



New South Wales

Pipelines Amendment (Acquisition of Lands and Easements) Regulation 1999

under the

Pipelines Act 1967

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Pipelines Act 1967*.

KIM YEADON, M.P.,

Minister for Energy

Explanatory note

The object of this Regulation is to clarify the post-acquisition procedural requirements that are to apply in relation to the compulsory acquisition of lands or easements over lands under the *Pipelines Act 1967*.

This Regulation is made under the *Pipelines Act 1967*, including section 22A (Compensation) and section 69 (the general regulation-making power).

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Clause 1 Pipelines Amendment (Acquisition of Lands and Easements) Regulation 1999

Pipelines Amendment (Acquisition of Lands and Easements) Regulation 1999

1 Name of Regulation

This Regulation is the *Pipelines Amendment (Acquisition of Lands and Easements) Regulation 1999*.

2 Amendment of Pipelines Regulation 1993

The *Pipelines Regulation 1993* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 33

Omit clause 33. Insert instead:

33 Compensation (section 22A)

(1) In this clause:

the Acquisition Act means the *Land Acquisition (Just Terms Compensation) Act 1991*.

the Pipelines Act means the *Pipelines Act 1967*.

(2) For the purposes of section 22A (2) of the Pipelines Act:

- (a) a reference in the Acquisition Act to an acquisition notice is to be read as a reference to a notification under section 21 (1) of the Pipelines Act, and
- (b) a reference in the Acquisition Act to the acquisition of land is to be read as a reference to the vesting of lands or easements under section 21 (2) of the Pipelines Act, and
- (c) a reference in the Acquisition Act to the date of acquisition of land is to be read as a reference to the date of publication of the relevant notification by which lands or easements have become vested in a licensee under section 21 (2) of the Pipelines Act, and
- (d) a reference in the Acquisition Act to a public purpose is to be read as a reference to any purpose for which lands or easements may be vested in a licensee under section 21 (2) of the Pipelines Act.

(3) In the application of Divisions 3 and 4 of Part 3 of the Acquisition Act for the purposes of section 22A of the Pipelines Act:

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Schedule 1 Amendment

- (a) a reference in the Acquisition Act to an authority of the State is to be read as a reference to a licensee under the Pipelines Act except in sections 42 (4), 56 (2) and 60 (6) (b), and
- (b) a reference in sections 42 (4), 56 (2) and 60 (6) (b) of the Acquisition Act to the Minister responsible for an authority of the State (or the Minister responsible for the authority of the State) is to be read as a reference to the Minister administering the Pipelines Act, and
- (c) a reference in section 60 (2) (b) of the Acquisition Act to the Minister is to be read as reference to the Minister administering the Pipelines Act, and
- (d) a reference in section 51 (5) of the Acquisition Act:
 - (i) to payment to the Treasurer for payment into the Consolidated Fund is to be read as a reference to payment to the licensee, and
 - (ii) to any payment of the compensation concerned required to be made being made from the Consolidated Fund is to be read as a reference to any payment of the compensation concerned required to be made being made by the licensee.

BY AUTHORITY