendations to the Minister on matters relating to work health and safety, infrastructure integrity and environmental management for activities regulated under the OEI Act.

The OIR functions are to be fully cost recovered through a combination of fees and levies collected from regulated entities.

A fully cost recovered regime allows the OIR to deliver high quality regulatory services and ensure the costs of administering the regulatory framework are borne by industry.