

International Offshore Petroleum Environmental Regulators Terms of Reference

1. Purpose and Scope

The IOPER is the international forum of offshore petroleum environmental regulators whose members are dedicated to the common cause of raising offshore environmental performance. This includes standards applicable to the normal operations, along with those that would be applicable to activities related to environmental emergency prevention, preparedness and response.

2. Background

Offshore petroleum exploration and production (E&P) is a global industry. Petroleum E&P companies work around the world and deal with a number of different regulatory regimes. Environmental issues, including those associated with offshore petroleum operations, are gaining prominence globally.

IOPER members believe that the application of prudent and cautious environmental practices by the offshore petroleum industry benefits the industry, its regulators and the public. They also believe that the sharing of information among regulators about environmental practices in each member country's jurisdiction has the potential to improve environmental performance.

3. Objectives

The objectives of the IOPER are:

- To enable an exchange of information among regulators on:
 - Offshore environmental trends;
 - Industry environmental performance and best practices;
 - Lessons from environmental incidents;
 - Environmental studies related to potential impacts;
 - Environmental regulatory practices and initiatives;
 - Trends identified through monitoring programs; and
 - Measuring the effectiveness of regulatory activities.
- To promote best sustainable environmental performance globally.
- To provide a network of offshore petroleum environmental regulators for mutual support and advice when required.

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4. Ways of Working

The IOPER achieves its objectives through:

- an annual plenary meeting;
- communication among members between annual meetings, as the need arises;
- the formation of working groups, and/or the commissioning of other competent stakeholder organizations, to advance particular issues of importance; and
- individual IOPER member country outreach initiatives.

The host country/organization for an annual plenary meeting will organize the meeting, including the development of an agenda and provision for taking of meeting notes. Meeting notes will be summary in nature, excepting any explicitly agreed-upon action items, and will be circulated to attendees for comment but normally will not require formal signoff.

Agenda items at annual meetings normally include country updates and technical sessions, as notified to the host agency in advance. Both categories should cover environmental issues likely to be of common interest, possibly with technical sessions addressing matters such as lessons from incidents, research findings, and regulatory initiatives. Annual meetings also may include a review of joint activity during the previous year, and consideration of any shared work planned or proposed for the coming year. Appropriate members should endeavour to agree upon responsibilities for the lead of, and contributions to, each such topic.

Meetings will be conducted in English with openness and honesty, and must respect the confidentiality of information shared with participants. To assist in this objective, as well as in general logistics, participant numbers should be small, with each member country (except for the host agency) normally sending no more than three participants to an individual meeting.

Information shared and discussed at the meeting is considered confidential and is subject to the Chatham House Rule, which states “when a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed”. However, an individual may give verbal permission for the dissemination of the information that they have shared at meetings.

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IOPER members represent agencies, established under legislation, that directly regulate environmental issues within offshore petroleum exploration, production, or both, in their respective countries. Participants are authoritative decision makers, competent to speak about key operational, technical and policy issues and have access to sufficiently reliable information to enable meaningful discussion.

The Terms of Reference may be changed by mutual agreement of IOPER members.

5. IOPER Membership

Eligibility

- (a) An offshore petroleum regulator who is:
 - (i) established under national legislation;
 - (ii) capable of independent decision-making, separate from the operations that they regulate and from royalty collection; and
 - (iii) committed to actively participating in annual meetings, work on IOPER projects or workgroups.

Application for Membership

An application for IOPER membership must be in writing, sent to the IOPER members, and include:

- (a) a signed statement addressing the eligibility criteria above; and
- (b) a statement agreeing to be bound by the Terms of Reference of the IOPER.

Election to Membership

- (a) An application for Membership must be formally approved by the existing IOPER members.
- (b) An application shall be rejected if the applicant has not met the “Eligibility” or “Application for Membership” requirements above.

Termination of Membership

- (a) A member of IOPER may terminate its membership through written notification to the IOPER.
- (b) An IOPER membership may be terminated through a mutual decision of all the other committee members, should the member in question, fail to meet member commitments. In considering such a termination, before termination, the member shall be offered an opportunity to comment on the action contemplated.

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Listing of Members

- (a) The IOPER shall maintain and publicize a list of current IOPER members on its website.

Obligations and responsibilities of IOPER Members

- (a) Each member shall promote the IOPER initiatives.
- (b) Each member is responsible for making a contribution to the working of the IOPER by actively participating in IOPER meetings and working groups, in hosting IOPER annual meetings on a rotational basis, in addressing IOPER matters that may arise between meetings in a timely manner, and in contributing to keeping the IOPER website alive and current.

Members

The current IOPER Members are:

- Brazilian National Agency of Petroleum, Natural Gas and Biofuels (ANP), Brazil
- Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Environmental Enforcement (BSEE), United States of America
- Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) and Canada-Nova Scotia Offshore Petroleum Board (CNSOPB), Canada
- Climate and Pollution Agency (KLIF), Norway
- Department of Energy and Climate Change (DECC), United Kingdom
- Agencia de Seguridad, Energía y Ambiente (ASE&A), Mexico
- National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA), Australia
- Environmental Protection Authority (EPA), New Zealand

Other relevant authorities or organizations may be invited to meetings by their national representative, depending on the agenda for the specific meeting.