



New South Wales

## Petroleum (Onshore) Amendment Regulation 2002

under the

Petroleum (Onshore) Act 1991

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Petroleum (Onshore) Act 1991*.

The Hon EDWARD OBEID, M.L.C.,  
Minister for Mineral Resources

### Explanatory note

The object of this Regulation is to amend the *Petroleum (Onshore) Regulation 1997*:

- (a) to specify penalties for certain offences against that Regulation and to increase the penalties for certain other offences, and
- (b) to make it clear that the provisions of certain clauses of that Regulation constitute conditions of a petroleum title, and
- (c) to provide for the issue of, and to prescribe the penalties for, penalty notices for breaches of the conditions of a petroleum title, and
- (d) to prescribe certain matters for the purposes of section 138B of the *Petroleum (Onshore) Act 1991*.

This Regulation is made under the *Petroleum (Onshore) Act 1991*, including sections 138 and 138B.

## **2002 No 56**

Clause 1                    Petroleum (Onshore) Amendment Regulation 2002

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# **Petroleum (Onshore) Amendment Regulation 2002**

### **1 Name of Regulation**

This Regulation is the *Petroleum (Onshore) Amendment Regulation 2002*.

### **2 Amendment of Petroleum (Onshore) Regulation 1997**

The *Petroleum (Onshore) Regulation 1997* is amended as set out in Schedule 1.

## 2002 No 56

Petroleum (Onshore) Amendment Regulation 2002

Amendments

Schedule 1

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### **Schedule 1 Amendments**

(Clause 2)

**[1] Clause 9 Commencement of exploration activity**

Omit “20 penalty units”. Insert instead “100 penalty units”.

**[2] Clause 10 Work program to be adhered to**

Insert “, and only the operations,” before “described”.

**[3] Clause 12 Report on operations in accordance with agenda**

Insert at the end of the clause:

Maximum penalty: 100 penalty units.

**[4] Clause 13 Geological plans and records: section 131**

Omit “5 penalty units” from clause 13 (4).

Insert instead “100 penalty units”.

**[5] Clause 23 Environmental practices**

Insert after clause 23 (1):

(1A) It is a condition of every petroleum title that the holder of the title will comply with the requirements of subclause (1).

**[6] Clause 24 Safety practices**

Insert after clause 24 (1):

(1A) It is a condition of every petroleum title that the holder of the title will comply with the requirements of subclause (1).

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## Petroleum (Onshore) Amendment Regulation 2002

## [7] Clauses 28 and 29

Insert after clause 27:

## 28 Penalty notices for contravention of petroleum title: section 137A

- (1) For the purposes of section 137A (2) of the Act, the prescribed penalty for an offence under section 136A of the Act that consists of a contravention of or failure to comply with a condition described in Column 2 of Schedule 2 in respect of a petroleum title referred to in Column 1 of that Schedule is the penalty specified in Column 4 of that Schedule opposite the description of the condition.
- (2) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence under section 136A of the Act that consists of a contravention of or failure to comply with a condition described in Column 2 of Schedule 2 in respect of a petroleum title referred to in Column 1 of that Schedule is:
  - (a) the expression specified in Column 3 of that Schedule, or
  - (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.

## 29 References to officers in petroleum titles

Pursuant to section 138B of the Act, a reference in any petroleum title to any of the following officers is, for the purpose of the performance of a function involving rehabilitation or environmental requirements, taken to be a reference to the Minister:

## District Inspector,

## Inspector of Petroleum.

## [8] Schedule 1 Fees

Insert at the end of the Schedule:

On registration of a transfer . . . . . \$180  
On lodgment of a caveat . . . . . \$250

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Amendments

Schedule 1

**[9] Schedule 2**

Insert after Schedule 1:

**Schedule 2 Penalty notice offences**

(Clause 28)

Column 1	Column 2	Column 3	Column 4
Type of petroleum title	Nature of condition	Short description of contravention or failure to comply	Penalty for contravention or failure to comply
Exploration licence or assessment lease	Requirement to lodge report of exploration activity	Not report exploration	\$5,500
Exploration licence or assessment lease	Requirement to leave exploration site in clean and tidy condition	Site not clean/tidy	\$5,500
Exploration licence or assessment lease	Requirement to make safe any drillholes or other excavations	Unsafe excavation	\$5,500
Exploration licence or assessment lease	Requirement to comply with direction given by Inspector or Environmental Officer	Not comply with direction of Inspector/Officer	\$5,500
Production lease	Requirement to lodge report	Not report	\$5,500
Production lease	Requirement to comply with direction given by Inspector or Environmental Officer	Not comply with direction of Inspector/Officer	\$5,500
Production lease	Requirement to ensure operations are conducted so as to provide safety to persons and stock	Unsafe operations	\$5,500

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Column 1	Column 2	Column 3	Column 4
Type of petroleum title	Nature of condition	Short description of contravention or failure to comply	Penalty for contravention or failure to comply
Production lease	Requirement to maintain lease area in clean and tidy condition	Area not clean/tidy	\$5,500

BY AUTHORITY